

Select Board Meeting Minutes
February 28, 2023; 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 L. Chadbourne; Police Chief Phil Jones; Fire Chief Glen Garland; Community Development Director Victoria Hill; Finance Director Holly Heymann; Executive Assistant Nikki Hodgkins

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.”

3. Approval of Minutes: February 14, 2023

Motion was made by Vice-Chair McHatton for approval of the minutes from the February 14, 2023 Select Board Meeting; second from Select Board Member Murphy. 5 approve/0 oppose

4. Public Comments on Non-Agenda Items

There were no public comments on non-agenda items.

5. Committee/Liaison Reports

On behalf of the Ordinance Review Committee, Deb Brusini reported that the Board will be receiving the documents for repeal of the Phosphate Detergent Ordinance and repeal of the International Building Code as both are outdated and not needed. The Committee is working on the Traffic Ordinance and will be reviewing with the Police Chief before submitting their recommendations to the Board. The Committee is also working on a Skateboard Ordinance and will be meeting tomorrow at 5:00 P.M.

Deb Brusini stated that the Planning Board is conducting a public hearing next Tuesday on the Fire Protection Ordinance.

Deb Brusini also reported that the Planning Board met and would like Bridgton included in the list by name of towns being represented by Drummond Woodsum at no additional cost to the Town. On behalf of the Planning Board, she also requested that the Select Board support her testifying on LD 2003 rules on behalf of Bridgton, without consultation with legal. Her testimony as follows:

TOWN OF BRIDGTON COMMENTS ON LD2003 Rules, 19-100 CMR Ch. 5
For March 1, 2023 Public Hearing

These comments are submitted behalf of the Town of Bridgton. I preface that our comments on the Rules are intended to point out potential impacts of, and costs associated with implementation, and are not indicative of any opposition to the intent of LD2003.

Thank you for your consideration,
Deb Brusini, Chairman, Bridgton Planning Board

1. The timeline for implementation does not enable Bridgton (pop. ~5500) to amend their Land Use Code to assure orderly growth of the Town per their comprehensive plan, and the proposed Rules muddy this further. It is not possible for the Town to implement LD2003 in a purposeful manner with significant public input by July 1, 2023, in particular as the Rules are not finalized. (Bridgton votes on Land Use amendments by referendum and is within a month of requiring any amendment be submitted for the warrant.)
2. The bill and resulting Rules are in essence an unfunded mandate. The costs of implementation - legal fees and staff time - will outweigh the expectations of what Bridgton might receive from a grant. The Town has already spent \$14,000 in legal fees alone, anticipates additional substantial legal fees (\$10,000+), and the Grant rules dictate we must compete with larger municipalities in a bidding process, as opposed to a reimbursement or an allowance directly to the Town.
3. As written, the definition for an "Accessory Dwelling Unit" appears to be contrary to the common definition requiring accessory structures and uses to be "subordinate and customarily incidental" to the principal structure. Please confirm this well established descriptor of "subordinate and incidental" may be incorporated into our municipal definition for an ADU.
4. The definition of "Affordable Housing Development" leaves a loophole which may not result in a significant uptick in affordable housing units, since the developer "designates" how many units will be affordable. This must be addressed.
5. The Rules do not provide confirmation of municipal home rule to regulate Short-Term Rentals for LD2003 ADU and dwelling unit increases, as indicated by the definition of "housing", which does not exclude transient housing. We propose the July 1, 2023 implementation is delayed until after the legislature addresses the November 2022 Housing Commission's recommendations for Short-Term Rentals.
6. The Rules appear to over-ride well accepted, logical, and fully legal municipal principles of non-conformance for the Accessory Dwelling Unit allowance.
7. The Rules, as written, will require additional staffing in order to in review and manage accessory dwelling and dwelling unit increases and to enforce long-term affordability of Affordable Housing developments through Restrictive Covenants; and, in the future, to implement the municipal actions that may be required by the "Affirmatively Further Fair Housing" (AFFH) mandate.
8. The Rules appear to have additional loopholes which, if not addressed, could lead to significant costs and legal fees for the Town; we will submit these by March 13th.

* "Commission to Increase Housing Opportunities in Maine by Studying Land Use Regulations and Short-term Rentals". Report with recommendations published November 2022.

Motion was made by Vice-Chair McHatton to authorize Planning Board Chairman Deb Brusini to address the hearing on LD 2003 on behalf of Bridgton; second from Select Board Member Tworog. 5 approve/0 oppose

Motion was made by Select Board Member Tworog to add Bridgton to the list of towns being represented by Drummond Woodsum if there is no cost to the Town; second from Select Board Member Murphy. 5 approve/0 oppose

Vice-Chair McHatton reported that the Community Development Advisory Committee reviewed the applications and after thorough consideration and discussion, reached a final decision as provide to the Select Board under agenda item 6d.

6. Correspondence, Presentations and Other Pertinent Information

a. Presentation of the FY2022 Audited Financial Statements by Managing Partner Ron Smith of RHR Smith& Company

This item was addressed after agenda item 8.

b. Review of Town Owned Property

Town Manager Peabody provided a list of current Town owned property as well as a separate list of tax acquired property. He will be asking the Board to dispose of two pieces of tax acquired property at their next meeting. It was suggested that this be reviewed after the open space discussions.

Chair Lone brought agenda item 7 forward at 5:30 P.M.

7. 5:30 P.M. Public Hearings

Request from Noble House Inn located at 81 Highland Road for Extension of their Liquor License Privileges and Amendments to their Special Amusement Permit

Chair Lone opened the public hearing to hear public comment on a request from Noble House Inn located at 81 Highland Road for extension of their liquor license privileges and amendments to their special amusement permit at 5:30 P.M. Owner Lynn Williams stated that their use is not changing, this application includes the outside. Chair Lone received some concerns from Rupert Libby regarding traffic and parking, the lights in the beer garden being left on all night and a sign that bar is open indicating that this is a public bar. Ms. Williams responded that the lights will be put on a timer and not left on all night. If they decide to open their bar to the public, it may require approval from the Planning Board. Chair Lone closed the hearing at 5:47 P.M.

8. Action Items Following Public Hearing

a. Request from Noble House Inn located at 81 Highland Road for Extension of their Liquor License Privileges and Amendments to their Special Amusement Permit

Motion was made Vice-Chair McHatton for approval of the extension of liquor license privileges and amendments to their special amusement permit; second from Select Board Member Castleman-Ross.

5 approve/0 oppose

6. Correspondence, Presentations and Other Pertinent Information

a. Presentation of the FY2022 Audited Financial Statements by Managing Partner Ron Smith of RHR Smith& Company

Mr. Smith presented the FY2022 audited financial statements and responded to several questions asked by the Board.

c. Discussion of Removing Willis Park from the Designated Safe Zone

Town Manager Peabody provided the Board with a packet of information on the safe zone. Motion was made by Vice-Chair McHatton not to seek voter consideration on amending the safe zone to exclude Willis Park; second from Select Board Member Murphy. Vice-Chair McHatton withdrew the motion; Select Board Member Murphy withdrew the second. **Motion** was made by Vice-Chair McHatton to seek voter consideration on amendment to the safe zone to exclude Willis Park; second from Select Board Member Murphy.

0 approve/5 oppose

d. Community Development Advisory Committee Recommendations on the Community Development Block Grant 2023-2024 Program Funds

Community Development Director Victoria Hill reviewed the Community Development Committee's recommendations for funding from the Community Development Block Grant (CDBG) 2023-24 Program. **Motion** was made by Chair Lone to accept the Community Development Committee recommendations and set a Public Hearing for March 14, 2023; second from Vice-Chair McHatton. 5 approve/0 oppose

7. 5:30 P.M. Public Hearings

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This item was addressed earlier in the meeting.*

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9. New Business

a. Awards and Other Administrative Recommendations

There were no awards and other administrative recommendations.

b. Permits/Documents Requiring Board Approval

1. Lakes Region ATV Club: Land Use Agreement

Motion was made by Vice-Chair McHatton to approve the Land Use Agreement with Lakes Region ATV Club over Town owned property identified as Map 5 Lot 64 for a term not to exceed three years; second from Select Board Member Tworog. 5 approve/0 oppose

2. Victualer's License (new) to Mountain Range Golf located at 146 Harrison Road

Motion was made by Vice-Chair McHatton to approve the Victualer's License to Mountain Range Golf located at 146 Harrison Road; second from Select Board Member Murphy. 5 approve/0 oppose

3. Certificate of Commitment of Sewer User Rates Commitment #272

Motion was made by Vice-Chair McHatton to commit the November 1, 2022 to January 31, 2023 the certificate of sewer user rates commitment #272 comprising three pages totaling \$8,573.23 to the Treasurer for collection; second from Chair Lone. 5 approve/0 oppose

4. New Road Name: Community Way

Motion was made by Vice-Chair McHatton to approve Community Way for the private road sited on Map 9, Lot 27; second from Select Board Member Murphy. 5 approve/0 oppose

5. New Road Name: Triggiani Trail Way

Motion was made by Vice-Chair McHatton to approve Triggiani Way for the private road sited on Map 56, Lot 22Z; second from Select Board Member Murphy. 5 approve/0 oppose

c. Selectmen's Concerns

- **Select Board Member Murphy** thanked the Public Services Department for keeping the roads safe.
- **Select Board Member Castleman-Ross** had no concerns.
- **Select Board Tworog** had no concerns.
- **Vice-Chair McHatton** requested that discussion of the rule on tax acquired property be added to a future agenda for potential amendment to protect the property owner's interest.
- **Chair Lone** encouraged the public to attend a meeting on March 15 at the Community Center for information on LD 2003 and how it may impact our town.
- **Chair Lone** noted that the divot on Main Street is getting bigger and one has also developed at the edge of the bridge on Willet Road to which Town Manager Peabody will review and report back to the Board.
- **Chair Lone** congratulated the Chamber, Recreation Department, Police Department, and all that were involved with the Winter Carnival, it was a great community event.

d. Town Manager's Report/Deputy Town Manager's Report
Deputy Town Manager Fleck read the following report into the record:

Town Clerks Office

Absentee ballots are available for the MSAD 61 Referendum Election. The polls will be open on March 7th from 8AM until 8PM at Town Hall, 26 North High Street. Nomination papers will be available on Monday, March 6th for the following offices – all three-year terms (2) Select Board Member/Assessor/Overseer of the Poor; (1) Planning Board Member; (1) Planning Board Alternate Member; (2) MSAD #61 Director; (1) Water District Trustee. The filing deadline is the close of business hours on April 14, 2023. Property tax stabilization applications are being processed and notification will be provided to all applicants in March or April.

Bridgton Police Department

Officer Mike Chaine is starting K9 Academy on Monday, March 20th.

Bridgton Recreation

Recreation in Bridgton is ACTIVE with Public ice skating at 28 North High Street (check the live up-to-date calendar for days/hrs)

Winter Fun Day Saturday March 4th 10:00a.m. to 2:00p.m. with your chance to try XC skiing & snowshoeing with adaptive and non-adaptive gear available at Narramissic Farm 46 Narramissic Road AND its free!

Adult Trip on Sunday July 23rd to Fenway Park to see the New York Mets vs Boston Red Sox, \$100.00 per person (register now!); Neon Olympics under the glow of blacklights & light up equipment on April 17th through April 22nd – Details coming soon; July 3rd Craft and Vendor Fair 8AM-3PM at Stevens Brook Elementary School.

Activities at the Town Hall Gym 26 North High Street include:

Zumba with Allison on Sundays 9AM-10AM

Jumping Janes (low impact total body workout) Monday, Wednesday & Friday 9AM-10AM

Walking on Monday–Friday 7:30AM-9AM

Thi Chi on Tuesday & Thursdays 10AM-11:15AM

Community Karate on Saturdays \$40/person

Pickleball (weekly – times vary) – Ping Pong on Sundays 1PM-4PM

Bridgton Youth Archery on Wednesdays 3:30PM-4:30PM

Toddler Play Group on Monday and Friday 10AM-11:30AM

Celebrate your Birthday with Bridgton Rec (age unlimited – Choose a theme and pick your size cake or cupcakes, party favor bags, ice cream, pizza and BUILD YOUR OWN PLAN 2Hr slot for 1-20 participants \$190.00 and 21-40 participants \$240.

Register Now:

Lake Region Boys and Girls Youth Lacrosse

Summer Swim Lessons and Youth Baseball and Softball.

For more information on these activities and more visit our website at bridgtonmaine.org or call Gary Colello, Recreation Director at 207-647-1126.

The Revenue and Expenditure Report for the month of December 31, 2022, shows a benchmark of 50% with revenues at 35.25% and expenditures at 47.45%.

The Revenue and Expenditure Report for the month of January 31, 2023, shows a benchmark of 58.3% with revenues at 38.2% and expenditures at 64.0%.

General Notes

The Select Board Budget Workshops will be held on Monday, March 6th beginning at 8:30 a.m. for Departmental Budget Reviews, and Tuesday, March 7th, beginning at 9:00 a.m for Outside Agency Reviews.

These workshops will be available for anyone to join and listen live via GoToMeeting and will be available on Lake Region Television after the meetings; however, this workshop will not be open to public comment.

Please refer to our website www.bridgtonmaine.org for more information and to subscribe to alerts.

10. Old Business

a. Wastewater Status Update

Town Manager Peabody provided a brief wastewater status update.

11. Treasurer's Warrants

Motion was made by Select Board Member Murphy for approval of Treasurer Warrants numbered 1080 1081 1082 1083; second from Select Board Member Tworog. 5 approve/0 oppose

12. Public Comments on Non-Agenda Items

Maggie Lynn urged the Board to wait until the open space plan is complete before moving forward with selling any town land.

Deb Brusini thanked the Public Services Department for plowing and keeping the roads clean.

Deb Brusini suggested that the Board consider the impact of LD 2003 and letting the dust settle from that zoning perspective before making any decisions about town owned lots.

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

March 6, 2023 (Budget Workshop); March 7, 2023 (Budget Workshop); March 14, 2023 (Regular Meeting); March 28, 2023 (Regular Meeting)

14. Adjourn

Motion was made by Select Board Member Murphy to adjourn the meeting at 6:42 P.M.; second from Vice-Chair McHatton. 5 approve/0 oppose

Respectfully submitted,

Laurie L. Chadbourne
Town Clerk