

Bridgton Planning Board Meeting Minutes
In Person Meeting

October 3, 2023
5:00 pm

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

Item #1 Call to Order

Chair Brusini calls meeting to order at 5:00pm. Angie Cook was absent.

Cathy DiPietro was appointed a voting member.

Item #2 The Pledge of Allegiance

Item #3 Approval of Minutes

MOTION *September 5, 2023* Dan Harden moved to approve August 1, 2023 minutes, second by Rolf Madsen

MOTION CARRIES 5/0

Item #4 Public Comment

Chief Garland introduced Craig Messenger as the Town's new Fire Inspector. He stated that he will be sitting in on some of the Planning Board meetings going forward.

Item #5 Old Business

5a. Boodoo Holdings
North High St
Map 13B Lot 10
Public Hearing (Continued)

The Board asked questions to Mr. Boodoo from his most recent submissions.

Cathy DiPietro asked Mr. Boodoo if the site evaluator physically made a visit to the site. Mr. Boodoo stated that he did. Ms. DiPietro stated that the submitted plan was almost identical to the plan from 1996. Chair Brusini stated that she reached out to Mr. Berry, and he stated that although he has been to the site in the past, that he did not draw this site plan and that he did use the original from 1996. He stated that he did not check all the tanks and lines because he understood that Dyer Septic inspected it.

Dee Miller stated to Mr. Boodoo that the Board is attempting to get as much current and accurate information as possible by requesting new a new site plan.

Cathy DiPietro asked for Mr. Boodoo to show the Board the one plan that shows all the information the Board has requested. He stated that he is proposing an interior remodel and that he has spend thousands of dollars in plans up to this point.

Rolf Madsen stated that the Board has provided specially what they were asking for in the site plan and the applicant has still not provided this. The plans provided by Justin Berry were the same plans were submitted in 1996.

Chair Brusini stated that the site plan is required to be certified by a surveyor and that Mr. Berry is not on the list of registered land surveyors. Chair Brusini stated that when she looked at the site plan, because it hasn't been redrawn, the GIS system indicates that there are 2 lots not 1 located on the property. The Board also asked for shoreland zoning and floodplain which applicant did not include.

Mr. Boodoo stated that 3 months ago the application was deemed complete by the Board. Chair Brusini stated that Mr. Madsen asked for the updated site plan in April and the Board has yet to receive this information.

Dee Miller stated that in the years since the original survey was done, there have been many more requirements added into the ordinance. She stated that it is the job of the Board to look at all of these requirements and ensure that they have received all necessary information before a decision of approval or denial is made by the Board.

Chair Brusini stated that according to the Secretary of State, "Boodoo Holdings" is administratively dissolved. Chair Brusini also stated that for an application to be in front of the Board, the applicant must be an active entity.

CEO, Brenda Day, spoke to legal counsel on this matter, and it was stated that the applicant must be active to be heard by the Board.

Chair Brusini stated that the plumber listed is not licensed and out of business and the electrician listed is not licensed in Maine. To this point, Chair Brusini stated that the Board had asked for a list of licensed contractors which would be performing the work, which has also not been completed.

MOTION Rolf Madsen moved to close the Public Hearing, second by Dan Harden
MOTION CARRIES 5/0

The Board discussed its options on how to move forward. Per legal counsel, the options were to table the application, declare the application incomplete and require the applicant to resubmit, or to deliberate and render a decision.

MOTION Chair Brusini moved to go into deliberations and render a decision, motion was not seconded
MOTION FAILED

Mr. Boodoo asked the Board for 24 hours to correct the issue of an "administratively dissolved" entity.

MOTION Dee Miller moved to proceed with going into deliberations and render a decision, second by Chair Brusini

MOTION WITHDRAWN

MOTION Rolf Madsen moved that the application is incomplete, second by Ken Gibbs
MOTION CARRIES 5/0

The application was deemed incomplete for the following reasons:

- Applicants LLC is Administratively Dissolved according to records from the Secretary of State, meaning there is no proper title or interest.
- Applicant failed to provide site plan as indicated in the ordinance and remains incomplete.

Chair Brusini to draft a Notice of Decision and Code Enforcement Officer, Brenda Day, to consult with town attorney on how to proceed.

**5b. Highland Lake Resort
North High St
Map 47 Lot 20-20
Public Hearing (Continued)**

Travis Nadeau with Platz Associates gave an overview of supplemental information provided to the Board since the last meeting.

The Board discussed water usage. Mr. Nadeau stated that the use is already permitted with the Bridgton Water District. The Board was looking for more information on this because there will be increased usage with this expansion. Chief Garland added that the applicant should ensure with the Bridgton Water District that there is enough capacity to serve the sprinkler system as well. Mr. Nadeau responded that there will be a storage system to accommodate the sprinkler system.

Dee Miller asked about the event center and whether a kitchen would be added. Owner, Carla, stated that there will be no cooking/food preparation, only serving.

Ken Gibbs asked if there would be any new restrooms for the event space. Mr. Nadeau stated that there are no changes to existing bathroom conditions.

Cathy DiPietro asked questions about the phosphorous calculations and meadow buffers. Mr. Nadeau stated that it does not qualify as a meadow buffer. Discussion ensued between the Board and Mr. Nadeau on this topic. Dee Miller stated that the buffers should be protected as a condition of approval. Chair Brusini stated that because the forest does act like a buffer and there is increased usage, it must be maintained.

Dee Miller asked about gravel roadway that was originally a boat launch and whether it is intended for large motorboats going forward. Mr. Nadeau stated that there is no intention of this being used for large boats and that there might be canoes, but not boats larger than that.

Rolf Madsen asked about noise. Carla stated that all events end at 8pm and noise will not be an issue.

Ken Gibbs asked about the parking on lawn areas and if it ruts after it rains. Travis Nadeau stated that the idea of the enlarged gravel area is to allow for less parking on grassed areas. The Board agreed that this would be considered occasional overflow parking and be allowed.

MOTION Dan moved to close the Public Hearing, second by Rolf Madsen
MOTION CARRIES 5/0

The Board began deliberations and set the following conditions:

- Regarding phosphorous export, no mitigation credit has been applied because there is no mitigation being installed. The forested buffer must remain.
- Applicant must provide a letter from Bridgton Water District that they have sufficient capacity to serve the estimated gallons per day.

MOTION Rolf Madsen moved to tentatively approve the project as presented but withhold final judgement pending approval of Findings of Fact & Conclusions of Law, second by Dan Harden
MOTION CARRIES 5/0

**5c. Makers Mill
Main St
Map 23 Lots 108 & 109
Findings of Fact & Conclusions of Law**

MOTION Dan Harden moved to approve the Findings of Fact & Conclusions of Law for Makers Mill, second by Rolf Madsen
MOTION CARRIES 5/0

Item #6 New Business

**6a. Chadbourne Hill Solar
Chadbourne Hill Rd
Map 19 Lot 23
Amendment**

The Board deemed the application substantially complete and no Site Walk or Public Hearing will be necessary.

Holly Ganser gave an overview of the proposed amendment stating that this is to reduce the size of the originally approved plan.

The Board began deliberations and stated that all conditions from original approval remain.

MOTION Dee Miller moved to tentatively approve the project as presented with the conditions as previously approved, second by Dan Harden
MOTION CARRIES 5/0

**6b. Cooper Subdivision
North Bridgton Rd
Map 21 Lot 8
Pre-Application**

Esther Dodson of Main-Land Development gave a brief overview of the proposed project. Mark Cooper, owner of 596 North Bridgton and 189 North High Street, gave an overview of what he would like to do with these properties.

Ms. Dodson stated that the property on North Bridgton Road is just over 67 acres in size. She stated there is an existing home on the property and it generally wooded and includes some older skid roads. She also stated that there has been a survey completed and there are limited wetlands and no vernal pools. It was also stated that the property is relatively steep in some areas.

Ms. Dodson stated that a portion of lot is in the Bear River overlay and that it runs along the top line of the property and to the east in the watershed protection district. All property up to that line is within the aquifer.

There are 46 duplexes for a total of 92 dwellings are proposed. In the aquifer district, there is a larger lot size requirement. The applicant is not proposing single family lots, but they would be duplexes including an association.

Chair Brusini asked if there would be a central water and sewer system. Ms. Dodson stated that there would be shared/common water and septic.

Mr. Cooper stated that the duplexes are proposed to look like a single-family home. The units will be roughly 1500 square feet each.

The Board and applicant discussed a portion of lot being in watershed of Long Lake, stormwater and phosphorous controls, and the road entrances and exits. There is a proposed 7-8% grade proposed but the hell levels out once you enter the wider section of the site. There is a loop at the top of the proposed development to help traffic flow.

Chief Garland stated that there are 6 buildings that would interfere with the use of the road if the department were there. Chief Garland said that making a portion of the road wider would be beneficial to get from one end of the intersection to the other in an emergency.

Chair Brusini stated that it might have to be subdivided to meet the 5000 square foot requirement. Discussion ensued between the Board and Ms. Dodson on Planned Unit Developments.

The Board discussed seeking legal opinion on subdivisions and language in relation to this project.

Rolf Madsen asked what the estimated price per unit would be. Mr. Cooper stated that in today's market, prices would range from \$369,000 to \$429,000 per unit.

Cathy DiPietro asked if any soils mapping had begun. Ms. Dodson stated that there were passing soils in most areas of the site.

Dan Moore, an abutter, stated that if anything fails in the proposed densely populated area, there is potential for nitrogen, phosphorous, or sewage to run into Smith Brook.

Chair Brusini asked if the wetlands would be filled or crossed over. Ms. Dodson stated that the wetlands at the entrance would be filled or culverted and that this would be looked at further as design progresses.

Dee Miller asked if there were a particular type of surface that would improve traction. Ms. Dodson stated that increasing the road width would alleviate some of these concerns.

Applicant to return with full application at a future meeting.

Item #7 Other

Item #8 Adjourn

MOTION Dan Harden moved to adjourn, second by Rolf Madsen

MOTION CARRIES 5/0