

**BRIDGTON PLANNING BOARD
MEETING**

Downstairs Meeting Room

**March 1, 2016
7:00p.m.**

The Bridgton Planning Board was called to order at 7:00p.m. by Steve Collins, Chair. Those in attendance were: Steve Collins, Chair; Fred Packard, Vice Chair; Michael Figoli; Dee Miller; Phyllis Roth, Alternate; Catherine Pinkham, Alternate. Absent were: Brian Thomas.

The Pledge of Allegiance

Appoint Alternate(s) to vote in place of any absent regular member(s), if necessary.

Steve appointed Phyllis Roth, Alternate, to act in the capacity of a regular member.

Approval of Minutes - February 2, 2016 (Regular Meeting)

Michael moved to approve the minutes as presented. Fred 2nd.

5 Approve / 0 Oppose

Approval of Minutes - February 16, 2016 (Workshop/Meeting)

Catherine moved to approve the minutes as presented. Michael 2nd.

3 Approve / 0 Oppose / 2 Abstain (Fred and Dee - not present for meeting)

Old Business

New Age Builders

527 Portland Road; Map 6 Lot 4A

Marijuana Cultivation

Tabled November 3, 2015, December 1, 2015 and January 5, 2016

Represented by Tom Smith

No one was present representing New Age Builders. Rob Baker, Code Enforcement Officer, said Mr. Smith is proposing to submit a new application. Steve said Article IV Section 3 of the Town of Bridgton Site Plan Review Ordinance states "If the information requested by the Planning Board is not submitted within three (3) months from the date the Planning Board made the request the application is considered null and void." Therefore, with the intention of the applicant's agent and the language in the Site Plan Review Ordinance I don't think we need to take any action this evening.

Sustainable Way LLC

5 Sustainable Way; Map 10 Lot 8 and 58A

Office and Professional Building

Represented by George Sawyer, Sawyer Engineering

Review and Accept Findings of Fact and Conclusions of Law

Steve said at the Board's request Ms. Fleck has prepared written Findings of Fact and Conclusions of Law with respect to the Sustainable Way LLC application. The draft decision has been distributed to the Board. The Planning Board is tasked with approving or approving with conditions an application if we affirmatively find, based on information presented, that the application meets the standards set forth in Article VII of the Town of Bridgton Site Plan Review Ordinance. The applicant has the burden of establishing by demonstrable evidence that the application and project is in compliance with the requirements of the Ordinance. Are there any questions or proposed revisions that the Board wishes to make to the Findings of Fact or Conclusions of Law in the Draft Decision? Hearing none, I will accept a motion to accept or reject the decision as written.

Fred moved that the Board adopt the Findings of Fact and Conclusions of Law as presented in the written document dated March 1, 2016 and to approve the proposal of Sustainable Way LLC subject to Department of Environmental Protection (DEP) review and approval. Michael 2nd.
5 Approve / 0 Oppose

Main Eco Homes and Chalmers Brothers LLC

88 Main Street; Map 22 Lot 92

Raze Existing building & construct two story office building

Represented by Jeff Amos, Terradyn Consultants LLC

Review and Accept Findings of Fact and Conclusions of Law

Steve said at the Board's request Ms. Fleck has prepared written Findings of Fact and Conclusions of Law with respect to the Main Eco Homes and Chalmers Brothers LLC application. The draft decision has been distributed to the Board. The Planning Board is tasked with approving or approving with conditions an application if we affirmatively find, based on information presented, that the application meets the standards set forth in Article VII of the Town of Bridgton Site Plan Review Ordinance. The applicant has the burden of establishing by demonstrable evidence that the application and project is in compliance with the requirements of the Ordinance. Are there any questions or proposed revisions that the Board wishes to make to the Findings of Fact or Conclusions of Law in the Draft Decision? Hearing none, I will accept a motion to accept or reject the decision as written.

Fred moved that the Board adopt the Findings of Fact and Conclusions of Law as presented in the written document dated March 1, 2016 and to approve the proposal of Main Eco Homes and Chalmers Brothers LLC subject to a letter from the Bridgton Water District for compliance with the project and the existing building will be razed within six months of the occupancy of the new building. Michael 2nd.
5 Approve / 0 Oppose

Rufus Porter Museum
121 Main Street; Map 23 Lot 138
Move building from 67 North High Street to 121 Main Street
and remodel interior of both buildings
Represented by Donald Eilertson
Review and Accept Findings of Fact and Conclusions of Law

Steve said at the Board's request Ms. Fleck has prepared written Findings of Fact and Conclusions of Law with respect to the Rufus Porter Museum application. The draft decision has been distributed to the Board. The Planning Board is tasked with approving or approving with conditions an application if we affirmatively find, based on information presented, that the application meets the standards set forth in Article VII of the Town of Bridgton Site Plan Review Ordinance. The applicant has the burden of establishing by demonstrable evidence that the application and project is in compliance with the requirements of the Ordinance. Are there any questions or proposed revisions that the Board wishes to make to the Findings of Fact or Conclusions of Law in the Draft Decision? Hearing none, I will accept a motion to accept or reject the decision as written.

Fred moved that the Board adopt the Findings of Fact and Conclusions of Law as presented in the written document dated March 1, 2016 and to approve the proposal of Rufus Porter Museum subject to signage to be reviewed by the Code Enforcement Officer prior to placement and notification to the Bridgton Police Chief with a proposed schedule prior to moving the building. Phyllis 2nd. 5 Approve / 0 Oppose

Eco Estates LLC
Eco Estates Drive; Map 10 Lot 10A
Subdivision Revision
Represented by George Sawyer, Sawyer Engineering
Review and Accept Findings of Fact and Conclusions of Law
Sign Mylar

Steve said at the Board's request Ms. Fleck has prepared written Findings of Fact and Conclusions of Law with respect to the Rufus Porter Museum application. The draft decision has been distributed to the Board. The Planning Board is tasked with approving or approving with conditions an application if we affirmatively find, based on information presented, that the application meets the standards set forth in Article I Section 1 and Article X Items 1-9 of the Town of Bridgton Subdivision Regulations. The applicant has the burden of establishing by demonstrable evidence that the application and project is in compliance with the requirements of the Ordinance. Are there any questions or proposed revisions that the Board wishes to make to the Findings of Fact or Conclusions of Law in the Draft Decision? Hearing none, I will accept a motion to accept or reject the decision as written.

George Sawyer, applicant's agent, said at a previous meeting there was a stipulation that the drainage systems around the buildings be shown on the plan, therefore, we have revised the mylar accordingly.

Fred moved that the Board adopt the Findings of Fact and Conclusions of Law as presented in the written document dated March 1, 2016 and to approve the proposal of Eco Estates LLC noting that the condition of approval that drainage pipes be shown on the revised erosion control plan has been satisfied. Phyllis 2nd. 5 Approve / 0 Oppose

The Board signed the mylar.

New Business - None

Approved Applications as per Bridgton Site Plan Review Ordinance 4.A.1

- A. Opportunity Enterprises Inc.
316 Portland Road; Map 10 Lot 5
Office space for a Community Support program for adults with intellectual and developmental disabilities
- B. Amy Figoli/Threads of Yoga
118 Main Street; Map 23 Lot 14 (PO)
Yoga and Meditation Studio
- C. Tiffany Risner/Moonflower Reiki Healing
82 Main Street, Suite 5B; Map 22 Lot 91(PO)
Reiki Healing

Topics for Discussion

A. Ordinance/Regulation Revisions
1. Schedule Public Hearing

Georgiann Fleck, Deputy Town Manager, said I gave you a copy of the schedule for the Annual Town Meeting and it would appear that you would need to hold your Public Hearing by April 26th in order to submit the Revised Ordinances to the Board of Selectmen with a request to include them on the warrant for June.

Fred moved to hold a public hearing for Ordinance/Regulation Revisions on Tuesday, March 29, 2016 at 7:00p.m. Dee 2nd. 5 Approve / 0 Oppose

Dee said were you going to include the Sign Ordinance? Steve said no, I didn't think we were going to consider any revisions to the Sign Ordinance at this time.

B. Bridgton Bottled Gas; Appeals Board Decision for Remand

1. Schedule Public Hearing

Steve said the Board of Appeals was approached to reconsider their decision of remanding to the Planning Board the Bridgton Bottled Gas Inc. application. The Board of Appeals denied that request, therefore, we are back on track with our schedule to deal with the remand so we need to schedule a Public Hearing. There are limited elements that we will be hearing in reference to the Site Plan Review Ordinance to include the financial and technical capability of Stone Road Energy LLC.

Michael moved that a public hearing be scheduled for Tuesday, April 5, 2016 to accept limited public comments on the Bridgton Bottled Gas application as set forth in the Notice of Public Hearing presented to this meeting, and to direct the Town Staff to publish the Notice and to notify landowners of the Public Hearing in accordance with the Bridgton Site Plan Review Ordinance. Fred 2nd. 5 Approve /0 Oppose

C. Correspondence - Tim and Eileen Barry

Steve said staff received a letter from property owners, Tim and Eileen Barry, in Kezar Heights. It is in your packet and it has to do with the performance of an agent for an applicant dating back to 2003, 2005 up to last year. The advice I received from legal council was that we, the Board, note its receipt and that it is in the development file.

Catherine said Tim and Eileen Barry are present this evening, therefore, shouldn't they be able to voice their concerns. Steve said not to this Board. Catherine said who would they discuss their concerns with? Steve said it is inappropriate for the Board to discuss this issue, it is not within our jurisdiction. We reviewed the subdivision and made our decision. The aggrieved party did not file an appeal within the allotted time.

D. February Maine Townsman

E. 2016 Annual Town Meeting Schedule

F. Planning Board Stipend

Steve said we had a previous discussion about approaching the Board of Selectmen with a consideration for a stipend for the Planning Board members. At the Board of Selectmen/Budget Advisory Committee workshop/meeting on February 17, 2016 they discussed an increase in the Board of Selectmen stipend. At that time, Selectman McHatton suggested that a stipend be considered for Planning Board and Appeals Board members who have never received a stipend.

Michael said it doesn't matter to me either way. Steve said I would suggest a course of action would be to thank them for their consideration and say that we are appreciative and let them use their best judgment.

Fred said the Planning Board does meet on a regular basis and the Appeals Board only meets when an application is before them. Catherine said I am the one that raised the issue and it is the principal and not the money. Being a Board member is a lot of responsibility and being recognized is important.

Dee moved that the Board would like to thank the Board of Selectmen for their consideration and let them use their judgement to determine what a stipend, if anything, should be. Fred 2nd.

5 Approve / 0 Oppose

Fred moved to adjourn the meeting at 7:30p.m. Michael 2nd.

5 Approve / 0 Oppose

Steve reopened the meeting at 7:35p.m. to further discuss the correspondence submitted by Tim and Eileen Barry.

Phyllis said I would like to bring up something regarding **fireworks**. Steve said if this is new business I would like to postpone discussion. Ms. Fleck said if it is not time sensitive you can bring it up at the next meeting.

Steve adjourned the meeting at 7:45p.m.

Respectfully Submitted,

Georgiann M. Fleck, Deputy Town Manager
Town of Bridgton