

**BRIDGTON PLANNING BOARD
MEETING**

Downstairs Meeting Room

**April 7, 2015
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; Dee Miller; Brian Thomas; Phyllis Roth, Alternate. Absent were: Michael Figoli; Alternate position vacant.

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 - March 3, 2015 (Regular Meeting)

Fred moved to approve the minutes with the revisions as discussed.

Dee 2nd. 5 Approve / 0 Oppose

Approval of Minutes - March 24, 2015 (Workshop/Meeting)

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

5 Approve / 0 Oppose

Old Business

Kenneth Ainsley

50 White Mountain Way; Map 16 Lot 4A, 5 & 6

Subdivision Revision

Review and Accept Findings of Fact and Conclusions of Law

Sign Mylar

Steve read the Findings of Fact and Conclusions of Law for the record.

Fred moved that based upon the application submitted and representation to the Planning Board of the proposed revision to an approved subdivision by the applicant the project is approved. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral commitments regarding the project which were specifically made by the applicant or the applicant's agent to the Board in the course of its deliberations. Brian 2nd. 5 Approve / 0 Oppose

The Board signed the mylar.

BRAG

Brag Way/Home Run Road; Map 5 Lot 85-4A

Revision to approved Site Plan of Development

Review and Accept Findings of Fact and Conclusions of Law

Steve read the Findings of Fact and Conclusions of Law for the record.

Fred moved that based upon the application submitted and representation to the Planning Board of the proposed revision to an approved Site Plan of Development by the applicant project is approved conditional upon the concessions stand will not open for use until the septic system has been constructed and inspected by the Code Enforcement Officer as operational and all lighting on the building shall be shielded, low energy and directed downward. Plan approval is also conditioned upon compliance by the applicant with the plans and specifications which have been received by the Planning Board in connection with the development proposal as well as with any oral commitments regarding the-project which were specifically made by the applicant or the applicant's agent to the Board in the course of its deliberations. Brian 2nd.5 Approve / 0 Oppose

New Business

Hancock Lumber

116 Portland Road; Map 9 Lot 60

Sign Waiver

Erin Plummer, representative for Hancock Lumber, said we are looking to enhance the current sign and replace it with a new sign in compliance with the Town of Bridgton Sign Ordinance, however, we need to request a waiver from section V-H for changeable signs

Rob Baker, Code Enforcement Officer, said you may want to contact the state to make sure that your sign is not within the right of way

Dee said is the proposed sign going to be taller? Ms. Plummer said no, it is the same height.

Brian said will the sign have the ability to reduce illumination especially at night? Ms. Plummer said I believe so and I will have the ability to do that from my office in Casco but I will confirm that with the software company.

Fred moved to approve the request for a waiver conditional upon the capability for the illumination to be decreased especially at night.

Brian 2nd.5 Approve / 0 Oppose

Justin Gibbons

721 Portland Road; Map 6 Lot 27A

Automotive Service Center/Used Cars

Represented by Justin Gibbons

Steve said does any board member feel that they have a conflict with the application before us? There were none.

Steve said does everyone feel that we have a complete application? The consensus of the Board was the application is complete.

Mr. Gibbons said this is a newly constructed building which I began building early this winter. It is a three bay automobile repair shop with multiple lifts offering full service repair, inspection, tires and used car sales. Once completed I assumed it would come under Department Review but it was suggested that I come before the Planning Board for a Site Plan of Development. It is located across from the State garage on Route 302.

The location of the sign is going to be directly 10' off the southern gable end coming from Bridgton. Brian said will it be lit? Mr. Gibbons said solar lit.

Dee said will the sign be lit from the inside? Mr. Gibbons said externally from the ground.

Dee said what are the hours of operation? Mr. Gibbons said generally 8-5p.m. Dee said is that for the lot too? Mr. Gibbons said there will be no gate so if someone decides to drop off a vehicle they can. Dee said what about lighting for the used car lot? Mr. Gibbons said lighting will be dusk to dawn for safety purposes but based on the close proximity to the road I have decided not to do any lighting of the lot. We plan on having approximately 5-15 cars on the lot.

Brian said will anyone be living on the site? Mr. Gibbons said no.

Dee said is the parking area paved? Mr. Gibbons said no, but it will be.

Phyllis said do you have approval for the driveway. Mr. Gibbons said there is an entrance permit in the packet, the opening is it is almost directly across from the State garage. Brian said is the DOT entrance permit still valid because it is dated 2003? Mr. Baker said I believe they are only good for five years. Steve said the Board may consider a condition that you submit to the Code Enforcement Officer a statement from the DOT either a new entry permit or a statement that the 2003 permit is valid. Mr. Gibbons said I may be able to forward correspondence from Mr. Fontaine from DOT stating that we are all set.

Brian said the application you submitted referred to subdividing the lot, is that part of this application? Mr. Gibbons said my original plan was this was going to be a private garage and I was going to subdivide the lot and construct an automotive service center further down the road but based on stormwater management numbers and phosphorous calculations it required more land than what was expected

so this is the primary lot. Brian said so you are not asking for a subdivision this evening? Mr. Gibbons said no, this is a lot split and this is the lot on its own.

Brian said is the proposed storage shed going to be installed? Mr. Gibbons said yes. Brian said was that taken into account with the calculations? Mr. Gibbons said yes.

Dee said I would like to suggest that any exterior lighting of the lot itself be submitted to the Code Enforcement Officer for review and is there any lighting on the building itself for safety purposes? Mr. Gibbons said yes. Phyllis said is the exterior lighting going to be positioned so it is not distracting to people on Route 302? Mr. Gibbons said yes, it is going to be shielded from the road and it is going to be angled back from the road so it is not going to cause interference from either direction.

Brian said I would like to commend Mr. Gibbons for his reuse of antifreeze. Mr. Gibbons said these units will extract the anti-freeze, recondition and we can reinsert it into the vehicles.

Brian said Glen Garland, Fire Chief, made comments on his impact statement and we should consider making them a condition to the approval. Mr. Gibbons said we have already complied with the Fire Chief's concerns as I met with him on site.

The Board reviewed the criteria for Site Plan to establish the Findings of Fact and Conclusions of Law.

As stated in Section 8 Review Standards of the Site Plan Review Ordinance, "standards presented in the Site Plan Review Ordinance are intended to achieve the following objectives: Preserve the traditional New England character of the downtown; present an attractive gateway area; facilitate safe vehicular and pedestrian access; protect the value of the abutting properties and the character of natural surroundings; promote intelligent, attractive and useful design; ensure economic investment and vitality; anticipate future growth".

Performance Standards required for any approval by the Planning Board. The Planning Board shall approve or approve with conditions a submitted application if there is an affirmative finding based on information presented that the application meets the following standards. The applicant shall have the burden of establishing by demonstrable evidence that the application and project is in compliance with the requirements of this Ordinance.

1. Preserve and Enhance the Landscape: The landscape shall be preserved in its natural state by minimizing disturbance of soil and removal of existing vegetation during construction. After construction is complete, landscaping shall be designed and planted that will define, soften or screen off-street parking areas from the public right of way and abutting properties, will enhance the physical design of the building and site and will minimize adverse impact on neighboring land uses.

The Board concurred that this section has been met

2. Relationship to Surroundings: Proposed structures or additions to existing structures shall be harmonious with the terrain and existing buildings in the vicinity and shall;

- a. Be of compatible scale and size;
- b. Not exceed 35 feet in height measured from the ground or rise in sight above the main street church steeple;
- c. Be of compatible architectural style, incorporating features such as, but not limited to, simple rectangular shape, gable roof or other compatible roof line, dormers, compatible windows, doors and trim;
- d. Have exterior of wood, stone, brick, or other material having the same architectural and visual properties;
- e. Present minimal disruption to such natural features as slope, soil type and drainage ways;

The Board concurred that this section has been met

3. Vehicular Access: The proposed layout shall ensure that vehicular and pedestrian traffic conditions shall not exceed reasonable limits for the neighborhood. Special consideration shall be given to the location, number and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization and pedestrian-vehicular contacts.

The Board concurred that this section has been met conditional upon a valid permit from DOT.

4. Parking and Circulation: The design of vehicular and pedestrian circulation areas including walkways, interior drives and parking areas shall be safe and convenient. Pedestrian, private vehicle and service traffic, including loading areas and general parking areas, shall be separate and not detract from the proposed building or from neighboring properties. a. Loading areas and general parking areas, shall be separate and not detract from the proposed building or from neighboring properties. b. Parking lots serving multiple establishments or providing general off street parking are strongly encouraged. Applicant must provide adequate turning capacity for all public safety vehicles. c. New construction, substantial enlargements or adaptive reuse of existing buildings subject to Planning Board review shall be required to provide adequate parking for employees and customers. d. Applicants may satisfy parking requirements by entering into a written agreement with another property owner or through the utilization of municipal parking lots. The Planning Board shall have the ability to determine if alternative agreements or use of public lots is sufficient to address the needs of the proposed business.

The Board concurred that this section has been met

5. Surface Water Drainage: Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream water quality, soil erosion or the public storm drainage system. On-site absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a ten-year storm frequency.

The Board concurred that this section has been met

6. Applicants shall be required to meet any and all state and local regulated setbacks from all applicable vehicle rights of way and in addition shall be no closer than 25' from pavement or traveled way. The applicant shall be restricted from building any non-impervious development within the setback area. This shall not restrict the construction of vehicular or pedestrian entrances to and exits from the property. Applications subject to dimensional requirements set forth in Section 9B. and 9B.1 are exempt from this section.

The Board concurred that this section has been met

7. Existing Utilities: The development shall not impose an unreasonable burden on public utilities.

The Board concurred that this section has been met

8. Advertising Features: The design and lighting of signs and other advertising structures shall be shielded and non-flashing and not detract from the design of the proposed building and other surrounding structures and properties.

The Board concurred that this section has been met

9. Special Features of the Development: Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have sufficient setbacks and screening to provide an audiovisual buffer sufficient to minimize their adverse impact on other land uses within the development area and surrounding properties.

The Board concurred that this section has been met

10. Exterior Lighting: All exterior lighting shall be shielded and non-flashing, energy efficient and ensure safe movement of people and vehicles. Placement of lighting shall minimize glare and reflections on adjacent properties and the traveling public. Adverse impact is to be judged in terms of hazards to people and vehicular traffic and potential damage to the value of adjacent properties.

The Board concurred that this section has been met conditional upon any significant change from the proposed lighting be reviewed and approved by the Code Enforcement Officer.

11. Emergency Vehicle Access: Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures.

The Board concurred that this section has been met

12. Municipal Services: The development will not have an unreasonable adverse impact on the municipal services including municipal road systems, fire department, police department, emergency medical unit, solid waste program, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.

The Board concurred that this section has been met

13. Protection Against Undue Water Pollution:

a. In making this determination, the Planning Board shall at least consider the elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils, and, if necessary, their ability to adequately support waste disposal and/or any other approved licensed discharge; the slope of the land its effect on effluents; the aquifers and aquifer recharge areas; the existence of streams and surface runoff characteristics; cumulative impact of increased phosphorus loading to lakes; and the applicable federal, state and local laws, ordinances, codes and regulations.

b. The proposed development will not alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

The Board concurred that this section has been met

14. Protection Against undue air pollution: The applicant shall consult federal and state authorities to determine applicable air quality laws and regulations, and furnish evidence of compliance to the Board.

The Board concurred that this section has been met

15. Water Use: There is sufficient water available for the reasonable foreseeable needs of the development and will not cause an unreasonable burden on an existing water supply, if one is to be utilized.

The Board concurred that this section has been met

16. Protection against unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.

The Board concurred that this section has been met

17. Provision for adequate sewage waste disposal.

The Board concurred that this section has been met

18. Protection against any undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas.

The Board concurred that this section has been met

19. Protection of waters and shoreland: Whenever situated in whole or in part, within 250 feet of any pond, lake, river, will not adversely affect the quality of such body of water or unreasonable affect the shoreline of such body of water, and will be in compliance with the Shoreline Zoning Ordinance of the Town of Bridgton.

The Board concurred that this section is not applicable

20. Limit of Noise levels. Will not raise noise levels to the extent that abutting and/or nearby residents are adversely affected.

a. Noise: Excessive noise at unreasonable hours shall be required to be muffled so as not to be objectionable due to intermittence, beat frequency, shrillness, or volume (please refer to table, below).

b. The maximum permissible sound pressure level of any continuous regular or frequent source of sound produced by any activity regulated by this Ordinance shall be as established by the time period and type of land use listed below. Sound pressure levels shall be measured on a sound level meter at all major lot lines of the proposed site, at a height of at least four feet above the ground surface.

Sound Pressure Level Limit

7a.m. — 8p.m. 8p.m. — 7a.m.

70 dB (A) 55 dB (A)

c. The following uses and activities shall be exempt from the sound pressure level regulation:

1. Noises created by construction and maintenance activities between 6:30a.m. and 8:00p.m.

2. The noises of safety signals, warning devices, and emergency pressure relief valves and any other emergency activity.

3. Traffic noise on public roads.

The Board concurred that this section has been met

21. Conformance with Comprehensive Plan for the Town.

The Board concurred that this section has been met

22. ADA Compliance. All new construction and substantial enlargements or renovations of existing buildings as defined in the Site Plan Review Ordinance, requiring a permit, shall adhere to all applicable sections of the American's with Disability Act (ADA).

The Board concurred that this section has been met

23. Location in Flood Zone: The subdivider shall determine, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, whether the proposed development in whole or part, is in a flood prone area. If the proposed development, or any part of it, is in such an area, the applicant shall determine the 100 year flood elevation and flood hazard boundaries within the development. The proposed development plan shall as a condition of site plan approval assure that principal structures on lots in the subdivision shall be constructed with their lowest floor, including basement, at least one foot above the 100 year flood elevation.

The Board concurred that this section is not applicable

24. Proof that the applicant has adequate financial and technical capacity to meet the above standards.

The Board concurred that this section has been met

NOTE: The following regulations shall be complied with in addition to the performance standards contained in Article VII "Review Standards" of the Site Plan Review Ordinance for residential-institutional, industrial and commercial.

25. Special Regulations

- a. An institutional use requiring federal, state and or local licensing shall obtain such license before a Conditional Use Permit is granted by the Planning Board.
- b. The applicant shall furnish the Planning Board detailed information relating to projected numbers and types of clients; planned and projected numbers of staff and duties, so that the Planning Board can determine the availability of necessary Town services.
- c. The Planning Board, as a condition of approval, may require assurances or bond to protect the health, safety and general welfare of the community.
- d. All residential child care and/or educational institutions and/or facilities shall comply with Rules for the Licensure of Residential Child Care Facilities as adopted by the Department of Mental Health and Mental Retardation, Department of Educational and Cultural Services, Bureau of Mental Health and Bureau of Instruction.
- e. Any industrial use which is found by the Planning Board to constitute a public nuisance by reason of the emission of dust, fumes, gas, smoke, odor, noise, vibration or other disturbance shall be expressly prohibited. No such finding shall be made by the Planning Board until after a public hearing has been held.
- f. Any outdoor storage of articles, supplies, and materials shall not be within the required setback and shall be screened from view of abutting residential property owner or streets by a solid wall or vegetative hedge.

The Board concurred that this section has been met

26. Dimensional Requirements

1. Lots and structures for residential-institutional, industrial, commerce and commercial uses, shall meet the following standards where applicable.

Minimum road frontage	100 feet
Minimum front setback from edge of ROW	25 feet
Minimum side and rear setback	20 feet
Minimum shoreland setback	Refer to Town of Bridgton Shoreland Zoning Ordinance

a. All structures abutting the main road beginning at Mt. Henry Road to Garden Way and School Street to the Monument on Main Hill, also known as the Downtown District, shall meet the following standards (See Downtown Site Plan District Map).

Minimum side and rear setback	2 feet
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b. On any parcel that is 20,000sf or greater within the Village Center District (See Village Center District Map) at least 25% of the portion of the building which fronts on any street shall be used for retail, office, business or professional use. Home occupations and usual appurtenant uses associated with the building are exempt from this provision. Notwithstanding the provisions of 1 MRS §302, and regardless of the date on which it is approved by the Town, this Article XI Section 2.1.b shall be retroactive to February 20, 2012 and shall be applicable to any and all applications for permits or approvals required under the Site Plan Review Ordinance that were or have been pending before any officer, board, or agency of the Town of Bridgton on or at any time after February 20, 2012. The Reviewing Authority may modify or waive the 25% minimum requirement when it determines that one of the following factors is applicable.

- a. Special circumstances of the site;
- b. building placement;
- c. building design;
- d. building use;
- e. surrounding building placement; or
- f. surrounding building uses.

Furthermore, granting a waiver will not adversely affect the abutting landowners and the general health, safety and welfare of the Town.

The Board concurred that this section has been met

27. Large Scale Water Extraction.

The Board concurred that this section is not applicable

28. Surface and Subsurface Mineral Extraction Applications.

The Board concurred that this section is not applicable

Fred moved to tentatively approve the project as presented and submitted conditional upon a valid Department of Transportation entry permit, any

lighting that is different than proposed is subject to review and approval by the Code Enforcement Officer and compliance with comments made by Glen Garland, Fire Chief, on his impact statement but withhold final judgment pending review of the Findings of Fact and Conclusions of Law. Brian 2nd.
5 Approve / 0 Oppose

Justin McIver
220 Kimball Road; Map 18 Lot 50-1
2 Lot Subdivision
Represented by Justin McIver

Steve said does any board member feel that they have a conflict with the application before us? There were none.

Steve said does everyone feel that we have a complete application? The consensus of the Board was the application is complete.

Mr. Sawyer said this is a two lot division of a lot that was part of a three lot subdivision. The total acreage is about 6 acres in the lot we are looking to divide. At this time there is one residential duplex building located in the southeast corner of the parcel. The remainder five acre parcel has not building on it at this time. There was a mobile home that was removed about two years ago. We did show where the septic system was located. The intent is to set off a one acre lot with the duplex. The main reason for doing it this is he would like to mortgage a portion and not mortgage the whole 6 acres.

Lenny Cutler, abutter, said what is the proposed use of the additional lot? Mr. Sawyer said the intent is for housing but at this time we don't know how many. Mr. Cutler said are there plans to make it into commercial? Mr. Sawyer said not that I know of, Mr. McIver is in the business of building houses. Mr. Cutler said the original subdivision created a number of lots. Assuming we approve this any other subdivision of the remaining 5 acres would go through the process. Mr. Sawyer said I can't tell you at this time because of the amount of snow and our inability to do soils tests.

Dee said you are actually talking about a line because there is no disturbance to the property because the building is existing? Mr. Sawyer said correct, we are just creating a lot to go with the existing building, there is no change of use or change of the driveway and there is an existing septic and water supply. We did request several waivers i.e.; wetlands because the snow is too deep to make a determination at that time.

Steve said I am confused about the requirements for a duplex, is one acre adequate? Mr. Baker said if it has a common septic and common water the lot size can be reduced.

Brian said is the Planning Board allowed to grant waivers on a subdivision? Fred said we can't reduce dimensional requirements.

Dee said you are asking for a waiver for the one lot and what can be done on the adjacent lot once the snow pack diminishes? Mr. Sawyer said yes, there is a small stream that goes through the property but we will show the whole lot when we come back to the Board. There is also an existing driveway. Dee said will you be fixing up the driveway? Mr. Sawyer said yes.

Mr. Sawyer said there was a building and there is an existing septic system and well if Mr. McIver decided to go in this spring and build a building on the site and utilize the existing utilities does he need to come back to the Planning Board for review? Mr. Baker said I think you would only need a building permit. Steve said when was the mobile home removed? Mr. Sawyer said 2 years ago.

The Board reviewed the criteria for subdivisions to establish the Findings of Fact and Conclusions of Law.

As required by Title 30-A ss4404 Review Criteria; "When adopting any subdivision regulations and when reviewing any subdivision for approval, the municipal reviewing authority shall consider the following criteria and, before granting approval, must determine that:"

1. **Pollution.** The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:

- A. The elevation of the land above sea level and its relation to the flood plains;
- B. The nature of soils and subsoils and their ability to adequately support waste disposal;
- C. The slope of the land and its effect on effluents;
- D. The availability of streams for disposal of effluents; and
- E. The applicable state and local health and water resource rules and regulations;

The Board concurred that this section is not applicable

2. **Sufficient Water.** The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision;

The Board concurred that this section is not applicable

3. **Existing Water Supply.** The proposed subdivision will not cause unreasonable burden on an existing water supply, if one is to be utilized;

The Board concurred that this section is not applicable

4. **Erosion.** The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;

The Board concurred that this section is not applicable

5. **Traffic.** The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed and, if the proposed subdivision requires driveways or entrances onto a state or state aid highway located outside the urban compact area of an urban compact municipality as defined by Title 23, section 754, the Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23, section 704 and any rules adopted under that section;

The Board concurred that this section is not applicable

6. **Sewage Disposal.** The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized

The Board concurred that this section is not applicable

7. **Municipal Solid Waste Disposal.** The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized;

The Board concurred that this section is not applicable

8. **Aesthetic, Cultural and Natural Values.** The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or the rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;

The Board concurred that this section is not applicable

9. **Conformity with Local Ordinances and Plans.** The proposed subdivision conforms with duly adopted subdivision regulations or ordinances, comprehensive plan, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these Ordinances and plans;

The Board concurred that this section has been met

10. **Financial and Technical Capacity.** The subdivider has adequate financial and technical capacity to meet the standards of this section;

The Board concurred that this section has been met

11. **Surface Waters: Outstanding River Segments.** Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, Subchapter I, Article 2-B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonable affect the shoreline of that body of water.

A. When lots in a subdivision have frontage on an outstanding river segment, the proposed subdivision plan must require principal structures to have a combined lot shore frontage and setback from the normal high-water mark of 500 feet.

1. To avoid circumventing the intent of this provision, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted, the proposed subdivision shall be reviewed as if lot lines extended to the shore.

2. The frontage and set-back provisions of this paragraph do not apply either within areas zoned as general development or its equivalent under shoreland zoning. Title 38, Chapter 3, Subchapter I, Article 2-B, or within areas designated by Ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development met the definitional requirements of Section 4401, Subsection 1, on September 23, 1983.

The Board concurred that this section is not applicable

12. **Ground Water.** The proposed subdivision will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water;

The Board concurred that this section is not applicable

13. **Flood Areas.** Based on Federal Emergency Management Agency's Flood Boundary and Floodwater Maps and Flood Insurance Rate Maps, and information presented by the applicant, whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivision shall determine the 100-year flood elevation and flood hazard boundaries with the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structure in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;

The Board concurred that this section is not applicable

14. **Freshwater Wetlands.** All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soils and water conservation district;

The Board concurred that this section is not applicable

14-A **Farmland.** All farmland within the proposed subdivision has been identified on maps submitted as part of the application. Any mapping of farmland may be done with the help of the local soil and water conservation district.

The Board concurred that this section is not applicable

15. **River, Stream or Brook.** Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. For purposes of this section, "river, stream or brook: has the same meaning as in Title 38, Section 480-B, Subsection 9;

The Board concurred that this section has been met

16. **Storm Water.** The proposed subdivision will provide for adequate storm water management;

The Board concurred that this section has been met

17. Spaghetti-lots Prohibited. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, Section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1;

The Board concurred that this section is not applicable.

18. Lake Phosphorus Concentration. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision; and

The Board concurred that this section is not applicable

19. Impact on Adioinina Municipality. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

The Board concurred that this section is not applicable

20. Timber. Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14. If a violation of rules adopted by the Maine Forest Service to substantially eliminate liquidation harvesting has occurred, the municipal reviewing authority must determine prior to granting approval for the subdivision that 5 years have elapsed from the date the landowner under whose ownership the harvest occurred acquired the parcel. A municipal reviewing authority may request technical assistance from the Department of Conservation, Bureau of Forestry to determine whether a rule violation has occurred, or the municipal reviewing authority may accept a determination certified by a forester licensed pursuant to Title 32, Chapter 76. If a municipal reviewing authority requests technical assistance from the bureau, the bureau shall respond within 5 working days regarding its ability to provide assistance. If the bureau agrees to provide assistance, it shall make a finding and determination as to whether a rule violation has occurred. The bureau shall provide a written copy of its finding and determination to the municipal reviewing authority within 30 days of receipt of the municipal reviewing authority's request. If the bureau notifies a municipal reviewing authority that the bureau will not provide assistance, the municipal reviewing authority may require a subdivision applicant to provide a determination certified by a licensed forester. For the purposes of this subsection, "liquidation harvesting" has the same meaning as in Title 12 section 8868, subsection 6 and "parcel" means a contiguous area within one municipality, township or plantation owned by one person or a group of persons in common or joint ownership.

The Board concurred that this section is not applicable

As sited in the Town of Bridgton Subdivision Regulations; Article XIII Design Standards, the subdivision meets or exceeds the following;

1. Lot Size and Dimensions. The Board concurred that this section has been met

2. Monuments. The Board concurred that this section is not applicable

3. Street Sians/Fire Lane Sims. The Board concurred that this section is not applicable

4. Streets. The Board concurred that this section is not applicable

5. Sidewalks. The Board concurred that this section is not applicable

6. Water Supply. The Board concurred that this section is not applicable

7. Fire Protection. The Board concurred that this section is not applicable

8. Sewage Disposal. The Board concurred that this section is not applicable

9. Surface Drainage. The Board concurred that this section is not applicable

Fred moved to tentatively approve the project as presented and submitted but withhold final judgment pending review of the Findings of Fact and Conclusions of Law. Brian 2nd.5 Approve / 0 Oppose

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

Richard Packard/Ernest Quintal Builder Inc.

95 Sanborns Grove Road; Map 18 Lot 24A

1st Floor - Cabinet Making Shop (2nd floor to be determined)

Topics for Discussion

A. Maine Municipal Association - Local Planning Boards and Boards of

Appeal Seminar (Bridgton, Maine) May 5, 2015

1. Reschedule May Planning Board Meeting

Fred moved to hold the regular May meeting on Tuesday, May 12, 2015. Brian 2nd. 5 Approve / 0 Oppose

B. Ordinances to Board of Selectmen for June ATM (See Memo)

C. Randy Gardner - Status (See Correspondence)

Ms. Fleck said as requested by the Board I sent Mr. Gardner a correspondence asking what his intentions are for continuance of review of his application and I did not hear a response back. Steve said according to the Ordinance we now must consider his application lapsed. Fred said there was so much missing that it should be. Steve said he would need to make a new application to the Board.

D. Revised Subdivision Regulations for your notebooks

E. Other/Miscellaneous

Fred moved to adjourn the meeting at 8:26p.m. Phyllis 2nd. 5 Approve / 0 Oppose

Respectfully Submitted,

Georgiann M. Fleck, Deputy Town Manager
Town of Bridgton