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| **Bridgton Planning Board Meeting Minutes** | **September 6, 2022** |
| **In Person Meeting** | **5:00 pm** |

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| **Board Members** | **Staff Member** |
| Deb Brusini, Chair | **X** | Brenda Day, Code Enforcement  |  **X** |
| Rolf Madsen, Vice Chair  | **X** | Loralee Phillips, Admin Asst., Staff  | **X** |
| Ken Gibbs | **X** | Tori Hill, Dir. Of Comm Development  |  |
| Dee Miller | **X** |  |
| Dan Harden  | **X** |  |
| Cathy DiPietro- Alternate | **X** |  |
|  |  |  |

**Item #1 Call to Order**

Deb Brusini, Chair, calls meeting to order at 5:00pm.

**Item #2 The Pledge of Allegiance**

Deb Brusini, Chair, noted that alternate, Cathy DiPietro may participate, make motions and second motions, but may not vote.

**Item #3 Approval of Minutes**

*August 2, 2022*  **MOTION** Dan Harden moved to approve minutes, second by Cathy DiPietro

**MOTION CARRIES 4/0, 1 Abstention**

*August 11, 2022* **MOTION** Cathy DiPietro moved to approve minutes, second by Ken Gibbs

**MOTION CARRIES 4/0, 1 Abstention**

*August 19, 2022* **MOTION** Dan Harden moved to approve minutes pending addition of “the site walk was heavily attended by the public with approximately 30+ people, second by Ken Gibbs

**MOTION CARRIES 5/0**

**Item #4 Public Comment**

**Item #5 Old Business**

 **5A. Rolfe Gravel Pit**

 **North High St**

 **Map 11 Lot 1A, 3, 4, 5**

 **Public Hearing (Continued)**

Chair, Deb Brusini, noted that 76 letters have been sent to staff regarding the publics concerns and assured the public that this will not be their final opportunity to voice their concerns. Chair Brusini also explained to the public the role of the Planning Board, and the Boards responsibilities, in which is not opinion based, but that their decisions will be based on whether the project meets the ordinances.

Applicant, Nick Adams, presented a general overview of the updated plan for the gravel pit project. He noted that a noise study was conducted by and they are in hopes that it will be completed by end of this week.

A large change is that the old access to the pit was removed and it will be in the general location of where the site walk took place. The pit will be reduced to approximately 26 acres.

Mr. Adams stated that he has attempted to find a third party to conduct a dust study, which he was unable to access. He stated that he has contacted several engineering firms and DEP, neither of whom have heard of a “dust study”.

Mr. Adams also mentioned that regarding third party environmental, LEA has reviewed the plan with Rex Rolfe. Their mentioned concerns were dust on the road, which Mr. Rolfe responded that calcium will be used, the trucks will be covered, and speed limit signs will be in place, all the minimize dust. The applicant stated that they were planning to monitor water table elevations in July, to which LEA responded they would like it done 3 times per year.

The Board asked several questions listed below:

What is the highest elevation of aquifer?

What is the amount of loam planned to transport off lot?

What is the impact of trucks (existing trips in area today vs. Rolfe’s trips)?

Will there be a test for contaminants getting into Sawyer Brook to ensure protection of water shed from runoff?

Is there any flexibility on hours of operation?

The above questions will be answered at the next meeting.

A great deal of conversation ensued between the Board and the applicant regarding a dust study. The Board is not satisfied with the answer that a dust study does not exist and requested that DEP provide an explanation of what the expectation is of the applicant to meet the standard regarding dust.

The Board requested that the brook be tested by A&L Laboratories for turbidity, phosphorus, hydrocarbons, and heavy metals.

Nick Adams explained that Rolfe is currently operating under a forestry permit which allows 20 acres of clearances, and a town permit for 2 acres which is in the beginning portion of lot.

Lauren Manager at LEA stated they have reviewed the plan and as far as LEA is concerned that this project meets the ordinance. The Board requested that a written statement be submitted by LEA with their opinions regarding impacts on water quality.

Scott Frame, abutter, spoke regarding period of approval of project (50 years), which is the estimated amount of time that applicant believes they can extract material. He suggested that 50 years is a very long time and spoke to effects of climate change. He also suggested that approval be considered for a shorter time period and asked if there should be something done to assess property values.

**MOTION** Ken Gibbs moved to hold a special meeting October 6, 2022 for Rolfe’s project, second by Rolf Madsen

**MOTION CARRIES 4/1**

 **5B. Lakewood Commons**

 **Portland Rd**

 **Map 10 Lot 10-1, 10-2, 10-3, 10-4, 8A, 58A**

 **Subdivision- Formal Approval**

Craigs Burgess of Sebago Technics presented an update on Lakewood Commons project. He stated that the left-hand turn analysis is not required as part of construction of 5 residential. The Board stated that if there are changes to the plan, it will need to come back to the Planning Board.

**MOTION** Dan Harden moved to approve final plan conditional upon DOT approval prior to occupancy, second by Ken Gibbs

**MOTION CARRIES 5/0**

Chair Brusini to draft Findings of Fact & Conclusions of Law.

 **5C. Highland Pines**

 **Highland Pines Rd**

 **Map 17 Lot 2-7**

 **Lot Split**

**MOTION** Chair Brusini moved to hold a public hearing on September 20, 2022, second by Ken Gibbs

**MOTION FAILS 2/3**

Jeff DiMario, Richard Conley, and Susan Shaw (on behalf of Paul Rutter) spoke regarding existing convenance. Verbiage in convenance was questioned: “single family residence” versus a “single residence”.

Chair Brusini advised the Board to seek legal advice regarding interpretation of convenance.

**MOTION** Ken moved to seek legal on the following: Based upon the original (Skymount II) subdivision application, and the associated deed restrictions (listed on the Subdivision plan), is the lot (7) dividable, and if it is, are there considerations concerning the buffer restrictions, second by Dee Miller

**MOTION CARRIES 3/2**

 **5D. Rufus Porter Museum**

 **Main St**

 **Map 23 Lot 138**

 **Barn Exhibit Building**

Eric Wissmann, of M&S Builders, presented overview of project and stated that Sebago Technics was hired to complete plans and narrative. The project will be moved outside the floodplain so a floodplain plan will not be necessary.

The Board asked for an overview of the project for those who were not present at their last appearance.

The project will include a barn which inside, will have a contemporary feel, 2 ADA restrooms, various art exhibits, sections of walls from a salvaged house. Murals have been stored in a basement and have been ongoing restoration of plaster. An antique staircase will also be displayed on a pedestal. This will provide educational opportunities and the barn will be a post and beam structure.

Upon approval, the applicant plans to break ground in Spring of 2023. Sewer is scheduled to be available by Summer of 2024, which the applicant plans to tie into.

The Board questioned how much forest buffer exists on site currently. The woods currently on site, acting as a buffer, have not been accounted for in the preliminary conditions for stormwater and phosphorus removal.

The Board requested further consideration to how the back side of the building will be protected structurally. It was noted that a potential condition may be to wrap riprap around end of building closest to floodplain.

The Board requested CEO, Brenda Day, speak to town engineer regarding existing septic and the possibility of a short-term setback variance.

**MOTION** Chair, Deb Brusini moved to accept this plan once we have the short-term setback variance confirmed with the following conditions: riprap around area closest to floodplain, follow fire chiefs recommendations, revise stormwater calculations to include existing buffer, and to revise plan to indicate the proper flow of Stevens Brook, second by Rolf Madsen

**MOTION CARRIES 5/0**

**Item #6 New Business**

 **6A. Main Eco Homes**

 **Sustainable Way**

 **Map 10 Lot 8, 58B**

 **Health Center/Spa**

The Board questioned if this application was complete due to lack of signature and missing letter of financial capacity.

Justin McIver stated that he thinks that a change of use should be up to the CEO and should not need to come back to the Planning Board.

Justin McIver presented on behalf of Lakes Luxury Spa which will offer services such as facials, massage, Cyroskin, doula services, sauna, body sculpting, energy healing, makeup application, lash and brow services, botanical foot soaks, luxury spa treatments, and laser teeth whitening. The owner of Lakes Luxury Spa, Samantha Libby and her daughter, Carly Kobs, intend to have 3 on-call licensed estheticians, 10 on-call massage therapists, and 2 certified CyroSkin, teeth whitening and body sculpting practitioners, and 2 receptionists.

The spa will occupy the right half of the building and the fitness center, which will come to the Planning Board next month, will occupy the left side.

**Conditions:**

 - Submit letter from Bridgton Water District confirming DEP approval for the constructed building

 - Follow recommendations of fire chief (fire extinguishers at each exit, install knox box)

**MOTION** Rolf Madsen moved to tentatively approve with consideration to stated conditions, second by Ken Gibbs

**MOTION CARRIES 5/0**

Justin McIver asked if he could speak to the upcoming project for Health/Fitness Center on opposite side of this building. He would like to seek approval by end of 2022. The Board stated that a full application will need to be submitted for this project as well.

**Item #7 Department Reviews**

**Item #8 Other**

**8a. LD2003 Letter of Concern**

The Board discussed signing LD2003. It was decided that it will be signed as a Board and if any questions arise, they will be addressed with the attorney.

**Item #9 Adjourn**

**MOTION** Kenmoved to adjourn, second by Dan Harden

**MOTION CARRIES 5/0**