

Bridgton Planning Board Meeting Minutes
In Person Meeting

November 7, 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	X		

Item #1 Call to Order

Chair Brusini calls meeting to order at 5:00pm. All regular members are present. Alternates may participate and vote.

Item #2 The Pledge of Allegiance

Item #3 Approval of Minutes

MOTION *October 3, 2023* Dan Harden moved to approve October 3, 2023 minutes, second by Angie Cook

MOTION CARRIES 5/0

Item #4 Public Comment

Item #5 Old Business

5a. Boodoo Holdings
North High St
Map 13B Lot 10

Findings of Fact & Conclusions of Law

Chair Brusini proposed to take the attorneys advice as it was written to be upheld in an appeal. She explained to the Board that it does not change what the applicant can do moving forward, and the applicant is able to resubmit with proper evidence to the Board.

MOTION Dan Harden moved to reconsider the decision that the application is incomplete, second by Angie Cook

MOTION CARRIES 5/0

MOTION Dan Harden moved to deny the application because it is incomplete and accept FOF provided by attorney, second by Rolf Madsen

MOTION CARRIES 5/0

5b. Highland Lake Resort
North High St

Map 47 Lot 20-20

Findings of Fact & Conclusions of Law

MOTION Dan Harden moved to approve the Findings of Fact & Conclusions of Law for Highland Lake Resort, second by Angie Cook

MOTION CARRIES 5/0

**5c. Chadbourne Hill Solar
Chadbourne Hill Rd
Map 19 Lot 23**

Findings of Fact & Conclusions of Law

Chair Brusini stated that she had submitted a memo on what was missed in the deliberation process. The Board was able to review this piece and agreed to go through the standards to review.

MOTION Dan Harden moved to approve the Findings of Fact & Conclusions of Law with discussed corrections for Chadbourne Hill Solar Amendment, second by Angie Cook

MOTION CARRIES 5/0

Item #6 New Business

**6a. Isaac Stevens Subdivision
Isaac Stevens Rd
Map 17 Lot 18D**

Chair Brusini asked Mr. Seymour asked if he measured the distance from where the land being retained to Sweden line to ensure proper notices were sent. He stated that he looked at everything around the perimeter of the property and noticed accordingly.

Chair Brusini clarified for the Board that although this has been presented as a 2-lot subdivision because 1 lot is being retained by owner in the application, it is a 3-lot subdivision.

The Board deemed the application complete.

MOTION Rolf Madsen moved to allow the public to speak, second by Dan Harden

MOTION CARRIES 5/0

Jim Seymour of Sebago Technics, representing LF Investments, gave an overview of the proposed subdivision. Mr. Seymour stated that the applicant is proposing splitting off 2 lots and the owner will be retaining 1 lot for personal ownership. He stated that the idea is to keep this area rural.

Mr. Seymour stated that all overhead utilities will come off Isaac Stevens Road, all phosphorous requirements will be met, and all components are covered in cover letter. He also stated that they will be requesting an overall stormwater waiver because there will be no internal road.

The Public was given an opportunity to speak.

Donna Chasse, abutter, asked what the intent of the 2 lots that will be sold. She also asked if there is a plan for building, how many buildings will be put up, will they be private or rental units, how far back from the road will be dwellings be built, and how much wooded area will remain.

Julie Whelchel, largest abutter to proposed subdivision, asked what areas will remain wooded. Ms. Whelchel stated that the phosphorus export was submitted before the parcel was heavily logged, and asked if a reevaluation would need to be done due to this. She stated that the maps also show the pre-logged state of the property. She stated that the proposal talks about these being sold as single-family homes and asked if this was accurate and if this is true, is there anything that would stop new property owners from subdividing further. Chair Brusini stated that the lots could be further subdivided, but it would be done through an amendment with the Planning Board. Ms. Whelchel also stated that she was very surprised and disappointed that there was no mention of rear buffer to her property.

Jim Seymour answered questions from the public. He stated that they are single family lots and that the intention is for single family sales at this time, however there is nothing restricting someone from coming back to the Board for a revision. Mr. Seymour stated that the logging does not change the phosphorous calculations, and that if anything, the understory will have more root uptake within a couple years. Brenda Day, CEO, stated that in October there was a Forestry permit submitted for 35 acres.

Mr. Seymour stated that although the land has been cut, phosphorous calculations are not compromised. House lots would be located somewhere in the middle of the lots, back about 500 feet.

Chair Brusini asked Jim if he had had been to the site since it's been cut. He stated that he has not been there since September.

Mr. Seymour stated that Mr. Lopez will be selling the parcels as single-family lots. Code Enforcement Officer, Brenda Day, stated that given the size of the parcels, duplexes would be allowed with proper permitting.

Chair Brusini asked Jim to explain how phosphorous calculations are not impacted even though trees have been cut. He explained that although trees have been cut, the stumps and roots have not been removed, so it does not impact the calculations.

Ken Gibbs asked if the 100-foot buffer area was part of the tree clearing. Jim said he is assuming that the area is remaining wooded.

Rolf Madsen asked Ms. Day if there was a permit submitted by the forestry service for clearing across the road from the subject property. Chair Brusini asked if there was any explanation of the clearing on what was submitted. Ms. Day stated that it was sent to the office on October 10, 2023, the start date was October 11, and the permit expires in 2 years. The permit was for clearing 35 acres.

Cathy DiPietro asked the applicant to supply a lot of the test pit results as well as a wetlands report.

Ken Gibbs asked if there will be any restrictions such as only 1 single family home allowed. Mr. Seymour stated that he would need to check with Mr. Lopez.

Code Enforcement Officer, Brenda Day stated that this is a lot split and whoever purchases the parcel(s) would need to see her for a building permit. Chair Brusini stated that the home would need to be 75 feet from road and frontage must remain at a minimum of 100 feet.

Dee Miller asked further about the tree clearing and how erosion is impacted by it. Mr. Seymour stated that if it the area is not stumped, there should be no adverse impacts to erosion.

Dee Miller stated that this is referred to as a residential subdivision, but there is no mention of single family in text. Mr. Seymour stated that Mr. Lopez is very specific that he would like it to be a residential subdivision, but he also wants all the options for selling this property.

Rick Whelchel of 71 Whitney Rd asked what circumstances dictate a site walk taking place. Chair Brusini stated that often a site walk is done for the Board to get a lay of the land so the Board can understand what will be developed. Chair Brusini stated that typically, for a subdivision of this nature, a site walk would not be done. Mr. Whelchel asked what the applicants plan is for the lot he will be retaining for personal use. Mr. Seymour stated that Mr. Lopez intends to keep it in his family.

Chair Brusini asked Cathy DiPietro for input on size and scope of the logging that has taken place. Ms. DiPietro stated that theoretically, logging should not be a major impact, but it depends on how carefully the logging was done.

Rolf Madsen stated that the applicant should come back with photographs of what has been done on the property thus far so the Board can get a better idea of what is happening.

Ken Gibbs suggested that photos would be inadequate to a site walk. Jim Stated that any damage at this point is the responsibility of the forester.

Dan Harden stated that the Board is making it difficult for anyone to do business in this town. Mr. Harden stated that he cleared land on his own property, and no one came out to assess.

Dee Miller stated that she thinks that the lots are very large and for a sole structure, the impact of development would not be that great. She stated that it is a land split, not a full subdivision and she believes is it beyond the boards scope to ask for anything further.

Chair Brusini stated that photos would serve a purpose to see what is happening and if there are major issues.

MOTION Dee Miller moved that because the land has been changed, that we get better info with photo evidence, second by Chair Brusini

MOTION CARRIES 5/0

Applicant to return with soil logs, photographs, and wetland area report to December meeting.

**6b. My Hoa Restaurant
Main St
Map 23 Lot 89
Pre-Application**

Tinh Truong and nephew Andy Tran gave an overview of the proposed project.

Mr. Truong stated that this would be for a restaurant space in an already existing building which would include an upstairs and downstairs.

The building is 24 feet wide and 62 feet long, with an upstairs that is the same size. Remodeling is currently taking place with new flooring and granite.

Chair Brusini stated that the Board is here to help give any advice for when a full application is submitted and asked the other Board members to offer to the applicant what they would be looking for in a full application.

The applicant provided copies of the building layout to the Board and submitted to staff for the file.

The Board advised Mr. Truong and Mr. Tran that a site plan showing all structures on the lot would need to be supplied. The board members also explained that this would typically be supplied by an engineer. It was also advised that the applicants would need to submit everything necessary to have enough evidence to prove that all site plan standards are met. Chair Brusini told the applicants that if it is determined that certain items do not apply, an explanation should be given to explain why it does not apply.

Dan Harden asked how the second floor is accessed. Applicant stated that there is a separate door to get upstairs. The Board stated that floor plans should be provided.

Chair Brusini suggested acquiring a civil engineer to present this project.

Applicant to return to the Board with full application at a later date.

**6c. Primax Properties, LLC
 Portland Rd
 Map 5 Lot 85-3
 Pre-Application**

Chair Brusini explained that Justin McIver of Main Eco Homes has submitted a letter stating that Primax Properties, LLC has permission to be the agent for his property as the sale of this property is contingent on an approval for this project by the Board.

Andrew Kurman and Doug Reynolds of Gorrill Palmer, representing Primax Properties, LLC, stated that they are proposing a retail space on the corner of Brag Way. The parcel is approximately 1000 feet South of the drive-in and east of ball fields. The site is 8.6 acres of wooded areas with an ATV trail and wetlands in Outer Corridor. Mr. Kurman stated that they are proposing 2 retail stores which include a 10,000 square foot Dollar General and a 22,000 square foot Tractor Supply. Additionally, there will be a 20,000 square foot fenced in display area. The lot is proposed to be split into 2 parcels.

There is a proposed parking plan which is based on need of tenants. This plan includes 34 spaces for Dollar General and 78 spaces for Tractor Supply.

There is a proposed access drive which will be shared between the 2 tenants. Approximately 500 feet of Brag Way will be rebuilt and repaired and the existing median on 302 will be modified. There will be improvements needed on Route 302 that will be dictated by a TMP from MDOT.

Utilities for the 2 tenants will be kept separate and each have their own well. Tractor Supply needs to be sprinklered, so the applicant is proposing an underground storage tank for the system. There will be 2 onsite wastewater disposal fields. The applicant is also proposing above ground propane tanks to service the buildings.

Cathy DiPietro recommended the lot be surveyed of endangered species. Applicants stated that they reached out to the Inland Fisheries and Wildlife and are awaiting a response. Mr. Kurman also stated that there is a vernal pool on the lot that is man-made.

Ken Gibbs asked if the 2 parcels will be joined. The applicant stated that that it is currently 1 parcel that will be split into 2, which will be owned by Dollar General and Tractor Supply separately.

Dee Miller stated that years ago she read an article that highlighted Dollar General's rather dismal safety measures. Ms. Miller submitted an article written in May of 2023 siting many safety violations happening at the corporate level for the file. Ms. Miller requested a plan for a complete security system to ensure that it will be safe.

Ms. Miller also asked about large delivery trucks and restructuring the turn and how this development will impact the children going back and forth from the ball fields. She also asked that in reference to comp plan, this could potentially jeopardize the towns "New England charm". Ms. Miller stated that she thinks the addition of these businesses are redundant because the town already has them.

Chair Brusini recommended the buildings have a "New England feeling" to meet town standards.

Angie Cook asked for information on upgrades to Brag Way. Applicant stated that the road will be widened.

Chair Brusini requested a robust landscaping plan for buffers and stated that she was disappointed to see how much has been cut already.

Dan Harden commented on the existing ATV trails that cross through the property. He asked the applicant to consider working with the local clubs to create a new trail access.

Chair Brusini asked the applicant to ensure that the lighting plan submitted takes the abutting businesses into consideration, including the drive-in.

Applicant to return to Board with full application at a later date.

Item #7 Other

Item #8 Adjourn

MOTION Dan Harden moved to adjourn, second by Angie Cook
MOTION CARRIES 5/0