

BRIDGTON PHOSPHORUS COMPENSATION POLICY

PROCEDURE FOR EVALUATING PROJECTS REQUIRING PLANNING BOARD APPROVAL REGARDING GENERATION AND EXPORT OF PHOSPHORUS AND STORMWATER TO GREAT PONDS

To facilitate the protection and/or restoration of Bridgton's great ponds, the following has been adopted by the Town of Bridgton Planning Board to allow applicants the option of paying a compensation fee in lieu of phosphorus and stormwater treatment. This policy applies to projects approved by the Bridgton Planning Board requiring phosphorus mitigation but not subject to the Maine Stormwater Management Law. The policy is predicated on standards and procedures outlined in the publication "*Stormwater Management for Maine*," published by the Maine Department of Environmental Protection (DEP) in 2006 as revised.

I. Evaluation of Proposed New or Expanded Development:

The approach for evaluating phosphorus export from new or expanded residential, multi-unit housing, commercial, and industrial development will follow the above-referenced DEP guidelines as revised. In cases where modifications to these guidelines appear warranted, or where interpretation is unclear, DEP concurrence will be requested prior to project approval by the Planning Board.

II. Compensation Fee Program

This section applies exclusively to those projects that do not require phosphorus treatment through the Maine Department of Environmental Protection's Stormwater Management Law; require phosphorus treatment at the municipal level and; require Planning Board approval.

The Town of Bridgton shall collect a Stormwater Compensation fee to provide for off-site treatment of phosphorus and stormwater from development projects where the applicant chooses to treat at least 60% of the phosphorus on site but not 100%. Fees shall be based on those established by the DEP at the time of application. To qualify for this program, the applicant must employ on-site stormwater best management practices (BMPs) to effectively remove at least 60% of the phosphorus generated as a result of project-related construction and activities, as per standard DEP requirements.

Fees shall be collected from the applicant during the Planning Board review process and put into a dedicated fund managed by The Town of Bridgton and used to promote and enhance the protection and improvement of the water quality of the great ponds located partially or wholly within the Town of Bridgton. Use of the dedicated fund shall be determined by the Town Manager, or designee, in consultation with the Code Enforcement Officer and based on the guidance provided herein.

III. GUIDANCE CRITERIA FOR USING PHOSPHORUS AND STORMWATER COMPENSATION FUNDING

Preferred Types of Projects

- Projects that provide treatment of stormwater runoff from a high phosphorus export land use (i.e., roads, parking areas, commercial uses) with BMPs that attenuate much of the phosphorus in the stormwater (buffers, turnouts to buffers, bioretention cells and other under drained soil filters, infiltration systems), with preference given to BMPs that require the least maintenance.
- Projects that prevent flooding and flood damage by upgrading capacity of culverts, stormwater infrastructure or bridges.
- Lasting road infrastructure improvements that are designed to reduce stormwater impacts downstream.
- Long-term programs that actively and regularly reduce phosphorus export from high phosphorus export land use by reducing or preventing the potential contamination of stormwater by phosphorus (Examples: a high efficiency street sweeping program, compliance and/or enforcement work associated with town permitting, or other program efforts that can be demonstrated to have high likelihood of significantly reducing phosphorus export).

Examples of Preferred Projects

- Paving of gravel roads and repair of ditch systems that include ditch turnouts that are designed to need minimum maintenance over the long term and that deliver the road and ditch runoff to effective, protected naturally vegetated buffers.
- Retrofit of a parking lot with bioretention cells that include a long-term maintenance plan.
- Increasing the size of stormwater infrastructure (culvert diameter, bridge capacity, catch basin capacity, stormwater sewer capacity)
- Installation of tree box filters on small parking areas.
- Purchase of a regenerative air street sweeper to provide frequent and effective cleaning of roads and parking areas in high density residential and commercial areas.
- Paving or repaving of parking area with pervious pavement.
- Installation of catch basins (for sediment pretreatment) in combination with other BMPs to treat road runoff.
- Retrofitting phosphorus mitigation BMPs into existing developments that do not have phosphorus or stormwater controls.
- Municipal programs focused on NPS-related field inspections, technical assistance and compliance or enforcement efforts within the shoreland zone.
- Permanent preservation of land within a watershed.