

## Board of Selectmen's Meeting Minutes

June 10, 2020; 5:00 P.M.

Board Members Present: Liston E. Eastman, Chairman; Glenn R. Zaidman, Vice-Chairman; Carmen Lone; Robert P. Murphy; G. Frederick Packard

Administration Present: Town Manager Robert Peabody; Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Public Services Director David Madsen; Community Development Director Linda LaCroix

1. Call to Order

Chairman Eastman called the meeting to order at 5:00 P.M.

2. Pledge of Allegiance

The "Pledge of Allegiance" was recited.

3. Public Hearing

Chairman Eastman opened the Public Hearing to hear public comment on the following questions that will be presented to the voters via referendum ballot on July 14, 2020:

**Question 1.** Shall the Town vote to regulate medical marijuana large-scale caregiver operations by enacting an ordinance entitled, "Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments"?

*(Note: A "Yes" vote on Question 1 will enact the ordinance entitled, "Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments," as applied to medical marijuana large-scale caregiver operations. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 2.** Shall the Town vote to allow and regulate medical marijuana caregiver retail stores in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, "Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments"?

*(Note: A "Yes" vote on Question 2 will enact the ordinance entitled, "Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments," as applied to medical marijuana caregiver retail stores. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 3.** Shall the Town vote to allow and regulate medical marijuana manufacturing facilities in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, "Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments"?

*(Note: A "Yes" vote on Question 3 will enact the ordinance entitled, "Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments," as applied to medical marijuana manufacturing facilities. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public.

**Question 4.** Shall the Town vote to allow and regulate medical marijuana testing facilities in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments”?

*(Note: A “Yes” vote on Question 4 will enact the ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments,” as applied to medical marijuana testing facilities. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 5.** Shall the Town vote to allow and regulate adult use marijuana cultivation facilities in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments”?

*(Note: A “Yes” vote on Question 5 will enact the ordinance entitled “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments” as applied to adult use marijuana cultivation facilities. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 6.** Shall the Town vote to allow and regulate adult use marijuana stores in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments”?

*(Note: A “Yes” vote on Question 6 will enact the ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments,” as applied to adult use marijuana stores. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 7.** Shall the Town vote to allow and regulate adult use marijuana products manufacturing facilities in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments”?

*(Note: A “Yes” vote on Question 7 will enact the ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments,” as applied to adult use products marijuana manufacturing facilities. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 8.** Shall the Town vote to allow and regulate adult use marijuana testing facilities in the Inner Corridor (IC) and Outer Corridor (OC) Districts by enacting an ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments”?

*(Note: A “Yes” vote on Question 8 will enact the ordinance entitled, “Amendments to Bridgton Ordinances to Allow and Regulate Certain Marijuana Establishments,” as applied to adult use marijuana testing facilities. Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 9.** Shall an ordinance entitled, “Housekeeping Amendments to the Bridgton Land Use Ordinance to Clarify Dimensional Requirements,” be enacted?

*(Note: Copies of the text of the ordinance are available from the Town Clerk.)*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 10.** Shall an ordinance entitled, “Amendments to the Bridgton Land Use Ordinance to Exempt Subdivisions from Land Use Ordinance Requirements” as shown below, be enacted?

*(Note: Deletions are shown in ~~strikethrough~~ form and additions are shown in underline form.)*

## **ARTICLE I. GENERAL PROVISIONS**

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### **Section 3. Applicability**

The Town of Bridgton hereby regulates the inspection, construction, alteration, height, area, ground coverage, location and use of buildings and structures, and the use of land, throughout the Town; and also hereby divides the Town into districts as defined and described herein, and shown on the Official Zoning Maps on file with the Town Clerk, which are hereby incorporated into this Ordinance. All buildings or Structures hereinafter constructed, reconstructed, altered, enlarged, or moved, and the uses of buildings and land, including the division of land (except as expressly provided in Article I, Section 3.C.2, below), shall be in conformity with the provisions of this Ordinance. No building, Structure, land, or water area shall be used for any purpose or in any manner except as provided for in this Ordinance.

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C. This Ordinance shall govern any and all proceedings, applications for permits, or approvals required hereunder or any other Ordinances of the Town, provided, however, that this Ordinance shall not apply to:

1. ~~A~~any application for a permit which has been determined to be complete by the reviewing authority, and on which the reviewing authority has conducted a substantive review, prior to the effective date. For purposes of this section, a substantive review of an application shall consist of a review of that application to determine whether it complies with the applicable review criteria and other applicable requirements.

2. Any application for a subdivision permit. The Planning Board shall review and authorize subdivision permit applications pursuant to the Town of Bridgton Subdivision Regulations, without regard to the provisions in this Ordinance; provided, however, that the provisions of this Ordinance establishing allowed uses for each District shall apply to any structures or land uses that are located on a subdivided lot.

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## ARTICLE VI. DEFINITIONS

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**Minimum Lot Frontage** – The minimum Lot Frontage on a parcel of land. The “Minimum Lot Frontage” requirements set forth in this Ordinance shall not apply to any lot created as part of a subdivision approved by the Planning Board pursuant to the Town of Bridgton Subdivision Ordinance.

**Minimum Lot Size** – The minimum acreage of a parcel of land. The “Minimum Lot Size” requirements set forth in this Ordinance shall not apply to any lot created as part of a subdivision approved by the Planning Board pursuant to the Town of Bridgton Subdivision Ordinance.

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 11.** Shall an ordinance entitled, “Amendments to the Bridgton Land Use Ordinance to Allow Additional Land Uses in Single-Story Structures in the DVB-I District,” as shown below, be enacted?

(Note: Deletions are shown in ~~strikethrough~~ form and additions are shown in underline form.)

## ARTICLE II. LAND USE DISTRICTS AND USES

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### Section 2. Land Uses & Standards by District

#### A. Downtown Village Business District I (DVB-I)

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##### 9. Uses

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- b. **Allowed uses—Upper Stories**, including within the roof of any Structure where the roof is configured as a half-story (1/2 Story): If a Structure is composed of a single story, the following uses are allowed within the Ground Story if (i) the uses are not clearly visible from any Public Lot Line and (ii) one or more of the uses allowed in Section 9.a, above, occupies a portion of the Ground Story that is most proximate to and visible from any Public Lot Line.

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Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 12.** Shall an ordinance entitled, “Amendments to the Bridgton Land Use Ordinance to Allow Assisted Living Facilities in the DVN District,” as shown below, be enacted?

(Note: Deletions are shown in ~~strikethrough~~ form and additions are shown in underline form.)

**ARTICLE II. LAND USE DISTRICTS AND USES**

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**Section 2. Land Uses & Standards by District**

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**C. Downtown Village Neighborhood District (DVN)**

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**9. Uses**

Uses shall be consistent with the Purpose set forth for this District. The following uses, and any Structures associated with such uses, are allowed in this District:

**a. Allowed uses:**

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Assisted Living Facility

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**Section 3. Tables**

**A. Land Uses by District**

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USE CATEGORY	DVB I Ground Story	DVB I Upper Stories	DVB II	DVN	IC	OC	MUC	LN	OV	RN	NOTES/LIMITATIONS *
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Assisted Living Facility	N	N	N	<del>NY</del>	Y	Y	Y	N	N	Y	
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Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 13.** Shall the Town vote to appropriate the sum of \$3,345,116.00 from Anticipated Revenues, the Unassigned Fund Balance, Bridgton Trust Fund and Moose Pond Trust Fund to reduce property taxes for the 2020/2021 fiscal year?

*Board of Selectmen Recommend a YES vote.*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 14.** Shall the Town vote to raise and appropriate the sum of \$3,105,560.00 for the cost of General Government to include Contingency and Long-Term Debt?

*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 15.** Shall the Town vote to raise and appropriate the sum of \$1,608,315.00 for the cost of Public Safety?

*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 16.** Shall the Town vote to raise and appropriate the sum of \$2,664,000.00 for Public Works and Capital Expenditures/Other Services?

*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 17.** Shall the Town vote to raise and appropriate the sum of \$12,450.00 for the cost of annual stipends for the Board of Selectmen and Planning Board?

*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 18.** Shall the Town vote to raise and appropriate the sum of \$194,387.00 for Outside Agencies?

*Board of Selectmen Recommend a YES vote.*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 19.** Shall the Town vote to raise and appropriate the sum of \$64,008.00 for Outside Services?

*Board of Selectmen Recommend a YES vote.*

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 20.** Shall the Town vote to raise and appropriate the sum of \$855,396.00 for County Fees and Taxes?  
*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 21.** Shall the Town vote to appropriate the sum of \$200,070.00 from the Community Development Block Grant Capital Reserve for community development projects approved by the Board of Selectmen?  
*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 22.** Shall the Town vote to appropriate, and authorize the Board of Selectmen to expend, up to \$330,000 from the Route 302 Tax Increment Development Program for the purposes of that program?  
*Board of Selectmen Recommend a YES vote.*

There were no public comments on this question.

**Question 23.** Shall the Town vote to fix the date when property taxes become due and payable with the first quarter payment being due and payable on August 15, 2020; second payment being due and payable on November 15, 2020; third payment being due and payable on February 15, 2021; fourth payment being due and payable on May 15, 2021 and that an interest rate of 6% per annum be charged on all unpaid taxes after these dates until those taxes are paid in full (36 MRS § 505.4)?

There were no public comments on this question.

**Question 24.** Shall the Town vote to set an interest rate of 2% as the rate to be paid to taxpayers who pay amounts in excess of amounts finally assessed and authorize any such interest paid or abatements granted to be charged against the annual overlay (36 MRS § 506)?

There were no public comments on this question.

**Question 25.** Shall the Town vote to fix the rate of interest on delinquent wastewater charges at 6% interest per annum?

There were no public comments on this question.

**Question 26.** Shall the Town vote to authorize the Tax Collector to accept pre-payment of taxes not yet due or assessed (36 MRS § 506)?

There were no public comments on this question.

**Question 27.** Shall the Town vote to authorize the Board of Selectmen to enter into boundary line agreements with abutting property owners to establish the boundary line of any property of the Town, including the boundary lines of the rights-of-way of roads.

Select Board Members, Management, and staff responded to questions asked by the public. Discussion ensued.

**Question 28.** Shall the Town vote to authorize the Board of Selectmen to waive the foreclosure of a tax lien mortgage pursuant to 36 MRS § 944 upon a finding by the Board of Selectmen that ownership of the property subject to the lien would be contrary to the Town's best interest?

There were no public comments on this question.

**Question 29.** Shall the Town vote to authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of taxes thereon, on such terms as they deem advisable, and to execute quitclaim deeds for the property; with property to be disposed of by written policy and on terms the Board of Selectmen deem advisable, except that the Municipal Officers shall use the special sale process required by 36 MRS § 943-C for qualifying homestead property if they choose to sell it to anyone other than the former owner(s)?

There were no public comments on this question.

**Question 30.** Shall the Town vote to authorize the Board of Selectmen, on behalf of the Town, to sell and dispose of any real estate acquired by the Town for non-payment of wastewater assessments thereon, on such terms as they deem advisable, and to execute quitclaim deeds for the property; property to be disposed of by written policy and on terms the Board of Selectmen deem advisable?

There were no public comments on this question.

**Question 31.** Shall the Town vote to authorize the Board of Selectmen to sell Town-owned land that the Board of Selectmen has determined to be surplus, other than land acquired for non-payment of taxes or wastewater assessments, and to conduct the sale of such land by sealed bid, public auction or through an agent or multiple listing, whichever the Board of Selectmen deems to be in the best interest of the Town; and to deliver a quitclaim deed to the successful purchaser; provided that at least 30 days prior to selling, or obligating the Town to sell, such surplus land, the Town shall mail written notice to the abutters at their addresses on file with the Town, give notice on the Town's website, post at least one notice on a social media platform used by the Town, and publish at least one notice in a newspaper of general circulation in the Town? The net proceeds of any sale shall be deposited into the Town's general fund.

There were no public comments on this question.



**Question 32.** Shall the Town vote to authorize the transfer of all unexpended balances to fund balance, excepting those carried forward funds, and to authorize any overdrafts that may occur in the Town operations in the 2020/2021 fiscal year to be taken from fund balance?

There were no public comments on this question.

**Question 33.** Shall the Town vote to authorize the Board of Selectmen to sell or dispose of equipment that is no longer of any use, or is unusable?

There were no public comments on this question.

**Question 34.** Shall the Town vote to authorize the Board of Selectmen and Treasurer, on behalf of the Town, to accept gifts, real estate, and funds, including trust funds, that may be given or left to the Town?

There were no public comments on this question.

**Question 35.** Shall the Town vote to authorize the Board of Selectmen to apply for and accept grants on behalf of the Town, and to expend the proceeds thereof for the purposes for which they are received, provided that the terms of the grants do not require the Town to expend other funds which have not been appropriated by the Town?

There were no public comments on this question.

**Question 36.** Shall the Town vote to participate in the Cumberland County Housing and Community Development Programs of the Federal Department of Housing and Urban Development, including but not limited to the Community Development Block Grant Program (CDBG) and the HOME Program; to designate its population to be included in the calculation of Cumberland County's funds by the U.S. Department of Housing and Urban Development and to authorize the Board of Selectmen to execute an agreement with Cumberland County to formalize the same?

There were no public comments on this question.

#### 4. Adjourn

Chairman Eastman adjourned the meeting at 6:52 P.M.

Respectfully submitted,

Laurie L. Chadbourne  
Town Clerk