

**Bridgton Planning Board Meeting Minutes
Downstairs Meeting Room/Virtual**

**July 7, 2020
5:00pm**

Board Members		Staff Member	
Deb Brusini, Chair	X	Brenda Day, Code Enforcement	X
Ken Gibbs-Vice Chair	X	Erin O'Connor, Admin Asst., Staff	X
Greg Watkins		Linda LaCroix, Dir. Of Comm Development	X
Dee Miller	X		
Dan Harden			
Paul Tworog-Alternate	X		

Call to Order

Deb Brusini, Chair, calls the meeting to order in the downstairs conference room at 5:00 pm on July 7, 2020.

The Pledge of Allegiance

Appoint Alternate(s)

Deb Brusini, Chair, appoints Paul Tworog as voting member in Dan Harden's place.

Approval of Minutes:

June 16, 2020 **Motion:** Ken Gibbs moved to approve as written Second: Paul Tworog.

Motion Carries 4/0

June 29, 2020 **Motion:** Ken Gibbs moved to approve as amended, Second: Paul Tworog

Motion Carries 4/0

Item #4 Old Business

4.A Sanborn Gravel Pit

MOTION- Dee Miller moved to reschedule the Public Hearing to July 21, 2020 Second: Paul Tworog.
Motion carries 4/0.

4.B BD Solar North Bridgton, LLC

MOTION- Ken Gibbs moved to approve Findings of Fact and Conclusions of Law as written.
Seconded by Paul Tworog. **MOTION CARRIES 4/0.**

4.C Brown Mill Farm

MOTION- Ken Gibbs moved to approve Findings of Fact and Conclusions of Law as written, Second: Paul Tworog. **MOTION CARRIES 4/0.**

4.C Senior Housing Development Public Hearing cont.

Brenda Day noted as confirmed by the Town Attorney, this project is considered residential and residential setbacks will apply.

MOTION-Deb Brusini accepts a motion to close the hearing. Dee Miller moves to close the Public Hearing Second: Paul Tworog. **MOTION CARRIES 4/0**

MOTION- Board moved to approve senior housing development pending the approval of finding of fact and conclusion of law **MOTION CARRIES 4/0**

Site Review plan deliberations:

Items 1-2 –

Paul Tworog noted for the record: Does not believe the building to be of compatible scale and size in comparison to that part of town, however regarding the lot, the building does blend in. Dee Miller noted for the record she agrees with Paul Tworog regarding the scale of building in comparison to others in that part of town

Item 3 – 11 –No comment

Items 12 – Condition that all recommendations on impact statement are completed prior to permitting

Item 13-14 – No comment

Item 15 – Followed up by official notification

Item 16 – Noted that applicant has improved property, and improvements will alleviate flooding on adjoining property

Noted for the record: Mr. Rivet has stated in an email that he is satisfied with the what the applicant is doing and will help the situation

Items 17 – Applicant will be hooked up to wastewater system

Item 18- No comment

Item 19- Not applicable- Shoreland zone does not apply

Item 20- No comment

Item 21- Deb Brusini comments this area has been spiked out many times as a need in the town

Item 22- No comment

Item 23- Not applicable- Not located in flood zone

Item 24-27- No comment

Conditions of approval:

1. Noted for the record- Dee Miler states easy access to the application process should be clear for residence
2. All recommendations on impact statement are completed prior to permitting

DVBII Land Use Ordinance deliberations:

Items 2a- Meets requirements

2b- No comment

Items 3a-c- Does not apply

Items 4-5e- No comment

Item 6- Does not apply

Items 7-8- No comment

Rural Neighborhood Review:

Items 2 a-b- Meets size requirements

Items 3a-c- Meets requirements

Noted for the record; Large portion of Rural neighborhood lot will remain natural

Items 4-5b- Not applicable

Items 6-8- Not applicable

MOTION- Ken Gibbs motioned to move to approve the project as concerned by the Land Use ordinance standards, Seconded by Paul Tworog. **MOTION CARRIES 4/0**

MOTION- Ken Gibbs motioned to approve project pending Finding of Fact and Conclusion of Law with conditions as discussed. All conditions and requirements listed on impact statement are to be met prior to permitting. Seconded by Paul Tworog **MOTION CARRIES 4/0**

Item #5 New Business

NFI North

7 Nulty street.

Map 23 Lot 22

-No recusals

Paul Tworog was concerned about certified abutters notice being sent to the wrong person, but correct address, Dee Miller noted there is no live signature, approval should be contingent on written approval from abutters with proper name. Board members in agreeance that abutters must see written notice of project and agree in writing before planning board can move forward with approval.

Dee Miller noted that project does not meet requirements of site review ordinance due to improper notification. Brenda Day, CEO comments that a signed abutter notice from Chris Rand would be sufficient to continue to approval of project. Deb Brusini asks that Secretary, Erin O'Connor sends this notice over to Chris Rand for necessary signature and written proof of no objections.

-Board calls for 10-minute recess, giving Chris Rand an opportunity to call in to the meeting.

Chris Rand is contacted, calls into the meeting, and states he has no objection to this project and will wait for abutters notice to arrive from Erin O'Connor, Planning board secretary. Proper signature and affirmation will be noted and sent back prior to the next meeting. Dee Miller states to continue, stating this situation as an irregularity, the applicant in this situation has done his due diligence.

AMENDED MOTION: Dee Miller moved that the application is substantially complete, contingent upon written confirmation from abutters stating he has received notice and has no objection. Second: Paul Tworog

Noted for record: Board feels applicant has fulfilled his responsibility according to the ordinance. **MOTION CARRIES 4/0**

- Board agrees that both public hearing and site walk deemed unnecessary
- Deb Brusini notes project is in the Resource Protection District
- CEO, Brenda Day, notes town sewer does run through property, also confirmed by public works director and previous owners. If septic fails, the sewer must be connected at applicants' expense. Board and applicant agree to this matter.
- Deb Brusini notes this is a non-conforming structure relative to land use ordinance. Therefore, requirements for more windows does not apply, responding to Dee Miller's earlier concern regarding windows.
- CEO, Brenda Day, advises applicant to speak to water district to confirm necessary usage.

- Deb Brusini examines financial capacity. Paul Dann states his partnership with Coastal Enterprise to purchase the property cash sale, also stating his company is a highly respected partner with Maine State Housing Authority. Deb Brusini suggests Paul Dann gather a letter from Coastal Enterprises supporting their financial capacity.
- Deb Brusini suggests board closes evidence period for land use and shoreland review. Board should begin deliberation on key items regarding non-conforming uses and structures in shoreland and land use zone. Deb Brusini states final deliberations on said topics will happen at the following meeting. Members of the board agree to leave record open for site plan.
- Brenda Day, CEO, comments that state statute specifies that the Planning Board has authority to decide whether change of use is more non-conforming or not. Board moves to allow change of use to another non-conforming use based on no greater adverse impact.

MOTION- Ken Gibbs moved that the Board concurs with CEO's decision that this change of use, although it is non-conforming, fits all the standards that apply to a change of non-conforming use to another non-conforming in the Shoreland Zone. Seconded by Dee Miller **MOTION CARRIES 4/0**

- The Board agrees to conclude deliberations on land use and shoreland zone ordinances after the public hearing at the July 21st meeting. Need for more necessary site plan evidence will be discussed as well at the July 21st meeting.
- Deb also suggests sketches of egress' and ingress', windows, and signs, as well as letter of financial backing gathered prior to June 21st meeting.

Item #8 Approved Applications

None

Item #8 Other

Deb states that the Findings of Fact/Conclusions of Law for Senior housing development are located on the One Drive under Prior Applications. Please review for the July 21st meeting.

Deb asks board to reconsider motion on Sanborn Gravel pit timeline.

Dee Miller moves to reconsider motion. Seconded by Ken Gibbs **MOTION CARRIES 4/0**

Deb Brusini states the original motion: "Mr. Watkins moved to request the chairperson to create a timeline in regard to the Sanborn application. Seconded by Mr. Harden."

MOTION for re-vote: Deb Brusini moved to request the chairperson to create a timeline in regard to the Sanborn application. Seconded by Dee Miller.

Re-vote on original motion: 4 nay, 0 yay, MOTION FAILS.

Deb states prior to the July 21st public hearing she will offer a summarized paragraph of where the board stands in adjudicating this application. Repeating everything that was already said on the record.

Item #9 Adjourn

MOTION- Dee Miller moved to adjourn at 8:10pm. Seconded by Paul Tworog. **MOTION CARRIES 4/0**