PLEASE CHECK THE TOWN WEBSITE (WWW.BRIDGTONMAINE.ORG) FOR MEETING CANCELLATION NOTICES.

SELECT BOARD MEETING AGENDA

Tuesday, December 13, 2022 DATE:

5:00 P.M. TIME:

Select Board Meeting Room, 10 Iredale Street, Bridgton PLACE:

Please join the meeting from your computer, tablet, or smartphone.

https://www.gotomeet.me/BridgtonMaine/bos

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United States: +1 (571) 317-3116

Access Code: 189-387-141

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- Call to Order 1.
- Pledge of Allegiance 2.
- Approval of Minutes 3.
 - November 22, 2022
- Public Comments on Non-Agenda Items (Each speaker may be limited to 3 minutes.) 4.
- Committee/Liaison Reports 5.
- Correspondence, Presentations and Other Pertinent Information 6.
- 5:30 P.M. Public Hearing to Accept Written and Oral Comments on a Special Amusement Permit 7. Application from Pine Tree State 4H Club Foundation DBA Magic Lantern for Live Music, Education and Guest Speakers
- Action Items Following Executive Session 8. Special Amusement Permit to Pine Tree State 4H Club Foundation DBA Magic Lantern
- **New Business** 9.
 - Awards and Other Administrative Recommendations
 - Carry Forward for Boiler Replacement at Public Works Garage 1.
 - Reschedule Workshop with Emergency Management 2.
 - Discussion of Audit of the Congressional Earmark 3.
 - Discussion of Legal Fees for LD 2003 4.
 - Permits/Documents Requiring Board Approval b.
 - Victualer's License to Subway, 292 Main Street 1.
 - New Road Name for Private Road on Map 14, Lot 14: Henderson's Way 2.
 - 2023 Appointment of Robert A. Peabody, Jr. as Town Manager, Tax Collector, Treasurer 3. and Road Commissioner
 - Confirmation of the 2023 Town Manager's Appointments 4.
 - Annual Approval of "Treasurer's Disbursement of Municipal Education Costs Policy" 5.
 - Annual Approval of "Treasurer's Disbursement of Employee Wages and Benefits Policy" 6.
 - Annual Approval "Treasurer's Disbursement of Payments of State Fees Policy" 7.

- c. Selectmen's Concerns
- d. Town Manager's Report/Deputy Town Manager's Report
- 10. Old Business (Board of Selectmen Discussion Only)
 - a. Wastewater Status Update
- 11. <u>Treasurer's Warrants</u>
- 12. Public Comments on Non-Agenda Items (Each speaker may be limited to 3 minutes.)
- 13. <u>Dates for the Next Board of Selectmen's Meetings</u>
 December 27, 2022
 January 10, 2023
- 14. Adjourn

Future Agenda Items:

- 1. Workshop for Review of Committees
- 2. Discussion of Use of Trademark by Commercial Entities

Town Manager's Notes Board of Selectmen's Meeting December 13, 2022

3. Approval of Minutes:

a. November 22, 2022

Suggested Motion: Move to approve the November 22, 2022, Selectboard Minutes.

- 5. Committee/Liaison Reports
- 6. Correspondence, Presentations and Other Pertinent Information
- 7. Public Hearing (5:30PM)

(Note: 1) Open Public Hearing- a) Anyone to speak in favor; b) in opposition; c) offer comments neither for nor against; 2) close Public Hearing)

- a. To accept written and oral comments on an application from Pine Tree State 4H Club Foundation dba Magic Lantern for a Special Amusement Permit.
- 8. Action Items Following Public Hearing
 - a. Suggested Motion: Move to approve a Special Amusement Permit from Pine Tree State 4H Club Foundation dba Magic Lantern.
- 9. New Business
 - a. Awards and Other Administrative Recommendations
 - 1. When this year's Carry Forward List was approved, the Capital Expenditure for Boiler Replacement (294-7-7103) at the Town Garage was inadvertently excluded. The work is being scheduled. Please see the request for inclusion from the Public Services Director and a quote for the work in your binder.

Suggest motion: Move to approve the Boiler Replacement (294-7-7103) sum of \$33,700 as a FY '21-'22 Carry Forward.

- 2. Discussion on rescheduling a date for the Workshop with Emergency Management.
- 3. Selectmen Tworog requested a discussion of employing an outside firm to provide a cost/benefit analysis for the proposed wastewater extension. Please see correspondence from Brent Bridges and cost estimate.
- 4. The Chair/Vice-Chair requested a discussion of legal fees spent and proposed to be spent in analyzing the impact of LD 2003 on Town Ordinances. A copy of the legal fees to date are in your binder. The Planning Board Chair has been notified of the discussion.
- b. Permits/Documents Requiring Board Approval
 - 1. Victualer's License to Subway.

Suggested motion: Move to approve a Victualer's License to Subway.

2. Jay Davis Larrabee is requesting naming his private road Henderson's Way. The Cumberland County E911 and our Addressing Officer approve. Please see the paperwork in your binder.

Suggested motion: Move to approve Henderson Way for the private road sited on Map 13 Lot 14.

3. Annually, pursuant to MRS 30-A §2601 & §2636 and the Town of Bridgton Personnel Policy Art. 3, the Selectboard appoints the Town Manager for a term of one-year. Please refer to the above referenced in your meeting packet.

Suggested Motion: Move to appoint Robert A. Peabody, Jr. as Town Manager,

Tax Collector, Treasurer, and Road Commissioner to a one-year term commencing January 1, 2023 and ending December 31, 2023.

- 4. Annually, pursuant to MRS 30-A §2601 & §2636 and the Town of Bridgton Personnel Policy Art. 3, the Selectboard confirms the appointments made by the Town Manager for a term of one-year. Please refer to the above referenced in your meeting packet as well as the Town of Bridgton 2023 Annual Appointments.

 Suggested Motion: Move to confirm the Town of Bridgton 2023 Annual Appointments submitted by the Town Manager.
- 5. Pursuant to MRS 30-A §5603, a written policy permitting the disbursement of employee wages and benefits, municipal education costs, and state fees must be approved annually. Please refer to the copy of the statute in your binder and three required policies for approval.
 - Suggested motion: Move to approve the policy permitting disbursement of employees' wages and benefits.
- 6. Suggested motion: Move to approve the policy permitting disbursement of municipal education costs.
- 7. Suggested motion: Move to approve the policy permitting disbursement of state fees.

10. Old Business

a. Wastewater Update

Select Board Meeting Minutes November 22, 2022; 5:00 P.M.

Board Members Present: Carmen E. Lone, Chair; Robert J. McHatton, Sr., Vice-Chair; Paul A. Tworog; Kenneth J. Murphy; Carrye Castleman-Ross

Administration Present: Town Manager Robert A. Peabody, Jr, Deputy Town Manager Georgiann Fleck; Town Clerk Laurie Chadbourne; Executive Assistant Nikki Hodgkins; Public Services Director David Madsen; Community Development Director Victoria Hill; Fire Chief Glen Garland

1. Call to Order

Chair Lone called the meeting to order at 5:00 P.M.

2. Pledge of Allegiance

The Board recited the "Pledge of Allegiance."

On behalf of the Select Board, Chair Lone congratulated and welcomed Carrye Castleman-Ross.

3. Approval of Minutes

Motion was made by Vice-Chair McHatton for approval of the minutes from the November 8, 2022 Select Board Meeting; second from Selectman Murphy. 5 approve/0 oppose

4. Public Comments on Non-Agenda Items

Barry DeNofrio voiced concerns about comments made at the last Select Board Meeting to which Town Manager Peabody responded that he stands behind what was said. Mr. Denofrio does not agree with how the Woods Pond lake levels are being monitored. Public Services Director Madsen reviewed the policy that was adopted in December of 2020 after a lengthy discussion and review process. He added that the lake level data is posted on the website every two weeks for public viewing. Chair Lone thanked Mr. DeNofrio for his input and continues to support the policy.

5. Committee/Liaison Reports

Vice-Chair McHatton thanked the more than 2,800 residents that voted. Since pay per bag was voted down, the Recycling Committee will now move forward with new strategies to help raise the recycling percentages.

Vice-Chair McHatton requested that Community Development Director Victoria Hill review the presentation given to the CDAC by GPCOG to which Director Hill noted that they provided a tool to help with decision making of projects by reviewing and scoring the following categories: equity and community wellbeing; environmental stewardship; infrastructure and technology; economic development; and planning. Town Manager Peabody will arrange for GPCOG to present this to the Select Board at a future meeting.

6. Correspondence, Presentations and Other Pertinent Information

a. Recognition of Former Select Board Member George Frederick Packard This item was tabled to a future agenda.

New Business 7.

a. Awards and Other Administrative Recommendations

There were no awards or other administration recommendations.

- b. Permits/Documents Requiring Board Approval
 - 1. Victualer's License to Nectar of Maine, 115 North High Street

Motion was made by Selectman Murphy to approve a Victualer's License to Nectar of Maine; second from Selectman Tworog. 5 approve/0 oppose

- 2. Victualer's License to Magic Lantern / Maine 4H Foundation, 9 Depot Street

 Motion was made by Selectman Murphy to approve a Victualer's License to Magic Lantern / Maine 4H

 Foundation; second from Selectman Tworog. 5 approve/0 oppose
 - 3. Certificate of Commitment of Sewer User Rates Commitment #269

Motion was made by Vice-Chair McHatton to commit the August 1, 2022 to October 31, 2022 Sewer User Rate Commitment #269 comprising of 3 pages totaling \$8,763.48 to the Treasurer for collection; second from Selectman Murphy. 5 approve/0 oppose

- c. Selectmen's Concerns
- Selectman Murphy had no concerns and wished everyone a Happy Thanksgiving.
- Selectman Castleman-Ross had no concerns and wished everyone a Happy Thanksgiving.
- Vice-Chair McHatton would like to reimplement employee birthday cakes and requested that Town Manager Peabody add that line item to the next budget for Board review and consideration.
- Chair Lone was happy to see the Christmas decorations go up and thanked the Public Services Department for their hard work.
- Chair Lone noted that the Board is appreciative of citizens that step up to make thing better but the Board trusts staff and supports the policy and process on the Woods Pond lake levels.
- **Selectman Tworog** asked for the status of fire engine one to which Fire Chief Garland responded that he is carefully watching it along with the Public Services Department.
 - d. Town Manager's Report/Deputy Town Manager's Report Deputy Town Manager Fleck submitted and read the following report into the record:

"TOWN OF BRIDGTON / DEPUTY TOWN MANAGER'S REPORT / November 22, 2022

General

The Revenue and Expenditure Report for the month of October 31, 2022 shows a benchmark of 33% with revenues at 25.77% and expenditures at 33.46%.

The Town Office, Public Works, Transfer Station and Recreation Department will be closed on Thanksgiving Day (Thursday) and Friday.

Bridgton Recreation

Come take a walk at the Bridgton Town Ice Rink and enjoy a Winter Wonderland/North Pole walk which is free to the public. It will be open daily beginning on December 2nd to the 23rd. Festival of Lights is scheduled for Saturday, December 3rd. Upcoming trips include: The Magic of Christmas on December 10th. Bus leaves the Bridgton Town Hall at 12:15p.m. Tickets are \$45.00; Family trips include: Disney on Ice on December 17th beginning with a pizza party and disney trivia at 3:30p.m. at the Bridgton Town Hall and bus departs at 4:30p.m. Tickets are \$20.00 per person. Pre-registration is required for the trips. If you have any questions, please contact Gary Collello at 207-647-1126 or www.bridgtonmaine.org

Community Development

2023 Community Development Block Grant Applications are available on the Community Development page of the town website, www.bridgtonmaine.org Applications are due January 6th, and if you have any questions please reach out to Victoria Hill or Keri Montague at 207-647-8786.

Public Works

The Town of Bridgton Public Works Department has taken posession of a 2022 Western Star Dump/Plow Truck which is currently being prepped for winter.

Until next time....be safe and be well. Respectfully submitted, Georgiann M. Fleck, Deputy Town Manager"

8. Old Business

a. Wastewater Status Update

Town Manager Peabody provided a brief wastewater status update.

9. Treasurer's Warrants

Motion was made by Vice-Chair McHatton for approval of Treasurer's Warrants numbered 1042 through 1048; second from Selectman Murphy. 5 approve/0 oppose

10. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

11. Dates for the Next Board of Selectmen's Meetings

- November 29, 2022 Monday, November 28, 2022, Workshop with Recreation Department
- December 5, 2022, Workshop with Emergency Management
- December 13, 2022
- December 27, 2022

14. Adjourn

Motion was made by Selectman Murphy to adjourn the meeting at 5:55 P.M.; second from Vice-Chair McHatton. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne Town Clerk

Laurie Chadbourne

From:

Laurie Chadbourne

Sent:

Thursday, November 10, 2022 3:04 PM

To:

Bridgton News

Subject:

public hearing

NOTICE OF PUBLIC HEARING

The Municipal Officers of the Town of Bridgton will hold a Public Hearing at 5:30 P.M. on Tuesday, December 13, 2022 to accept oral and written comments on a Special Amusement Permit Application from Pine Tree State 4-H Club Foundation DBA Magic Lantern for live music, education, and guest speakers.

Please advertise in the Bridgton News on December 1, 2022. Kindly confirm receipt.

Thank you, Laurie

Laurie L. Chadbourne Bridgton Town Clerk Registrar of Voters & General Assistance Administrator State of Maine – Dedimus Justice & Notary Public

Main 207.647.8786 Direct 207.803.9950

Town of Bridgton 3 Chase Street, Suite 1 Bridgton, ME 04009 www.bridgtonmaine.org

2

1

TOWN OF BRIDGTON

TO:

Select Board

FROM:

Laurie L. Chadbourne, Town Clerk

RE:

Business Licenses

DATE:

December 6, 2022



December 13, 2022 Select Board Meeting

8. Action Items Following Executive Session

Special Amusement Permit to Pine Tree State 4H Club Foundation DBA Magic Lantern

区EO (to include any Planning Board requirements) 区 Fire 区 Police 区 Town Clerk

Complete applications are on file at the Town Clerk's Office and available for Select Board review.

SPECIAL AMUSEMENT PERMIT APPLICATION

As defined in Section 201 of the Town of Bridgton Special Amusement Ordinance, no Licensee for the sale of liquor to be consumed on his licensed premises shall permit, on his licensed premises, any music, except radio or other mechanical device, any dancing or entertainment of any sort unless the licensee shall have first obtained approval from the Board of Selectmen for a Special Amusement Permit.

The application for a Special Amusement Permit should be filed on this form with the Board of Selectmen or its' designated agent (Town Clerk). Payment of a \$25 fee is required at the time the application is filed. A copy of the Special Amusement Permit Ordinance is available upon request from the Bridgton Town Clerk.

The Board of Selectmen shall, prior to granting a permit, hold a public hearing within 30 days of the date you file your completed application at which time testimony will be received from you or your designated agent and/or any interested member of the public. Failure to attend the public hearing may result in a delay in issuing the permit.

Name of applicant: Pine Tree S	tate 44 Club Foundati	(C)
Address of applicant: York Complex	1 #1 OLOUO'WE OCIAL	,9
Telephone # of applicant:		*
Name of business: Magic Landaddress of business:	tem Molie Theal Street Bridgton, M	ME NUMA
Telephone # of business: (267) 647	-9326	12 0400 1
Location of business (if different from addre	ess of business):	
Is business a: □ corporation / □ partnership	p / 🗆 proprietorship 🍽 Non – p 🗠	ofit
Type of Entertainment Planned: Live Co	omedy Music, theat	er performances
Type of Entertainment Planned: <u>Live Co</u> Hours of Entertainment Planned: <u>3pm</u> -	Sport youth, 6pm -	Frag Hulba mag
Has applicant ever had a license to conduct to any partner or corporate officer ever been details:	the business described herein denied or	revoked or has the applicant
Current Liquor License #:	Expiration Date: 12 02 22	Copy attached
Current Dance License #:	Expiration Date:	copy attached
Signature: MATSON	Date: 10	124/22
AMOUNT PAID \$55.0 DATE SUBMITTED	For office use only: 00 (\$25.00 PERMIT+ \$30 ADVERTIST) 11 / 02/2023 RECEIVED BY:	ING) Asa
BOARD OF SELECTMEN		
	DATE OF A	PPROVAL/20

THREE CHASE STREET, SUITE #1 BRIDGTON, MAINE 04009



Phone- 207-647-8786 Fax- 207-647-8789

MEMO

FROM:

David Madsen, Public Services Director

TO:

Robert Peabody, Jr; Georgiann Fleck

CC:

Holly Heymann, Jenna Domer - Finance Department

RE:

FY22 Carry Forward

DATE:

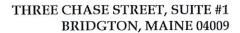
December 5, 2022

Please consider carrying forward Capital Expenditures account 294-7-7103 in the amount of \$33,700.00 for boiler replacement at the Town Garage. The project was not completed during FY22.

David Madsen

Public Services Director

Town of Bridgton





Phone- 207-647-8786 Fax- 207-647-8789

MEMO

FROM:

David Madsen, Public Services Director

TO:

Robert Peabody, Jr.

CC:

Georgiann Fleck

RE:

Public Works Carry Forward - Acct 294

DATE:

December 8, 2022

11 mills

Bob,

The Public Works Department will be using Acct 294-7-7103, Carry Forward Funds, as well as the current FY Funds to install a new heating system in the Public Works Garage, replacing the 45 year old boiler that is currently in use. The new upgraded heating and cooling system will be far more efficient than the old dated system. Attached is the quote from Specialty Services, our contracted HVAC company to install the complete new system.

David Madsen

Public Services Director

Town of Bridgton

Specialty Services Corporation

"Providing Quality Service for the Total Building"

Tel: 207-897-3900

1766 Federal Rd. Livermore, ME. 04253

Dave Madsen Public Works Director Town of Bridgton 3 Chase Street, Suite 1 Bridgton, Maine 04009

Re: Garage Boiler

December 8, 2022

Dear Dave,

Thank you for the opportunity to offer pricing to replace the boiler in the Town Garage building with a new Viessmann condensing gas fired boiler. We will install a new supply and return heating manifold with two new zone circulators, one for the first floor and one for the second-floor baseboard heat. The boiler venting will exit through the sidewall of the boiler and will terminate above the roof of the exterior shed. All venting will be piped with Polypropylene (PPE) pipe, designed for the application. The Natural Gas supply will be piped in schedule forty black iron pipe, all piping will be from the supply line at the exterior of the building. Condensate from the boiler will be run through a carbon neutralizer and piped to the drain in the boiler room.

Included in our proposal:

Inclusions:

- One new Viessmann Vitoden 100W BLR natural gas fired, high efficiency condensing boiler.
- One new boiler stand to mount the new boiler on.
- Boiler venting and fresh air will exit and enter the side of the building.
- Condensate will be piped through a charcoal neutralizer and discharged to a nearby drain.
- All new copper supply and return headers and circulators.
- · Proper disposal of the existing boiler.
- We will ready the existing boiler for removal and aid in the removal process.
- All electrical for the new boiler and zone pumps.
- Start-up and test for proper operation will be performed by a qualified service technician.

Exclusions:

- · Adequacy of existing zones.
- Zone Thermostats.

- Domestic Indirect Tank
- Removal of existing oil tank.
- Removal of the existing boiler

Total Price

----- \$ 22,516.00

All Equipment is warranted per manufactures coverage and contractor warranties all workmanship for one year from date of start-up.

Once again thank you for allowing us the opportunity to provide pricing to meet your HVAC mechanical needs.

We are only able to hold this price for thirty days, providing the manufacturer holds their price.

If you would like to proceed with this work, please authorize below. We respectfully request a one-third deposit down on equipment and material, and the balance to be paid net 30 days from completion

Authorized Signature

Date

Sincerely/

Kenneth Champagne Specialty Services

207-212-4609

Specialty Services Corporation

"Providing Quality Service for the Total Building"

Tel: 207-897-3900

1766 Federal Road, Livermore, ME. Fax: 207-897-2874

Dave Madsen Public Works Director Town of Bridgton 3 Chase Street, Suite 1 Bridgton, Maine 04009

Re: Garage Gas Fired Unit Heaters.

December 8, 2022

Dear Dave,

Thank you for the opportunity to offer pricing to replace the (5) hanging hydronic heaters in the town garage. Each heater has a capacity of 100,000 BTU's, with (3) heaters in the service garage area and (2) heaters in the back storage area. With our design we plan to install (2) 150,000 BTU propane gas fired heaters in the service area, (1) 150,000 BTU gas fired heater in the back storage area and (1) 30,000 BTU propane gas fired heater in the small maintenance shop. All gas piping will be brought into the building from the existing gas supply and all our piping will be schedule forty black iron pipe. The new hydronic hot water heaters will be removed and placed in your care for your future use.

The following inclusions and exclusions apply.

Inclusions:

- (2) New 150,000 BTU Modine hanging propane fired unit heaters for the service garage area.
- (1) New 150,000 BTU Modine hanging propane fired unit heater for the back storage area.
- (1) New 30,000 BTU Modine hanging propane fired unit heater for the small maintenance shop area.
- Rigging, assembly, and installation of the new heaters. Proper removal of the existing hydronic heaters.
- We will reuse the existing electrical power supply where applicable.
- We will pipe the new gas fired units with new schedule forty black iron pipe and fittings. Each heater will be equipped with a new gas regulator.
- All unit venting will be done with B-Vent pipe and fittings which will be sidewall vented to the outdoors with a vent terminator on the outside.
- All materials and labor to pipe and hang the new the heaters.

- We will reuse the exiting thermostats and control wiring.
- Proper start up by a qualified Service Technician.

Exclusions:

- Electrical over twenty-four volts to accommodate any relocation of the new unit heaters.
- The underground propane line from the tank to the building is by your propane supplier.
- Demolition of the existing copper heating lines which feed the existing hydronic heaters.

We propose the above-mentioned work for the total sum of

\$ 33,872.00

Date

All Equipment is warranted per manufactures coverage and contractor warranties all workmanship for one year from date of start-up.

We can hold this price for 30 days. All equipment has a (6) week lead time.

Once again thank you for allowing us the opportunity to provide pricing to meet your HVAC mechanical needs.

If you would like to proceed with this work, please authorize below. We respectfully request a one-third deposit down, one-third upon equipment arrival and the balance to be paid net 30 days from completion.

Authorized Signature	
Sincerely	
Kenneth Champagne	
kgdchampagne@gmail.com	
Specialty Services	

Specialty Services Corporation

"Providing Quality Service for the Total Building"

Tel: 207-897-3900

1766 Federal Road, Livermore, ME.

Fax: 207-897-2874

Dave Madsen
Public Works Director
Town of Bridgton
3 Chase Street, Suite 1
Bridgton, Maine 04009

Re: Mitsubishi Ductless Split.

December 1, 2022

Dear David,

Thank you for the opportunity to offer pricing to install a new Mitsubishi Ductless Split Hyper Heat, Single Zone Heat Pump system in your office in the Bridgton Town Garage. This system has been sized to handle the cooling and heating load requirements of your office.

The indoor cassettes will be mounted in your office, and all piping will exit below the shed roof to the condensing unit location. The condensing unit (C/U) will be mounted on an eighteen" high stand, the stand will be attached to (2) 4" x 6" pressure treated sleepers which will be located under the shed roof.

The Mitsubishi Ductless Split Heat Pump offers the highest operating efficiency and dependability in the industry today with a (7) year compressor parts warranty and (5) year on all other parts.

Currently, Efficiency Maine offers a rebate of \$800.00 for this unit. Included in our proposal:

Inclusions: 2 High Efficiency Hyper Heat C/U w Rebate

- One New # MUZ-FS06NA-U1 Mitsubishi 9,000 BTU Condensing Unit (C/U)
- One New # MSZ-FS09NA-U1 Mitsubishi 9,000 BTU Wall Mount Cassettes
- All associated copper piping outside will be concealed in a white PVC Line-Hide.
 This Line-Hide looks like a rain gutter downspout.
- All condensate piping will be piped to the outdoors.
- All power communication wiring from the C/U to the indoor unit will be run in the Line-Hide.
- C/U will be located on a stand under the shed roof.
- Start-up and test for proper operation will be performed by a qualified service technician.

Exclusions:

All electrical power wiring.

Total Price	\$ 5,976.00
Rebate	<u>\$ 800.00</u>
Total after Rebate	\$ 5,176.00

Efficiency Maine Rebate. We will provide the necessary paperwork for you to apply for the rebate.

We can hold our price for 30 days unless the vendor has a price adjustment All Equipment is warranted per manufactures coverage and contractor warranties all workmanship for one year from date of start-up.

Once again thank you for allowing us the opportunity to provide pricing to meet your HVAC mechanical needs.

If you would like to proceed with this work, please authorize below. We respectfully request a one-third deposit down on equipment and material, and the balance to be paid net 30 days from completion

Authorized Signature

Date

Sincerely

Kenneth Champagne Specialty Services 207-212-4609

Robert "Bob" Peabody, Jr.

From: Brent Bridges
 bbridges@woodardcurran.com>

Sent: Wednesday, December 7, 2022 2:56 PM **To:** Robert "Bob" Peabody, Jr.; David Madsen

Cc: Victoria Hill; Georgiann M Fleck; Nikki Hodgkins

Subject: Earmark

Attachments: Figure 2-1.pdf

Bob and David

I know Paul will want a much more detailed analysis but I can do a quick one to help set up what I think the outcome will result in.

As we have discussed the investment in sewer infrastructure is primarily a return on investment by way of an appreciation to property value. Property on sewer is worth more and also allows for more density in development in the case of multifamily or commercial investment. It also allows acreage that would not be suitable to support development without a sewer due to soils that would not support a septic system, lots that contain ledge, steeply sloping lots etc. along with the environmental benefits of maintaining individual septic systems. Many communities also recognize that a public sewer creates more infill potential and less sprawl so that public services can be delivered more efficiently.

Specific to the sewer and whether it has a return on investment I offer the following:

The extension project will cost the Town \$350,000 as the match to the \$1.4 million grant. This assumes success in getting the county to help with a \$450,000 contribution.

The sewer will serve South High Street, Maple and Smith Streets and Efficiency and Sustainable Way as shown in red on the attached plan.

There are potentially around 225 residential users for the extension and as I have stated in the past experience tells us that 90% of the potential will hook up in 10 years. That gives us closer to 200 users.

If they hook up gradually on a straight line than the average users on the system within the 10 year period will be 100 users.

If we use a \$600/year as a user rate (I think the current user rate is a little above this) for an average user that uses 100 gallons per day of wastewater then you generate on average \$60,000/year in user fees.

If you bond the \$350,000 for 10 years at 3.25% interest your debt payments are \$42,000/year. The new users will require a slight increase in operational costs for cleaning the collection system, maintaining the pump station, working with new connections etc but it should be less than \$10,000/year I suspect.

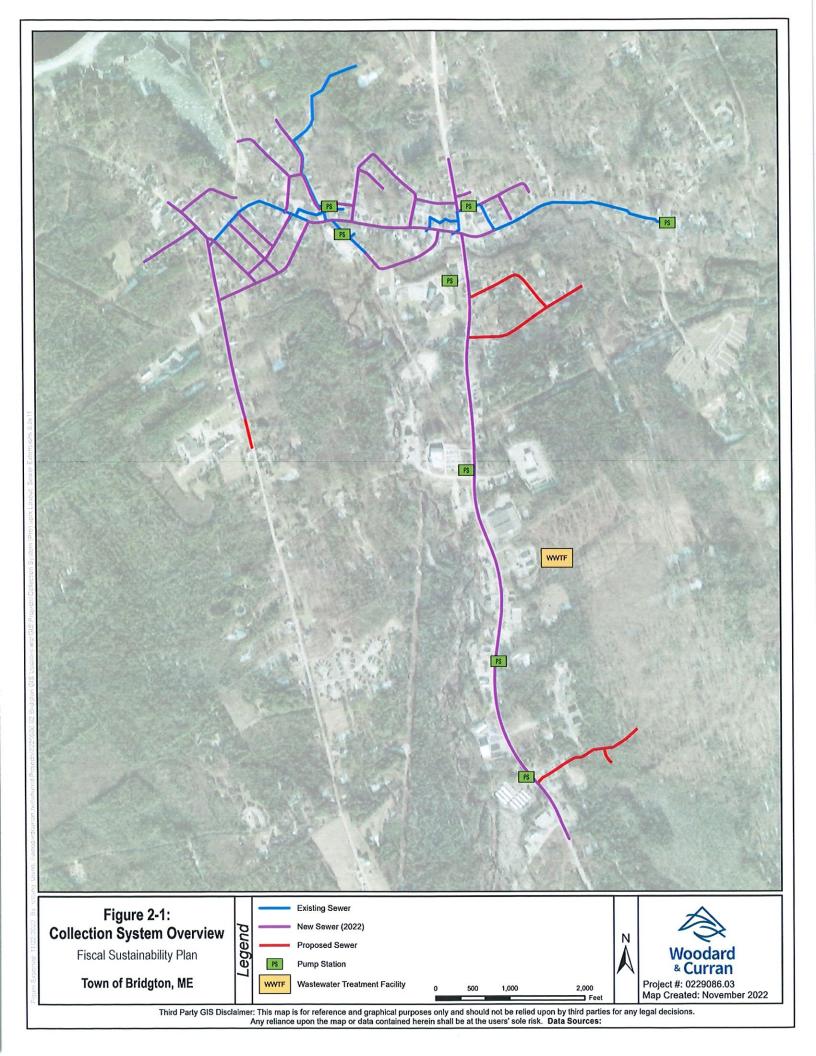
In summary if you borrow the funds over the time frame that the hook ups will occur then the debt and operational costs will be about \$8,000 per year less than the revenue. At the end of your debt payments you then have 200 new users contributing to revenue to pay for the overall project debt and the overall operation costs

I know this is very simplistic and I know you can add a lot more specifics to my assumptions but I think this is the ballpark.

See you Friday.

Thank you

Brent



ATTACHMENT



41 Hutchins Drive Portland, Maine 04102 www.woodardcurran.com T 800.426.4262 T 207.774.2112 F 207.774.6635

SEWER EXTENSION COST ESTIMATE								
Bid Item	Description Unit Calculated Quantity Unit Price							
1	Administration (Mobilization/Demobilization)	LS	1	1	\$160,000	\$160,000		
2	Excavation of Unsuitable Materials	CY	250	250	\$25	\$7,000		
3	Select Backfill	CY	250	250	\$25	\$7,000		
4	Rock Excavation	CY	200	200	\$175	\$35,000		
5	Pavement Repair - State Roads	SY	387	500	\$135	\$68,000		
6	Pavement Repair - Town Roads	SY	5,347	6,000	\$70	\$420,000		
7	Gravel Surface Repair	SY	0	25	\$24	\$1,000		
8	Concrete Sidewalk Repair	SY	0	25	\$130	\$4,000		
9	2" Force Main (PE/4)	LF	30	50	\$73	\$4,000		
10	4" Force Main (PE/4)	LF	1,350	1,500	\$85	\$128,000		
11	8" Gravity Sewer Pipe (PVC/5)	LF	4,485	4,600	\$104	\$479,000		
12	4" Gravity Sewer Service Laterals (PVC/5)	LF	787	1,000	\$143	\$143,000		
13	6" Gravity Sewer Service Laterals (PVC/5)	LF	20	100	\$146	\$15,000		
14	2" Pressure Sewer Service Laterals (PE/4)	LF	20	100	\$81	\$9,000		
15	Pressure Sewer Lateral Kits	EA	1	5	\$1,800	\$9,000		
16	4ft Gravity Sewer Manholes	EA	16	16	\$4,800	\$77,000		
17	Test Pits	EA	10	10	\$800	\$8,000		
18	Two Inch Rigid Insulation	LF	2,000	2,000	\$12	\$24,000		
19	Testing Allowance	ALLOW	1	1	\$7,500	\$8,000		
20	Traffic Control/Flaggers	LS	1	1	\$50,000	\$50,000		
				Construc	tion Subtotal	\$1,656,000		
	Contingency (15%)							
	Survey, Geotech, Engineering, Construction Administration (15%)							
	TOTAL							

Earmark

\$1,400,000

Town Contribution
County Contribution

\$350,000 \$450,000

Total

\$2,200,000



BILLING OFFICE

84 Marginal Way, Suite 600 Portland, ME 04101-2480 207.772.1941 Main 207.772.3627 Fax TAX ID NUMBER 01-0351512

November 29, 2022

Invoice No.:

803605

Client No.:

8260

Matter No.:

435

MATTER SUMMARY

For professional services rendered and/or costs incurred through October 31, 2022:

RE: 2022 LD 2003 Implementation

Town of Bridgton

Robert A. Peabody, Jr.

3 Chase Street, Suite 3 Bridgton, ME 04009-1264

Professional Services

\$ 10,464.50

Costs Incurred

\$ 418.58

TOTAL THIS INVOICE

\$ 10,883.08

DATE 12/1/22
ACCT. NO. 014-4-4090
AMOUNT \$ 10, 883,08
AUTHORIZATION VH

Please contact our billing office to pay by credit card or to obtain ACH/EFT payment instructions.

A late fee of 1.5% per month will be charged on any outstanding balance not paid in full within thirty (30) days of the invoice date.



Agnieszka A. Dixon

207.253.0532 adixon@dwmlaw.com

84 Marginal Way, Suite 600 Portland, Maine 04101-2480 207.772.1941 Main 207.772.3627 Fax

MEMORANDUM

October 12, 2022

To:

Bridgton Planning Board

From:

Aga Dixon & Grady Burns

Druinin

Drummond Woodsum

RE:

LD 2003 Implementation—Preliminary Legal Assessment

At your request and in follow-up to our September 30, 2022 memorandum where we set out a recommended LD 2003 work plan, we have conducted a preliminary legal assessment of how the new affordable housing law (LD 2003) is likely to affect Bridgton's existing land use regulatory framework. Specifically, we analyzed the following three key parts of LD 2003 in relation to the Bridgton Land Use Code (LUC):

- 1. The Extra Dwelling Units Allowance;
- 2. The Accessory Dwelling Units Allowance; and
- 3. The Affordable Housing Density Bonus.

We are currently researching the implications of the fourth key part of LD 2003—namely, the Municipal Role in Fair Housing and Statewide Production Goals—and will be prepared to discuss this item with you at a future workshop.

In Parts I, II, and III of this memo, we explain the effects that each of these three key pieces of LD 2003 are likely to have on the LUC, absent any amendments to the LUC—that is, under the "status quo." We then list, in Part IV, some of the tools in the municipal toolbox available to Bridgton to respond to the challenges and opportunities that LD 2003 presents. We will be prepared to discuss the pros and cons of each of these tools at the first Planning Board workshop devoted to this topic.

We note that the Department of Economic and Community Development (DECD) is tasked with adopting rules to administer and enforce many of the provisions in LD 2003, and we understand that DECD intends to initiate rulemaking in the next month or two. The outcome of the DECD rulemaking effort could have profound impacts on this legal assessment. Throughout this memo, we have attempted to flag those areas where we anticipate DECD rulemaking. One such area is LD 2003's impact on nonconforming uses, structures, and lots—*i.e.*, Chapter II of the LUC. The DECD recently issued LD 2003 guidance for local authorities (the "DECD Guidance"), which indicates that this will be an area addressed in rulemaking.

We will monitor and keep you updated on the DECD rulemaking process. Meanwhile, we recommend proceeding with the LD 2003 Work Plan on a parallel track that allows the Town to meet the statutory implementation deadlines set out in LD 2003 while remaining sufficiently nimble to modify its course should the future DECD rules require it to do so.

We look forward to discussing this matter with you beginning next week, on October 18, 2022.

I. THE EXTRA DWELLING UNITS ("EXTRA DU") ALLOWANCE

Statutory Reference: 30-A M.R.S. § 4364-A

Implementation Date: July 1, 2023

A. Overview of the EXTRA DU Allowance

For any area where housing is allowed, a municipality must allow a certain density of dwelling units on a given lot, as follows:

- If a lot does not contain an existing dwelling unit and if the lot is <u>within</u> a designated growth area, then the lot can be developed with up to 4 dwelling units.
- If a lot does not contain an existing dwelling unit and if the lot is <u>outside</u> of a designated growth area, then the lot can be developed with up to 2 dwelling units.
- If a lot is developed with one existing dwelling unit, then the lot can be developed with up to 2 extra dwelling units (1 within or attached to an existing structure, or 1 additional detached dwelling unit, or one of each)—for a total of 3 dwelling units.

B. Effects of the EXTRA DU Allowance on the LUC

The EXTRA DU Allowance directs the location of extra dwelling units and the manner by which they may be locally regulated, as discussed next.

1. Where within the Town may the EXTRA DU Allowance be applied?

The EXTRA DU Allowance allows extra dwelling units to be placed on a lot located in (1) areas within the Town where "housing" is allowed and (2) areas both within and outside of "designated growth areas."

-Where is "housing" allowed?

LD 2003 does not define the term "housing." The DECD Guidance appears to imply that housing means non-transient residential housing. As a legal matter, this is not entirely clear. For purposes of this preliminary legal analysis, we have assumed that the term "housing" is synonymous with "dwelling unit" and that it does not include transient housing (such as bed and breakfasts, inns, hotels, motels, boarding rooms, and the like). Under this interpretation of "housing," the EXTRA DU Allowance would affect every land use district within the Town, except for the Stream Protection (SP) shoreland zoning district.

-Which areas are within and outside of "designated growth areas"?

Bridgton's 2014 Comprehensive Plan identifies the following land use districts as the Town's designated growth areas: Downtown Village Business District, Downtown Village Neighborhood District, and Inner Corridor. Thus, areas of the Town clearly fall within or

¹ Note that, although the Downtown Village Business I (DVB-I) district prohibits dwelling units on the ground story of a structure, such uses are allowed on upper stories within the DVB-I district, as well as in certain situations on the ground story. *See* LUO, Section III-2, Footnote 1.

outside of the Town's designated growth areas according to their land use district designations, as follows:

Areas Within Designated Growth Area: All parcels within the DVB-I, DVB-II, DVN, and IC districts.

Areas Outside Designated Growth Area:
All parcels within the OC, MUC, LN, OV, and RN districts.

Accordingly, without any changes to the LUC, the EXTRA DU Allowance will have the following effect on the Town (please see subsection 3.b, below, for a discussion of how the EXTRA Allowance would be treated within the Town's shoreland zone):

	WITHIN DESIGNATED GROWTH AREA	OUTSIDE DESIGNATED GROWTH AREA
	Lots in the DVB-I, DVB-II, DVN, or IC	Lots in the OC, MUC, LN, OV, or RN
Residentially Vacant Lots: ² Does the lot not contain an existing dwelling unit?		
Single-Family Dwelling Lots: Is the lot developed with one existing dwelling unit?	(Up to 2 extra dwelling un	its—1 within or attached to dwelling unit, or one of each)

2. What are the LD 2003 limitations on the EXTRA DU Allowance?

LD 2003 requires that dwelling units placed on a lot pursuant to the EXTRA DU Allowance must:

a. Meet the **Minimum Lot Size Law** (30-A M.R.S. ch. 423-A), which mandates a minimum 20,000 square foot lot size for lots served by a subsurface wastewater disposal system and a minimum 100-foot frontage on an abutting lake, pond, stream, or river (although there are exceptions to these minimum lot size and frontage requirements).

² The DECD Guidance interprets this provision as applying to "vacant lots;" however, a lot could be in a zoning district that allows housing but be developed with a non-residential structure. In our view, the EXTRA DU Allowance would apply to such a lot.

- b. Meet the Town's **shoreland zoning** requirements. Under Section IV-2 of the LUC, certain categories of dwelling units are prohibited in the Town's Stream Protection (SP) and Resource Protection (RP) shoreland zoning districts. Specifically, all types of dwelling units—single-family, two-family, and multi-family—are prohibited in the SP district, whereas only multi-family dwellings are prohibited in the RP district. These shoreland zoning requirements are not preempted by the EXTRA Allowance. Accordingly, in the SP district, the EXTRA Allowance will not apply. It is probable, however, that the EXTRA Allowance will apply where single-family dwelling units are allowed (*i.e.*, in the RP, LR, GD-I, GD-II, and LC districts) so long as all other shoreland zoning provisions (including dimensional and review standards) can be met.
- c. Meet the subdivision law (30-A M.R.S. ch. 187, sub-ch. 4), which mandates subdivision review for the division of a tract or parcel of land into 3 or more lots within any 5-year period (whether such division is accomplished by "sale, lease, development, buildings or otherwise" and including the construction or placement of 3 or more dwelling units on a single tract or parcel of land within a 5-year period), with certain exceptions. In certain circumstances (for example, the construction of 4 dwelling units on a vacant lot in a designated growth area), the EXTRA Allowance could trigger subdivision review.
- d. Meet additional zoning requirements set out in LD 2003, which provide that if more than 1 dwelling unit is constructed on a lot as a result of the EXTRA DU Allowance or the ADU Allowance, discussed in Part II, the lot is not eligible for any additional increases in density except as allowed by the municipality. The effects of this provision are not entirely clear at this juncture; however, the DECD Guidance states that the issues raised by this requirement will be addressed in rulemaking.
- e. Comply with water and sewer verification requirements in LD 2003, whereby the owner of a "housing structure" (presumably, a dwelling unit constructed pursuant to the EXTRA DU Allowance) must provide written verification to the Town that the structure is connected to adequate water and wastewater services before the Town may certify the structure for occupancy, as follows:
 - i. If connected to a public sewer, proof of adequate service to support additional flow and proof of payment for connection.
 - ii. If connected to a septic system, proof of adequate subsurface wastewater disposal, as verified by the Local Plumbing Inspector pursuant to 30-A M.R.S. § 4221. Plans must be prepared by a licensed site evaluator in accordance with Maine Subsurface Wastewater Disposal Rules.
 - iii. If connected to public or central water, proof of adequate service to support additional flow and proof of payment for connection and water volume/supply.
 - iv. If connected to a well, proof of "access to potable water." Any tests must indicate that the water supply is "potable and acceptable for domestic use."

The Town may establish less restrictive alternative criteria for these water and sewer verification requirements, but only if the Town's Board of Appeals is able to grant a variance under 30-A M.R.S. § 4353(4) (the undue hardship variance), (4-A) (the disability

variance), (4-B) (the setback variance for single-family dwellings), or (4-C) (the practical difficulty variance for dimensional standards).

f. Comply with any private restrictions, such as "valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section" that do not violate the U.S. or Maine Constitutions.

Each of these limitations will have disparate effects on what lots within the Town could take advantage of the EXTRA DU Allowance and to what extent. Care must be taken to ensure that these limitations are properly incorporated into the LUC.

3. What else does LD 2003 say about the EXTRA DU Allowance?

LD 2003 provides that the Town may:

- a. Establish an application and permitting process for housing structures.
- b. Impose fines for violations of building, zoning, and utility requirements for housing structures.
- c. Establish a prohibition or allowance for lots where a dwelling unit in existence after July 1, 2023 is torn down and an empty lot results.
- d. Establish dimensional and setback requirements for the extra dwelling units allowed under this allowance, so long as they are not greater than the dimensional or setback requirements for single-family dwelling units. LD 2003 specifically allows the Town to establish requirements for a lot area per dwelling unit, so long as the lot area for subsequent dwelling units on a lot is not greater than the required lot area for the first dwelling unit.
- e. Allow more dwelling units than LD 2003 requires.

II. THE ACCESSORY DWELLING UNITS ("ADU") ALLOWANCE

Statutory Reference:

30-A M.R.S. § 4364-B

Implementation Date:

July 1, 2023

A. Overview of the ADU Allowance

In any area where housing is allowed, a municipality must allow an accessory dwelling unit ("ADU") to be located on the same lot as a single-family dwelling unit.

B. Effects of the ADU Allowance on the LUC

Like the EXTRA DU Allowance, the ADU Allowance directs the location of ADUs and the manner by which they may be locally regulated, as discussed next.

1. What is an "accessory dwelling unit"?

LD 2003 does not define the term "accessory dwelling unit," but 30-A M.R.S. § 4301(1-C) does, as follows:

"Accessory dwelling unit" means a self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land.

Interestingly, this definition first appeared in state law upon the enactment of L.D. 970 ("An Act To Encourage Policies Regarding Accessory Dwelling Units under Local Comprehensive Plans and Zoning Requirements") (2019 1st Reg. Sess.), see PL 2019 c. 145. That law encouraged, but did not mandate, municipalities to develop policies that provide for ADUs. The DECD Guidance acknowledges the existence of this statutory definition, but also notes that many municipalities define ADUs in local ordinances and states that DECD rulemaking "will clarify which definition to use."

We note that the statutory ADU definition is at odds with the LUC definition of "accessory structure or accessory use," which is defined as "[a] structure or use that is subordinate and customarily incidental to the principal structure or principal use on the same lot" Whether or not an ADU must be "accessory" in this classic municipal sense (meaning "subordinate and incidental") remains to be seen. Based on the DECD Guidance, however, it appears that an ADU can be larger than a principal structure on a lot, unless the Town limits the size of the ADU.

At this juncture, it does not appear that the Town will have the authority to enact ADU definitions that are inconsistent with or more restrictive than the existing state law definition. In this memo, we assume that the Town will need to enact an ADU definition that parallels the above state law definition, and adjust any related conflicting land use categories (such as the attached and detached "in-law apartment" land uses).

2. Where within the Town may the ADU Allowance be applied?

The ADU Allowance allows one ADU to be placed on any lot where "housing" is allowed. Specifically, municipal zoning ordinances must allow at least 1 ADU on any lot where a single-family dwelling unit is the principal structure. Thus, the ADU Allowance would affect every land use district within the Town, except for the SP shoreland zoning district where single-family dwelling units are prohibited.

Accordingly, without any changes to the LUC, the ADU Allowance will have the following effect on the Town (please see subsection 3.b, below, for a discussion of how the ADU Allowance would be treated within the Town's shoreland zone):

	Lots In Any of the Town's Land Use Districts
Is the lot developed with one single-family dwelling unit serving as a principal structure?	(at least 1 ADU must be allowed)

Is the lot developed with two single-family dwelling units?	(at least 1 ADU must be allowed)
Is the lot developed with one single-family dwelling unit and an accessory dwelling unit that predates LD 2003?	\(\hat{\hat{\hat{\hat{\hat{\hat{\hat{
Is the lot vacant or developed with any non-residential structures?	No allowance.
Is the lot developed with two-family or multi-family dwelling units?	No allowance.

3. What are the LD 2003 limitations on the ADU Allowance?

LD 2003 requires that any ADU placed on a lot pursuant to the ADU Allowance must:

- a. Meet the Minimum Lot Size Law (30-A M.R.S. ch. 423-A), as described in Part I.
- b. Meet the Town's **shoreland zoning** requirements. Under Section IV-2 of the LUC, "structures accessory to allowed uses" are prohibited in the SP and RP shoreland zoning districts. It appears that the intent of the ADU Allowance is to leave these provisions intact and thereby prohibit ADUs in these two shoreland zoning districts. (Note, however, that this analysis may be affected by any DECD rulemaking, particularly if the DECD rule requires municipalities to adopt a definition of "accessory dwelling unit" that does not treat ADUs as "accessory" structures.) Alternatively, because the ADU Allowance plainly only applies to lots developed with a single-family dwelling unit, the ADU Allowance would be prohibited in any shoreland zone where single-family dwellings are prohibited—i.e., the SP district. While it remains to be seen whether the ADU Allowance will apply in the RP district, it is likely that it will apply to the other shoreland zones where both single-family dwelling units and "structures accessory to allowed uses" are allowed (i.e., in the LR, GD-I, GD-II, and LC districts) so long as all other shoreland zoning provisions (including dimensional and review standards) can be met.
- c. Meet the subdivision law (30-A M.R.S. ch. 187, sub-ch. 4), as described in Part I. Note that, because of the uncertainty as to whether ADUs are treated as dwelling units or "accessory" structures, it is not entirely clear whether the ADU Allowance could trigger

subdivision review in any circumstance (such as, for example, if a lot is developed with two single-family dwelling units and a detached ADU is proposed to be developed on the lot within a 5-year period).

- d. Meet additional **zoning requirements** set out in LD 2003, which provide that if more than 1 ADU has been constructed on a lot as a result of the ADU Allowance or the EXTRA DU Allowance the lot is not eligible for any additional increases in density except as allowed by the municipality. As discussed in Part I, the effects of this provision are not entirely clear, and we await DECD rulemaking on this requirement.
- e. Comply with water and sewer verification requirements in LD 2003, whereby the owner of the ADU must provide written verification to the Town that the ADU is connected to adequate water and wastewater services before the Town may certify the structure for occupancy, as set forth in Part I.
- f. Comply with any private restrictions, as set forth in Part I.
- g. Not be counted as a permit issued toward a municipality's rate of growth ordinance adopted pursuant to 30-A M.R.S. § 4360.
- h. Be exempted from any **density requirements** or calculations related to the area in which the ADU is constructed.
- i. Comply with the following additional location, setback and dimensional, parking, and minimum size requirements in LD 2003:
 - i. Be constructed only within an existing dwelling unit on the lot, attached to or sharing a wall with a single-family dwelling unit, or as a new structure on the lot "for the primary purpose of creating an accessory dwelling unit."
 - ii. If constructed within an existing dwelling unit or attached to or sharing a wall with a single-family dwelling unit, be subject to the same setback and dimensional requirements as apply to the single-family dwelling unit, except for an ADU permitted in an existing accessory or secondary building or garage as of July 1, 2023, in which case the building or garage setback requirement would apply.
 - iii. Not be subject to any additional parking requirements beyond those that apply to the single-family dwelling unit on the lot where the ADU is located.
 - iv. Meet a minimum size of 190 square feet unless the Technical Building Codes and Standards Board adopts a different minimum size.

As in Part I, each of these limitations will have disparate effects on what lots within the Town could take advantage of the ADU Allowance and to what extent. Care must be taken to ensure that these limitations are properly incorporated into the LUC.

4. What else does LD 2003 say about the ADU Allowance?

LD 2003 provides that the Town may:

a. Establish an application and permitting process for ADUs.

- b. Impose fines for violations of building, zoning, and utility requirements for ADUs.
- c. Establish alternative criteria that are less restrictive than the above-identified density requirements, dimensional and setback requirements, shoreland zoning requirements, size requirements, and water and wastewater verification requirements. (We question whether the Town can do so, however, particularly with respect to the shoreland zoning requirements.)
- d. Establish more permissive dimensional and setback requirements for an ADU than the limitations in LD 2003.
- e. Impose a maximum size for an accessory dwelling unit.

LD 2003 also notes that the ADU Allowance does not restrict the construction or permitting of accessory dwelling units constructed and certified for occupancy prior to July 1, 2023.

III. THE AFFORDABLE HOUSING DENSITY ("AHD") BONUS

Statutory Reference:

30-A M.R.S. § 4364

Implementation Date:

July 1, 2023

A. Overview of the AHD Bonus

In any area where multi-family dwellings are allowed, a municipality must allow an "affordable housing development" ("AHD") to have a dwelling unit density of at least 2.5 times the "base density" that is otherwise allowed in that location. The AHD must be in a designated growth area or must be served by public water and public sewer.³

B. Effects of the AHD Bonus on the LUC

The AHD Bonus allows affordable, extra density multi-family dwellings to be built in areas within the Town (1) where multi-family dwellings are allowed that are also located (2) within designated growth areas or areas served by public water and sewer. The AHD Bonus imposes limitations on these development projects and includes express provisions that allow the Town to regulate certain aspects of these projects. Each of these factors is discussed next.

1. What is "affordable housing development"?

LD 2003 defines "affordable housing development" as a development in which a household whose income does not exceed 80% (for rental housing) or 120% (for owned housing) of the median income for the area, as defined by the U.S. Department of Housing and Urban Development (US HUD), can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

³ Specifically, the AHD must be served by a "public, special district or other centrally managed water system" (referred to herein as "public water") and a "public, special district or other comparable sewer system" (referred to herein as "public sewer").

2. Where within the Town may the AHD Bonus be applied?

LD 2003 requires that the Town allow AHDs in areas within the Town (1) where multi-family dwellings are allowed that are also located (2) within designated growth areas <u>or</u> areas served by public water and sewer.

—Where are multi-family dwellings allowed?

LD 2003 does not define multi-family dwellings, and the DECD Guidance provides that this term will be defined in rulemaking. The DECD Guidance states, however, that "in planning practice" this term generally applies to three units or more. The LUC definition of "multi-family dwelling" is consistent with this planning practice—it defines the term as "a building consisting of three or more attached dwelling units."

Under this definition, the AHD Bonus could affect every land use district within the Town, except for the SP and RP shoreland zoning districts.⁴

-Which areas are within designated growth areas or areas served by public water and sewer?

As discussed in Part I, the Town has identified all parcels within the DVB-I, DVB-II, DVN, and IC districts as its designated growth area. It appears that the areas of the Town that are currently served by public sewer (as well as the areas that will be served by the public sewer as part of the Town's current sewer expansion project) more or less are encompassed by the DVB-I, DVB-II, and DVN districts.

Accordingly, without any changes to the LUC, the AHD Bonus will have the following effect on the Town (please see subsection 4.b, below, for a discussion of how the AHD Bonus would be treated within the Town's shoreland zone):

	WITHIN DESIGNATED GROWTH AREA	OUTSIDE DESIGNATED GROWTH AREA			
	Late in the DVD I	Lots in the OC, MUC, LN, OV, or RN			
	Lots in the DVB-I, DVB-II, DVN, or IC	Served by public water and sewer	Not served by public water and sewer		
Is the ADH Bonus allowed?	Yes.	Yes.	No.		

⁴ Note that, although the DVB-I district prohibits multi-family dwellings on the ground story of a structure, such uses are allowed on upper stories. *See* LUO, Section III-2, Footnote 1.

3. How is the density bonus calculated, in relation to the "base density"?

The AHD Bonus requires the Town to allow AHDs to have a dwelling unit density of at least 2.5 times the "base density" that is otherwise allowed in that location. LD 2003 does not define "base density," but the DECD Guidance specifies that it is "the number of dwelling units that might be allowed in a list of uses, and/or the maximum number of units allowed based on dimensional requirements, such as lot area per dwelling unit." (The DECD Guidance also notes that questions such as whether the limits on lot area per dwelling units in the EXTRA DU Allowance will apply to AHDs and how the AHD Bonus will interact with any existing local density bonus will be addressed in rulemaking.) By way of example, the DECD Guidance states that "if a developer can build up to six units on a site under local rules, and designates the development as affordable, the developer would be eligible to build 15 units (6 x 2.5)."

Currently, the following minimum lot area (in square feet) per dwelling unit apply within each land use district outside of the shoreland zone:

DVB-I	DVB-II	DVN	IC	ОС	MUC	LN	OV	RN
2,500	20,000	20,000	40,000	80,000	80,000	50,000	20,000	80,000

If the Town is allowed under the DECD rules to calculate base density based on the minimum lot area per dwelling unit, these minimum lot areas would effectively accommodate 2.5 dwelling units in an AHD; thus, the minimum lot area for AHDs would be:

D	VB-I	DVB-II	DVN	IC	ОС	MUC	LN	OV	RN
1	,000	8,000	8,000	16,000	32,000	32,000	20,000	8,000	32,000

4. What are the LD 2003 limitations on AHDs?

LD 2003 requires that AHDs must:

- a. Meet the Minimum Lot Size Law (30-A M.R.S. ch. 423-A), as applicable.
- b. Meet the Town's **shoreland zoning** requirements. As noted earlier, the LUC prohibits multi-family dwelling units in the SP and RP shoreland zoning districts and, presumably, the AHD Bonus does not disturb this prohibition. Where multi-family dwelling units are allowed within the shoreland zone (*i.e.*, in the LR, GD-I, GD-II, and LC districts), the ADU Bonus will also likely apply *so long as* all other shoreland zoning provisions (including dimensional and review standards) can be met.
- c. Meet the **subdivision law** (30-A M.R.S. ch. 187, sub-ch. 4). Note that, under the subdivision law, multi-family dwellings are exempt from subdivision review in the Town because such projects are subject to site plan review. *See* 30-A M.R.S. § 4402(6).
- d. Comply with water and sewer verification requirements in LD 2003, whereby the owner of the ADH must provide written verification to the Town that each unit of the ADU is connected to adequate water and wastewater services before the Town may certify the ADH for occupancy, as set forth in Part I.
- e. Comply with any **private restrictions**, as set forth in Part I.

- f. Ensure **long-term affordability** by executing a restrictive covenant, recorded in the registry of deeds, for the benefit of and enforceable by a party acceptable to the Town, to ensure that for at least 30 years after completion of construction, occupancy of all of the units designated affordable in the AHD will remain limited to households at or below 80% (for rental housing) or 120% (for owned housing) of the local area median income at the time of initial occupancy.
- g. Comply with the additional parking requirements in LD 2003, which prevent the Town from requiring that AHDs provide more than 2 off-street parking spaces for every 3 units in the AHD.

IV. MUNICIPAL TOOLS TO ADDRESS LD 2003 CHALLENGES AND OPPORTUNITIES

Fundamentally, LD 2003 appears to be an attempt to mandate increased housing density predominantly in appropriate locations within the Town—namely, in designated growth areas and areas served by public water and sewer. It is, however, a "one size fits all" law, which will very likely have disparate impacts on municipalities. In assessing the land use impacts of LD 2003 on the Town, we recommend that the Planning Board consider what tools it has to guide future housing to those areas of the Town that are capable of accommodating additional growth. We will be prepared to discuss the pros and cons of each of these tools with the Board on October 18th.

- 1. Buildout Analysis: Retain professional planning firm to conduct a buildout analysis of LD 2003.
- 2. **Baseline Inventory:** Establish a baseline inventory of the existence and location of dwelling units within the Town as of July 1, 2023.
- 3. Comprehensive Plan: Re-designate the Town's "designated growth areas" by a comprehensive planning amendment.
- 4. Schedule of Land Uses: Re-designate land use districts and shoreland zoning districts where dwelling units are allowed or prohibited; review where accessory dwelling units (including in-law apartments) and structures accessory to permitted uses are allowed or prohibited.
- 5. LUC Definitions: Consider amendments, deletions, and additions to these and other terms, as appropriate:
 - Accessory Dwelling Unit
 - Dwelling Unit (single-family, two-family, multi-family)
 - In-law Apartment
 - Housing
 - Affordable Housing Development
 - Attached or Detached Dwelling Unit
 - Potable Water
- 6. Dimensional and Setback Standards: Consider new standards or adjustments to:
 - Minimum lot size
 - Minimum lot frontage
 - Maximum lot coverage
 - Minimum contiguous private open space
 - Maximum height of multi-family dwelling units
 - Maximum size of accessory dwelling units

7. Performance Standards:

- Establish prohibition or allowance for lots where a dwelling unit is torn down and a vacant lot results
- Establish prohibition or allowance for "double-dipping" additional increases in density beyond EXTRA DU and ADU Allowances.
- 8. Review Procedures: Consider new approaches or adjustments to:
 - Site Plan Review: Require for certain residential development.
 - Building Permit and Certificate of Occupancy Requirements: Revisit application and permitting process for housing structures.
 - Water and Sewer Verification: Clarify documentation requirements.
 - Variances.
 - AHD Bonus calculation methods.
- 9. Rate of Growth Ordinance: Consider adopting.
- 10. Evaluate Private Restrictions within the Town.
- 11. Regulate Short-Term Rentals within the Town.

TOWN OF BRIDGTON

TO:

Select Board

FROM:

Laurie L. Chadbourne, Town Clerk

RE:

Business Licenses

DATE:

December 6, 2022



December 13, 2022 Select Board Meeting

9. **New Business**

Permits/Documents Requiring Board Approval

Victualer's License to Subway, 292 Main Street

☑ CEO (to include any Planning Board requirements) ☑ Fire ☑ Police ☑ Town Clerk

Complete applications are on file at the Town Clerk's Office and available for Select Board review.



Town of Bridgton

3 Chase Street, Suite 1 Bridgton, ME 04009

Brenda Day, Code Enforcement Officer

MEMORANDUM

To:

Bridgton Board of Selectmen

Robert A. Peabody, Jr., Town Manager **David Madsen, Public Services Director**

From: Brenda Day, E-911 Addressing Officer

Date: December 1, 2022

Re:

Henderson's Way

The property owner of Map 13 Lot 14 has proposed the following names for the private road:

First Choice: Henderson's Way Second Choice: Edward Lane Third Choice: Dust Road

This office recommends approval of Henderson's Way, and Cumberland County E911 Dispatch Center supports this recommendation.

Thank you for your consideration.

Attachments: Proposed Street Name Request Application

Location Maps

Phone: (207) 803-9963 • Fax: (207) 647-8789 • Email: bday@bridgtonmaine.org

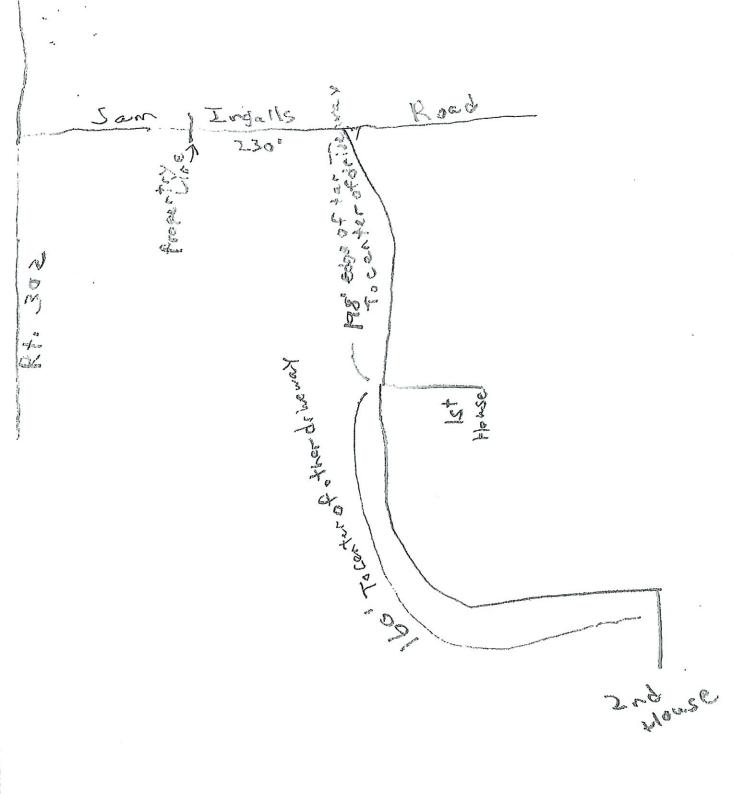
Map 13 Lot 14 2

20220544



TOWN OF BRIDGTON, MAINE STREET NAME REQUEST FORM

A1:
Applicant Information:
Name: Jay Davis Larrabee Phone #: 207595 3845
(current) Mailing Address: 33 Sam Ingalls Road
Email address: Jay Larrabee 8 Q & mail. Com
Dignature
Date
Proposed street is a: 🗹 Private Way 🔲 Subdivision Road/Name of Subdivision:
New street access off (name of street): San Ingalls Rd. and between numbers and
l ax map and lot numbers(s) of access points:
Length of new street (in feet): 358' Number of lots accessed by new street: 2 Houses
Other owners that access their property from this private way:
Name: Map/Block/Lot:
Name:
Name: Map/Block/Lot:
Name: Map/Block/Lot:
Applicant MIIST arbuit
Applicant MUST submit a plan or sketch showing the road to be named, location of all driveway entries and distances from crossroads with application.
Proposed Names of New Street (in order of preference):
st Choice: Hendersons Way Accepted Rejected Reason:
and Choice: Dward Lane
rd Choice: dust Road Accepted Rejected Reason:
Return this completed form with a plan/sketch showing the road to be named, and payment to:
E-911 Addressing Officer, 3 Chase Street, Suite 1, Bridgton, ME 04009
For office use only
Date application was received: Sketchattached Mapping updated
Date application was received: Sketch attached Street name recommended by E-911 Addressing Officer: 11th choice 2nd choice 3rd choice Notifications sent
Date application was received: Sketch attached Mapping updated



Brenda Day

From:

Deborah Plummer < DPlummer@cumberlandcounty.org >

Sent:

Wednesday, November 30, 2022 6:16 PM

To:

Brenda Day

Subject:

Re: Road Name

All three are fine, thank you.

On Wed, Nov 30, 2022 at 11:24 AM Brenda Day < bday@bridgtonmaine.org > wrote:

Deborah,

The Town of Bridgton received a request for a new road name:

1st choice: Henderson's Way

2nd choice: Edward Lane

3rd choice: Dust Road

It is recommended that we approve the first choice, Henderson's Way.

Would you support this name or do you anticipate conflict?

Please advise,

Brenda Day

Code Enforcement Officer

bday@bridgtonmaine.org

207-803-9963

Fax: 207-647-8789

Brenda Day

To:

Deborah Plummer

Subject:

Road Name

Deborah,

The Town of Bridgton received a request for a new road name:

1st choice: Henderson's Way 2nd choice: Edward Lane 3rd choice: Dust Road

It is recommended that we approve the first choice, Henderson's Way.

Would you support this name or do you anticipate conflict?

Please advise,

Brenda Day

Code Enforcement Officer bday@bridgtonmaine.org 207-803-9963

Fax: 207-647-8789

CERTIFICATE OF APPOINTMENT (Title 30-A, M.R.S. § 2601)

SELECT BOARD

MUNICIPALITY OF BRIDGTON, MAINE

December 13, 2022

TO: Robert A. Peabody, Jr.:

There being a vacancy in the position of Town Manager, Tax Collector, Treasurer and Road Commissioner, the Selectmen of the Municipality of Bridgton do, in accordance with the provisions of the laws of the State of Maine, hereby re-appoint you as Town Manager, Tax Collector, Treasurer and Road Commissioner within and for the Municipality of Bridgton, such appointment to be effective January 1, 2023 until December 31, 2023.

December 2022.
Lone, Vice-Chair
McHatton, Sr., Vice-Chair Board of Bridgton, Maine
rog has st
tleman-Ross
Murphy
December, 2022
who has been duly appointed arer and Road Commissioner, o discharge said duties for the
ne

This Certificate and the Certificate of Oath shall be returned to the Municipal Clerk for filing.

Town of Bridgton 2023 Annual Appointments

Peabody, Robert A., Jr. One (1) Year Term/Appointed by the Select Board/Oath Town Manager/Tax Collector/Treasurer/Road Commissioner

The following were appointed by the Town Manager:

- Chadbourne, Laurie L. One (1) Year Term/Appointed by Town Manager
 Town Clerk/Deputy Tax Collector/Deputy Treasurer/Motor Vehicle Agent/Recreation Vehicle Agent/Game
 License Agent/Registrar of Voters/ General Assistance Administrator
- Colello, Gary One (1) Year Term/Appointed by Town Manager Recreation Director
- Day, Brenda One (1) Year Term/Appointed by Town Manager
 Code Enforcement Officer/Licensed Plumbing Inspector/Licensed Building Inspector/E-911 Addressing Officer/Local Health Officer
- Fahey, Jim One (1) Year Term/Appointed by Town Manager
 Alternate Code Enforcement Officer/Alternate Plumbing Inspector/Alternate Building Inspector
- Fleck, Georgiann One (1) Year Term/Appointed by Town Manager
 Deputy Town Manager/Deputy Personnel Director/Deputy Purchasing Agent
- Garland, Glen One (1) Year Term/Appointed by Town Manager
 Fire Chief
- Heymann, Holly One (1) Year Term/Appointed by Town Manager
 Finance Director
- Hill, Victoria One (1) Year Term/Appointed by Town Manager Community Development Director
- Jones, Phillip A. "Appointed by Town Manager Police Chief
- Madsen, David One (1) Year Term/Appointed by Town Manager
 Public Services Director/Cemetery Sexton
- Perreault, Todd One (1) Year Term/Appointed by Town Manager
 Civil Emergency Preparedness Director

Police Department

- Reese, Timothy J. One (1) Year Term/Appointed by Town Manager Police Sergeant
- Muise, Joshua E. One (1) Year Term/Appointed by Town Manager Police Sergeant
- Chaine, Michael *One (1) Year Term/Appointed by Town Manager
 Police Officer
- George, Brandon One (1) Year Term/Appointed by Town Manager Police Officer
- Hammond, Craig J. One (1) Year Term/Appointed by Town Manager Police Officer
- Johnson, Mitchell*One (1) Year Term/Appointed by Town Manager Police Officer
- McCloud, Ryan *One (1) Year Term/Appointed by Town Manager Police Officer

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Town of Bridgton 2023 Annual Appointments

Part-Time Officers:

Kenneth J. Murphy

Animal	Control	Officers:

Eaton, Cynthia One (1) Year TermKnight, Jack One (1) Year Term/A		
		- 1 of
**********	*****************	******
The 2023 annual appointments were con	firmed by the Select Board on December 13, 2022.	
Carmen E. Lone, Chair	-	1004
Robert J. McHatton, Sr., Vice-Chair	_	1 01
•,	Select Board	. ¥ i≅ ta ↓ €
Paul A. Tworog	_ Town of Bridgton	
Carrye Castleman-Ross	_	

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§5603. Powers and duties

The treasurer has the following powers and duties. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

1. Powers. The treasurer may:

- A. Make deductions from the salary of a municipal employee and pay the money deducted to the proper payee, when the employee gives the written authority to do so. The treasurer's authority to make a deduction continues until:
 - (1) The employee revokes the authorization in writing; or
- (2) The treasurer knows that the reason for the deduction no longer exists. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

[PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

2. Duties. The treasurer shall:

- A. Except as provided in subparagraphs (1) to (3), and except as otherwise provided by charter or ordinance, disburse money only on the authority of a warrant drawn for the purpose, affirmatively voted and signed by a majority of the municipal officers.
 - (1) The municipal officers may adopt a written policy to permit the disbursement of employees' wages and benefits when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers.
 - (2) The municipal officers may adopt a written policy to permit the disbursement of payments for municipal education costs when a disbursement warrant has been signed by the school superintendent and approved by a majority of the school board or by a finance committee appointed or duly elected by the school board. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers.
 - (3) The municipal officers may adopt a written policy to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers. The policy must be filed with the town clerk and the municipal treasurer and renewed annually by vote of the municipal officers; [PL 2009, c. 6, §1 (AMD).]
- B. Upon request, provide an account of the finances of the municipality and exhibit the official records to the municipal officers or to any committee appointed by them to examine the accounts. The municipal officers shall examine the treasurer's accounts at least once every 3 months; and [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]
- C. Maintain a bank account in the municipality's name for the deposit of cash receipts. The treasurer shall deposit all cash receipts in the bank within 10 days. The treasurer may not commingle funds of the municipality with any personal funds or in any personal account of the treasurer. [PL 2009, c. 193, §2 (AMD).]

[PL 2009, c. 6, §1 (AMD); PL 2009, c. 193, §2 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §§A2,C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§C8,10 (AMD). PL 1991, c. 271 (AMD). PL 1993, c. 96, §2 (AMD). PL 1995, c. 83, §1 (AMD). PL 1995, c. 549, §1 (AMD). PL 2009, c. 6, §1 (AMD). PL 2009, c. 193, §2 (AMD).

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Treasurer's Disbursement of Municipal Education Costs Policy

DEFINITION

This policy allows the Municipal Officers to permit the disbursement of municipal educations costs when a disbursement warrant has been signed by one or more designated municipal officers.

This policy must be filed with the Town Clerk and the Municipal Treasurer and renewed annually by vote of the municipal officers according to 30-A M.R.S.A. §5603(2)(A).

Carmen E. Lone, Chair				
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Robert J. McHatton, Sr., Vice-Chair				
	Municipal Officers/Select Board	•	. į V	, ; ; , . f
	Town of Bridgton			
Paul A. Tworog				
Carrye Castleman-Ross				
Kenneth J. Murphy			*	- (:n -

Treasurer's Disbursement of Employee Wages and Benefits Policy

DEFINITION

This policy allows the Municipal Officers to permit the disbursement of employees' wages and benefits when a disbursement warrant has been signed by one or more designated municipal officers.

This policy must be filed with the Town Clerk and the Municipal Treasurer and renewed annually by vote of the municipal officers according to 30-A M.R.S.A. §5603(1)(A).

Carmen E. Lone, Chair		
Robert J. McHatton, Sr., Vice-Chair		* g +30
Paul A. Tworog	Municipal Officers Town of Bridgton	3¥ o
Carrye Castleman-Ross		
Kenneth J. Murphy		

Treasurer's Disbursement of State Fees Policy

DEFINITION

This policy allows the Municipal Officers to permit the disbursement of state fees when a disbursement warrant has been signed by one or more designated municipal officers.

This policy must be filed with the Town Clerk and the Municipal Treasurer and renewed annually by vote of the municipal officers according to 30-A M.R.S.A. §5603(3)(A).

Carmen E. Lone, Chair	
Robert J. McHatton, Sr., Vice-Chair	Municipal Officers
	Municipal Officers Town of Bridgton
Paul A. Tworog	,
*	
Carrye Castleman-Ross	
Kenneth I Murphy	