|  |  |
| --- | --- |
| **Bridgton Appeals Board Meeting Minutes** | **March 23, 2023** |
| **In-Person Meeting** | **5:00 pm** |

|  |  |
| --- | --- |
| **Board Members** | **Staff Member** |
| John Schuettinger | **X** | Brenda Day, Code Enforcement  | **X** |
| Mark Harmon-Vice Chair  | **X** | Loralee Phillips, Admin Asst., Staff  | **X** |
| Bruce Hancock  | **X** |  |  |
| Kevin Raday | **X** |  |
| Kappy Sprenger |  |  |

**Item #1 Call to Order**

John Schuettinger, Chair, called the meeting to order at 5:00pm.

**Item #2 The Pledge of Allegiance**

Kappy Sprenger is absent.

**Item #3 Approval of Minutes**

**MOTION** Bruce Hancockmoved to approve January 5, 2023, minutes, second by Kevin Raday

**MOTION CARRIES 3/0**

**Item #4 New Business**

 **4a. Camp Woodlands**

 **11 Camp Woodlands Rd**

 **Map 6 Lot 40**

Jim Katsiaficas, legal representation for the Town of Bridgton, spoke briefly on process and procedure. He stated that the Board of Appeals will not be accepting new evidence, they will only review evidence that was previously presented to the Planning Board.

The Planning Board had brought forward an error on the Findings of Fact & Conclusions of Law on page 4. Katsiaficas stated that it might be considered to remand the application back to the Planning Board for corrections.

Gerry O’Meara, appellant, spoke regarding his application for appeal. He stated that his family’s property is a direct abutter to the approved subdivision, and he does not believe that the Planning Board interpreted the Land Use Code correctly.

Alison Bailey, co-appellant, spoke regarding necessity for the 2 acres common area in the shoreland zone. She stated that the definition of shore frontage was not included in the new code.

Jeff Zdunczyk, legal representation for Geoff Bowley, spoke regarding their position on the Planning Boards decision. He stated that points 1 through 6 of the Bailey/O’Meara appeal should not be considered because it is their feeling that the Planning Board acted appropriately in approving this subdivision. In regard to point 7, Zdunczyk stated that they would be in agreement with remanding the application back to the Planning Board for clerical corrections.

Mike Tadema-Wielandt of Terradyn Consultants answered questions from the Board regarding the shorefront common area.

Chair Schuettinger asked if it would be unreasonable to ask that the Planning Board… Mr. Tadema-Wielandt responded and stated that… the applicant has already taken it into account and compensated. Standard has been met.

Lauren Pickford from Lakes Environmental Association spoke regarding the organization’s opinion on the project and the Planning Boards interpretation of the Land Use Ordinance.

Chair Schuettinger suggested that the Board go through the submittal of appeal to decide if the Board agrees with granting the appeal or not.

Size of shoreland common area- Kevin stated that the land use ordinance was consolidated by a town appointed attorney, not volunteers of a committee. Jim’s advice was that the history of the ordinance is not an issue at hand, the question is whether the Planning Board made a mistake in the interpretation of the Land Use Code or not. It is the Planning Boards duty to assess what is in the current ordinance, not previous ordinances.

**MOTION** Kevin Radaymoved to affirm Planning Boards decision on item 1, Second by Mark Harmon

**MOTION CARRIES 4/0**

**MOTION** Mark Harmon moved to affirm Planning Boards decision on item 2, second by Bruce Hancock

**MOTION CARRIES 3/1**

**MOTION** Mark Harmon moved to affirm Planning Boards decision on item 3, second by Chair Schuettinger

**MOTION CARRIES 4/0**

**MOTION** Bruce Hancock moved to affirm Planning Boards decision on item 4, second by Kevin Raday

**MOTION CARRIES 4/0**

**MOTION** Chair Schuettinger moved to affirm Planning Boards decision on item 5, second by Mark Harmon

**MOTION CARRIES 4/0**

**MOTION** Mark Harmon moved to affirm Planning Boards decision on item 6, second by Kevin Raday

**MOTION CARRIES 4/0**

Appellants point out that the Planning Board Decision contains two errors – 1) at page 4, item 4.f., stating that the cistern proposed for fire protection will be placed on Open Space 2 rather than on Open Space 1, and 2) at page 4, item 4.c., stating that the “A new connection from Camp Woodlands Road to O’Meara Lane is also proposed for emergency access only.” when this had been eliminated from the Subdivision Plan.

**MOTION** John Schuettinger moved to Remand matter to planning board to correct errors as stated above, second by Kevin Raday

**MOTION CARRIES 4/0**

**MOTION** Bruce Hancock moved to deny appeal except for item 7, second by John Schuettinger

**MOTION CARRIES 4/0**

Notice of Decision to be drafted by Jim Katsiaficas. Zoom meeting will be held March 30, 2023 for the adoption of said Notice of Decision.

**Item #5 Other**

**Item #6 Adjourn**

Chairman Schuettinger adjourned the meeting.