

**Bridgton Planning Board Meeting Minutes**  
**In Person Meeting**

**January 2, 2024**  
**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. Ken Gibbs was appointed as a voting member and Rolf Madsen will be arriving late.

**Item #2 The Pledge of Allegiance**

**Item #3 Approval of Minutes**

**MOTION** *December 5, 2023*  
minutes, second by Ken Gibbs

Angie Cook moved to approve December 5, 2023

**MOTION CARRIES 5/0**

**Item #4 Public Comment**

**Item #5 Old Business**

**5a. Bridgton Storage**  
**Portland Rd**  
**Map 9 Lot 92**

**Finding of Fact & Conclusions of Law**

Chair Brusini stated that unfortunately at this time, there have been some questions that have come to light regarding the tentative approval of this project. She stated that the Code Enforcement Officer, Brenda Day, spoke with town legal counsel and it was determined that the Board should reconsider the tentative approval based on these questions.

**MOTION** Chair Brusini moved to reconsider the tentative approval, second by Ken Gibbs  
**MOTION CARRIES 3/2**

Chair Brusini stated that in the original submission, the lot coverage was too high based upon the shoreland zone, as the applicant is unable to expand to exceed 20% lot coverage. To solve this problem, the applicant added a lot to the plan, also owned by ML Investments, but this created a separate issue as storage facilities are not allowed in this district. Expansions to existing storage facilities are allowed on the existing lot, but when the new lot was added, it prompted questions on if this would also be allowed.

Chair Brusini asked Code Enforcement Officer, Brenda Day, to explain her discussion with town counsel. Ms. Day stated that the legal advice received was to reconsider the Boards decision and come up with a list of questions to ask legal counsel. Ms. Day stated that according to the Land Use Code, we need to determine if the proposed expansion carries forward to the separate lot.

The Board discussed questions to ask legal counsel.

Mark Lopez stated that the Land Use Code has caused numerous problems in its existence. He stated that the alternative is that he can put a 45-foot-high storage building or move storage closer to route 302.

Ken Gibbs asked if the Board could consider the Land Use Code to see if there is a solution to this problem.

Code Enforcement Officer, Brenda Day, stated that the Board should try to come up with questions to ask the attorney rather than try to find a solution at this meeting.

Dee Miller stated that she believes that the Board has made an error, and this should not be taken out on the applicant. She stated that the original judgement was made in error and should not make the applicant wait any longer.

Questions for attorney:

Because there are 2 lots and the original lot is nonconforming, can it overflow onto the other lot also owned by Mr. Lopez?

Does Mr. Lopez need a variance for the lot coverage?

**MOTION** Dee Miller moved to put a time frame on getting legal advice so that the applicant does not need to wait any longer for a decision, second by Ken Gibbs

**MOTION CARRIES 5/0**

Mark Lopez asked that the Board not deny the application because he will amend for boat storage should this application not go through.

Legal questions will be sent to town attorney and the Board will continue deliberations in 2 weeks at the next scheduled workshop.

**5b. Winn Road Subdivision  
Winn Rd  
Map 4 Lot 25**

Tim Michaud of Terradyn Consultants gave an overview of the changes that have been made to meet the Boards requests from the last meetings.

Rolf Madsen arrived at 5:40pm.

Ken Gibbs asked about the drainage culvert on lot 2 and if the town has done anything to improve that. No one was aware of any changes to improve at this time.

Chair Brusini about the deed restrictions on the subdivision map. Mr. Michaud stated that the plan before the Board is not the plan to be recorded and that a revised plan will be submitted.

Chair Brusini brought Nancy Cunninghams abutter comments to the Boards attention. Ms. Cunningham stated that there is no access road. Mr. Michaud clarified that an access road in that location is not proposed.

The Board began deliberations and set no conditions, but granted waivers discussed in narrative.

**MOTION** Dee Miller moved to tentatively approve preliminary plan with waivers discussed in narrative, second by Ken Gibbs

**MOTION CARRIES 5/0**

**5c. Ten Lakes Medical Complex  
Portland Rd  
Map 10 Lot 3-1 & 3-2**

Jim Seymour of Sebago Technics gave an overview of changes and additions since last meeting. The plans now show shoreland zoning line, updated capacity letters for public water and approval for sewer capacity, sign location near 302, copy of deed, updated architectural drawings, offsite utility plan, and a 10-inch water line in shoulder of road and crossing route 302.

Cathy DiPietro asked if any of the sewer line requires a road opening permit. Mr. Seymour stated that the water district will obtain a permit for that.

Ken Gibbs asked about the architectural design. He stated that the side of the building facing 302 has small windows. Chair Brusini stated that as discussed at the prior meeting, a waiver will be provided for this.

Dee Miller asked if there could be some additional landscaping under the smaller windows to draw the eye so there is not a large amount of empty space. Mr. Seymour stated that there is increased landscaping proposed in that area.

The Board began deliberations and set the following conditions:

- Developers' agreement for water supply will be provided prior to installation

**MOTION** Chair Brusini moved to tentatively approve the application with waiver for façade, condition for MDOT developers' agreement, but withhold final judgment pending approval of Findings of Fact and Conclusions of Law, second by Dan Harden

**MOTION CARRIES 5/0**

**5d. My Hoa Restaurant  
Main St**

## **Map 23 Lot 89**

Tinh Truong and Andy Tran gave an overview of updates since last meeting.

The Board asked for an updated survey that shows the entire building with boundaries.

Angie Cook asked about parking. She stated that she is concerned about patrons from My Hoa Restaurant parking in the Gateway parking across the street.

Ken Gibbs asked about parking also. He stated that there should be signage for parking behind the building. Mr. Gibbs also asked Chief Garland if anything needed to be done for Fire Protection with this change. Chief Garland stated that the towns fire inspector, Craig Messenger, has been working with the applicant on this.

Dee Miller asked about the enclosed stairway going to the upstairs. She stated that her first concern is that when applicant was here before, they spoke about the lift for handicap, and asked if this will be used for food delivery. Ms. Miller also asked if there are any health issues with this process.

Rolf Madsen asked about ADA access to the second floor. Ms. Day stated that if someone can receive the same services on the first floor as they can on second, there is no issue.

Cathy DiPietro asked about vehicular access, emergency vehicle access, and where the snow will be moved.

Chair Brusini suggested the Board stop review at this point and give the applicant opportunity to gather more information for the next meeting.

### **Item #6            New Business**

#### **6a.        Camp Woodlands             Camp Woodlands Rd             Map 6 Lot 4                  Subdivision Amendment**

Mike Tadema-Wielandt of Terradyn Consultants gave an overview of the proposed subdivision amendment, along with owner, Geoff Bowley on Zoom. He stated that this subdivision was originally approved by the Board in February 2023.

Mr. Tadema-Wielandt stated that the reason for the proposed amendment is that potential buyers state that the impervious area requirements as set now are too restrictive.

Mr. Tadema-Wielandt stated that with the amendment, the flooding standard will still be met and there is nothing to change in the phosphorous study as this will not be impacted. He also provided maps showing originally approved plan expectations regarding stormwater versus what would change with this amendment.

Ken Gibbs asked about increased lawn area and voiced concerns of more nutrients going into the lake. Mr. Tadema-Wielandt stated that the calculations are based on Bridgton's ordinance, as well as DEP requirements, and these are met.

Alison Bailey, abutter, spoke via Zoom and stated that she has already had to fix problems caused by stormwater on her property.

Gerry O'Meara, abutter, also spoke via Zoom and stated that he has seen issues with stormwater on his property since construction has started.

Lauren Handrahan, abutter, also spoke via Zoom with the same concerns as Ms. Bailey and Mr. O'Meara.

Rolf Madsen asked if the applicant would consider keeping the existing conditions on lots 1, 2 and 3. Geoff Bowley respectfully declined.

Mr. Tadema-Wielandt addressed concerns from abutters. He stated that the last storm Bridgton saw was classified as a 25-year rain event and caused great damage throughout the state of Maine. He stated again that all requirements have been met.

The Board began deliberations and set no conditions.

**MOTION** Dan Harden moved to tentatively approve the Camp Woodlands amendment application as presented pending approval of Findings of Fact and Conclusions of Law, second by Angie Cook

**MOTION CARRIES 5/0**

**Item #7 Other**

Training on January 16, 2024, at 12:30pm.

**Item #8 Adjourn**

**MOTION** Dan Harden moved to adjourn, second by Angie Cook

**MOTION CARRIES 5/0**