

**BRIDGTON PLANNING BOARD  
MEETING**

**Downstairs Meeting Room**

**June 2, 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; Michael Figoli; Phyllis Roth, Alternate. Absent were: Alternate position vacant.

**The Pledge of Allegiance**

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

All regular members were present therefore no alternates were appointed.

Steve said if a member were absent during the past meeting and they can represent that they have reviewed the record and feel that they are up-to-date on the matter then that person can continue as a voting member. Fred said I watched the meeting proceedings on LRTV so I feel that I am capable of voting.

**Approval of Minutes - May 12, 2015**

**Brian moved** to approve the minutes with the revisions as discussed. Michael 2<sup>nd</sup>. 4 Approve / 0 Oppose / 1 Abstain (Fred - not present for the meeting).

**PUBLIC HEARING**

**Mary Tremblay and James Bennett**  
**103 North Bridgton Road; Map 39 Lot 24**  
**Residence/Firearms and Retail Shop**  
**Represented by Mary Tremblay and James Bennett**

**Dee moved** that a time limit be set for the Public Hearing of no longer than 8:30p.m. Fred 2<sup>nd</sup>. 5 Approve / 0 Oppose

Steve used the guidelines of the Review Standards of the Site Plan Review Ordinance as guidance in review of the application.

1. Preserve and Enhance the Landscape.  
There were no comments presented by the public or Planning Board Members.

2. Relationship to Surroundings.  
Steve said are the applicants proposing any change to the existing structure? Ms. Tremblay said no. There were no comments presented by the public or Planning Board Members.

### 3. Vehicular Access.

Amanda Miller, North Bridgton resident, said I am concerned about the use of Brownmill Road, which is narrow and curvey, and additional traffic generated by the retail store would make it more dangerous and excessive speed is also a concern. Ms. Tremblay said I understand the concern but what we are proposing would not have an impact on such an increase in traffic. We are a very small retail establishment and will do a lot on-line by mail. There is more traffic coming down the road going to their camps during the summer than what we will generate.

Dee said what are your proposed business hours? Ms. Tremblay said right now we are planning on Monday to Friday 5p.m. to 9p.m. and on Saturday 8-4 with no plans to be open on Sunday.

### 4. Parking and Circulation.

There were no comments presented by the public or Planning Board Members.

### 5. Surface Water Drainage.

There were no comments presented by the public or Planning Board Members.

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 twenty-five feet from pavement or traveled way.

There were no comments presented by the public or Planning Board Members.

### 7. Existing Utilities.

There were no comments presented by the public or Planning Board Members.

### 8. Advertising Features.

Brian said what are you proposing for signage? Ms. Tremblay said we are proposing a sign no larger than the existing sign which states "Jacob Hazen House". We are proposing a small sign related to country/downhome such as a bear or animal advertising sporting goods. Brian said is there a name for the business? Ms. Tramblay said we have not determined that yet. Brian said there will be no mention of firearms/ammunition on the sign? Mr. Bennett said I would not say that. Ms. Tremblay said under the primary business name and the advertisement for sporting goods there will be a smaller reference to firearms and ammunition. Mr. Bennett said there may not even be a sign, we are not sure. Phyllis said are you still intending to be identified as the Jacob Hazen House? Ms. Tramblay said that reference sign is for sentimental purposes we are not considered the Jacob Hazen House and we don't run the business. I have the old sign and

depending on what we are allowed for signage I may put the sign on the building. Phyllis said what was going on when it was the Jacob Hazen House is what you are proposing is significantly different. Ms. Tremblay said I agree. Dee said I think the neighborhood would appreciate not attracting a lot of attention to the facility. Brian said usually we get information on the proposed sign such as dimensions. Mr. Bennett said I may not put up a sign. Brian said then you need to let us know that also. Mr. Bennett said if I decide not to then at a later date I decide to put up a sign do I need to come back to the Planning Board? Brian said you need to go to the Code Enforcement Officer. Dee said you also need to determine if it is going to be lit and how. Mr. Bennett said it will not be lit.

#### 9. Special Features of the Development

There were no comments presented by the public or Planning Board Members.

#### 10. Exterior Lighting.

There were no comments presented by the public or Planning Board Members.

#### 11. Emergency Vehicle Access.

There were no comments presented by the public or Planning Board Members.

#### 12. Municipal Services.

Ms. Miller said I have a family and we live at Bridgton Academy and I am a dorm mother at Walker Hall. I am concerned about the reputation of having a firearms/ammo shop close to the school because of safety reasons and the impact that this might have on admission to the school. Although I believe that rifles for hunting should be sold, there is a very successful gun shop in Harrison for those needs to be met. Ms. Tremblay said I understand the concern but I don't think people understand what we are doing, this is not a large shop and the firearms that we would have will be sold. We are going to have supplies and accessories for hunting. The parents won't even know that we are there, it is very small. For anyone that has an FFL license you are under strict guidelines and we are audited. Statistics show that 870,000 guns over the past 10 years have been kept out of the hands of people that should not have them because of background checks. Anyone can go to anyone's house and buy a gun without a background check. This is also going to be a shop where I can display memorabilia of past wars.

Gretchen Osgood, Citizen of Fryeburg, said parents choose this area because it is a rural area and they would have to be understanding that hunting, fishing and firearms are built into the core of who we are. An intelligent parent would know that so I don't see how this could impact the admissions.

13. Protection Against Undue Water Pollution.

There were no comments presented by the public or Planning Board Members.

14. Protection Against Undue Air Pollution.

There were no comments presented by the public or Planning Board Members.

15. Water Use.

There were no comments presented by the public or Planning Board Members.

16. Protection against unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition will not result.

There were no comments presented by the public or Planning Board Members.

17. Provision for adequate sewage waste disposal.

There were no comments presented by the public or Planning Board Members.

18. Protection against any undue adverse effect on the scenic.

Julie Forbes, Naturopathic doctor in North Bridgton, said there are various times during the day when there is a lot of traffic including large semi-trucks. There is a small group of us in neighborhood who are considering options including the restriction trucks in the neighborhood and the possibility of applying for the buildings in the area are historic. One of the things is we are also going to apply for historic village status and that restricts the kinds of changes that can be made including architectural changes. I am not sure how this application would impact that but we should take it into consideration as we look to the future.

Attorney Dow said did you receive the letter I sent to the Code Enforcement Officer? Steve said we did. Ms. Tremblay said I did not receive any of the additional correspondence.

19. Protection of Waters in Shoreland.

There were no comments presented by the public or Planning Board Members.

20. Limit of Noise Levels.

There were no comments presented by the public or Planning Board Members.

21. Conformance with the Comprehensive Plan for the Town.

There were no comments presented by the public or Planning Board Members.

22. ADA Compliance.

There were no comments presented by the public or Planning Board Members.

23. Location in Flood Zone.

There were no comments presented by the public or Planning Board Members.

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

There were no comments presented by the public or Planning Board Members.

25. Special Regulations.

Grady Vigneau, Headmaster of Bridgton Academy, said I believe in the letter that Attorney Dow submitted to the Board there is a Federal statute called the "gun free zones" Act which prohibits any unauthorized individual from knowingly processing a firearms in a place that the individual knows or has reasonable cause to believe is a school zone, individuals travelling on public sidewalks, roads and highways within 1,000' are subject to the laws and legal description. Bridgton Academy brackets the applicant's property and there are many of our buildings within 1,000' of the applicant's property. Steve said the Board did request a legal opinion from Dick Spencer, Legal representative of Town of Bridgton (copy attached), regarding MRS Title Part 5 Chapter 252-A Section 2011 and whether the Alcohol Tobacco and Firearms Bureau requirement for a setback to schools applies to retail sales or if it is only for the possession of a loaded firearm (Steve read the legal opinion for the record). Mr. Vigneau said I don't know what the numbers are but we most commonly have at least one high school aged student every year. We also have a national program consisting of at least 10 international students that come to the Academy. In the summertime we have a third party summer camp provider which does provide instruction to young men ranging from grades 4-9 for a total of six weeks. Ms. Tremblay said I did some research regarding State of Maine schools and Bridgton Academy not on is list but is considered a CSI which is an institution of independent schools. My confusion is why it is considered in a school zone when it is a private school and not considered by the state part of the State School Zone or the Town of Bridgton who does not support the school. The school does have a shooting program and I would like to know where the guns the students bring are stored because some of them do bring their own guns.

Dee said what type of security are you planning for your store? This is a residential area and some security systems are very loud. Ms. Tremblay said we have contracted with Mr. Melbye from WAM Alarm to install a security system. Ms. Tremblay said we live in the house and the house will be set up to monitor the shop. The alarm system will be transmitted to WAM alarm. The door will be coded and if it is

activated it will go to the alarm company also. We have had Bridgton Police Officers at the property to go over the building and our proposal. There are restrictions such as no large bushes where people can hide, not a lot of doors and windows and there will be motion detectors. The system will also be connected to my cell phone for notification in the event of an alarm.

Brian said are there any windows in the back? Ms. Tremblay said there are two windows which are at least 13-14' above grade and they will be locked and monitored. Brian said are the windows going into the area you will be selling from? Ms. Tremblay said yes and they will be locked and monitored. Brian said there is nothing shown on the plan for alarm on doors or windows. Ms. Tremblay said it should have and we will correct that. Brian said there should be more detail regarding the windows and the doors. Ms. Tremblay said we wanted a basic invoice until we were approved by the Planning Board.

Dee said will the windows have bars on them? Ms. Tremblay said I don't know about bars but they will be covered.

Dee said how are you going to keep your inventory secured? Ms. Tremblay said the firearms will be locked with chains and the handguns will be in locked cases but on display.

#### 26. Dimensional Requirements.

There were no comments presented by the public or Planning Board Members.

#### 27. Large Scale Water Extraction.

The Board concurred that this is not applicable to the application.

#### 28. Surface and Subsurface Mineral Extraction Applications.

The Board concurred that this is not applicable to the application.

Brian said we need to determine if Bridgton Academy fits under the definition of a school. Brian said because it is private property, if there was a sale of a firearm it states that it must be in a locked box. I think we need additional clarification if it is a school and we need to look at what the ATF is stating.

Phyllis said is there an authority in the State of Maine who could determine whether or not Bridgton Academy is a school or not regarding the 1,000' requirement. Michael said we have entrusted the Town's Attorney so far on this issue and we should follow-up with him.

Anne Krieg, Economic Development Director, said I would request that Bridgton Academy send me information on their accreditation and anything that can help us determine it if it falls under the MSR statute of a school. Brian said we should also ask the attorney if it

is determined that Bridgton Academy is considered a school would the federal law still allow the retail store to be on that property.

Dr. Forbes said currently there is a sign for 25 miles per hour and we are trying to get that decreased to 15 miles per hour so if it is not rated as a school then we have no hope of decreasing the speed limit. Ms. Tremblay said according to the State of Maine it is not classified as a school zone.

Steve said we could close the Hearing now and deliberate or we could recess the Hearing to a time certain, reopen it at that time, continue the Hearing and then close the Hearing and deliberate.

Michael said what is lacking is more specifics about the security, door size, alarm system, etc.

**Brian moved** to recess the Public Hearing to Tuesday, June 23, 2015 at 7:00p.m. Fred 2<sup>nd</sup>. 5 Approve / 0 Oppose

Brian Spaulding, Harrison Citizen, said I am also a Federal Licensee and the Federal requirements and examination is more stringent than anything that you have brought up here tonight. I am concerned about the program that Bridgton Academy is conducting to acquaint their students with fire arms. I believe the applicants are reputable and responsible.

Steve the continuation of the Hearing I would deem it in order to take up new items because basically we have been through the standards and there was a consensus out of those items that we need a definition of the school zone and more detail regarding security.

Mr. Dow said there is a performance standard regarding the historic aspects of the neighborhood that I would suggest the Board consider.

**Brian moved** to recess the Meeting until 8:45p.m. Dee 2<sup>nd</sup>.  
5 Approve / 0 Oppose

Steve called the meeting back to order at 8:45p.m.

### Old Business

#### **Kansas Heights/Vista Investments**

**670 Kansas Road; Map 6 Lot 33**

**5 Lot Subdivision**

**Represented by Jon Whitten Jr., Terradyn Consultants LLC**

**Tabled May 12, 2015**

Mr. Whitten was not present.

Steve said Lot 1 showed access over Kansas Road South Road and the applicant has submitted a revised plan that puts the access for Lot 1 off Kansas Road.

Kim Smart, President of the Kansas Road Association, said I left a letter for the Planning Board (copy attached).

Kathy Faggin, Citizen, said Jim Kidder brought up the concern of the road construction and the impact it may have on Kansas Road but I am also concerned for the impact construction may have on Kansas Road South Road. Steve said it is a private road and therefore you have every right to prohibit them from using it. Ms. Faggin said they may not be using the road but there will still may be an impact on the road as a result of development such as trees being taken down. Could the letter submitted be read into the record?

**Fred moved** to table the application until July 7, 2015. Brian 2<sup>nd</sup>.  
5 Approve / 0 Oppose

**Bridgton Bottled Gas**  
**Portland Road/4 Raspberry Lane; Map 6 Lot 24I**  
**Site Plan Revision - Add 3-30,000 gallon tanks**  
**Represented by Todd Perreault**  
**Tabled May 12, 2015**

Steve said the applicant would like to request the application be tabled until June 23, 2015 and then if it is not ready for the 23<sup>rd</sup> he reserves the right to request a further table.

**Fred moved** to table the application to June 23, 2015 with the understanding that he may ask for an extension on the table.  
Michael 2<sup>nd</sup>. 5 Approve / 0 Oppose

### **New Business**

**Glenn Peterson**  
**154 Portland Road; Map 9 Lot 60A**  
**Cultivating & Processing Medical Cannabis Under an Existing**  
**Dispensary License**  
**Represented by Glenn Peterson**

Steve said does anyone feel that he/she may have a conflict of interest with this application? Phyllis said I live within 500' of the facility and therefore I would like to recuse myself. It was determined that Phyllis does not live within 500' and therefore is not a conflict.

Steve said does the Board think we have a substantially complete application? Brian said in my opinion we do not because the sketches that were submitted don't reflect the space they are using, lighting,

egress points and approval for water use from the Bridgton Water District. Dee said also we need to know if it processing or growing?

**Fred moved** that the application is incomplete. Brian 2<sup>nd</sup>.  
5 Approve / 0 Oppose

Brian said we need a sketch of the building and where you are going to be located in the building, any entrances/exits from that area, will there be an entrance from the boat storage area,

Mr. Peterson said I am the Executive Director of Canuvo which is one of eight licensed medical dispensaries in the State of Maine. We have had our license since 2010. Under the program we are entitled to have a retail operation in the district. We are licensed in York County and our retail establishment is in Biddeford Maine. We have reached a point where we need to expand our cultivation ability. We have clients that would like to take advantage of our program but we don't have the space to accommodate them. We have been looking for a new location to cultivate in and the person we connected with is an understanding and compassionate landlord, Dan Craffey, and then to find a town that is welcoming which we found that with our interaction with the Town officials of Bridgton. We plan to occupy the rear of the building. There is no external lighting so we will be installing some with motion detectors so they go on and off quickly. We have 38 cameras in our Biddeford location and I expect we will more in this location. The building itself has tremendous security, there are traps on the doors as you enter so you can not directly enter it goes from an exterior door to a trap and from the trap in. Brian said please show that on your plan and where the lighting is going to be located. Dee said and your proposed water use from the Bridgton Water District. Michael said that is a private entity.

Phyllis said is your facility going to be identified? Mr. Peterson said there is no need for a sign. We are low profile and there is no need to have it marked anyone coming to the facility will know where we are.

Phyllis said how are you planning on separating yourself from the other portion of the building? Mr. Peterson said there are current fire rated walls that delineate the square footage that I will be using. There will be insulation and steel doors added.

Dee said what about deliveries? Mr. Peterson said there will be a small delivery truck occasionally and I will be transporting from our facility in Biddeford. Once the plant is harvested we separate out the flowers and take off the stems and large leaves and save for extractions of cannabinoids. You hand trim off the smaller leaves which makes for a harsher smoke but we take those trimmed leaves and process that into other concentrates which are used for making different edibles and oils.

Dee said are you going to baking anything? Mr. Peterson said we may.

Dee said is there any part of the plant that you don't use? Mr. Peterson said just the root ball. Brian said what are you plans to dispose of the root ball? Mr. Peterson said right now I am composting the root ball at my farm but I have disposal dumpster because there is no value to them. Brian said someone might not know that. Mr. Peterson said there is security fencing on the front and side and we will continue that around the back.

Steve you may want to address how you dispose of solvents and hazardous materials. Mr. Peterson said there when we concentrate we use CO2 which just leaves the flower, the leaf part without the tri-combs which is the medicine part stripped off and that would be disposed of in the dumpster because there is no value.

Mr. Peterson said there is a great need which we cannot fill and so we utilize it which is why we discourage smoking which is wasteful. You have 200megs of cannabinoids in a gram of cannabis. If you were to roll that into two joints you might get 20-30% of the potential medicine contained but any dissipating smoke you see is wasted medicine to us. We would rather concentrate and strip out those 200megs of cannabis and then we reduce it down to 10meg doses. The delivery system that we have as far as tinctures, locations and orals have all been lab tested and are in measurable doses and the act of smoking we hope will become passé.

Michael said what are your plans for ventilation regarding odor? Mr. Peterson said when you are cultivating indoors what you need for good agricultural practices is to segregate the grow rooms, I plan to make 1,000sf grow rooms and they contain their own electronics for environmental controls. We utilize charcoal filters so there should not be any smells associated with our facility. If there is any problem at all we will deal with it immediately. There are a lot of options available. Michael said in your additional submittals I would include what your plans are for ventilation.

Phyllis said how does the State of Maine regulate this? Mr. Peterson said I brought the current state law with me which is 74 pages long. Brian said when I was on the Medical Marijuana Ad Hoc Committee we did take into consideration growing. Phyllis said but not to the extent that Mr. Peterson is doing. Brian said we did.

Fred said on your sketch include where the office and doors to the office are going to be located.

Brian said Glen Garland wanted to know if the existing sprinkler system was adequate for your proposed use. Mr. Peterson said I was reluctant to do too much until it was determined if we could proceed

with our project or not. Brian said you could use the sketch that you submitted but show a little more detail.

Rob Baker, Code Enforcement Office, said would this be considered agricultural? Michael said commercial agricultural.

Michael said what are your thoughts on employees? Mr. Peterson said this will be phased in. The first phase will be is about 4,000sf of population base. Currently I grow about 1,600sf and with that I serve about 1,500 people per month so a two and half times initial increase be a good boost to us. I have been approached by several physicians who would like to do CBD studies, which are the cannabinoid that is the true medicinal side of things which are the oils used for infants, epilepsy and head injuries. This is a great opportunity for us to take this plant in regulated condition and prove that we can bring benefit to the patients and citizens in the State of Maine. There is a huge void in growing the CBD plants which was originally rejected but now the benefits are being realized. Kids that were having 45 seizures are day will go days and weeks without any seizures. People with MLS who couldn't pick up a pencil after ingesting cannabis their tremors will stop. People who come to us are trying to decrease or eliminate their prescriptions. We do that by educating people on the different delivery systems. When you inhale cannabis it is an immediate reaction which lets you down quickly but with the use of edibles your ingestion may take 45 minutes but your relief will be for 6-8 hours because your liver time releases the cannabinoids into your system. It is so rewarding when we get a response from people who tell us "thank you for giving me my life back".

Mr. Peterson said when we dispense we invite the client into a separate room, we have multiple rooms, the doors are closed for privacy. They can talk with my sister who is an RN, licensed in 40 states. We have staff who have medical training. I enjoy the medical side tremendously, I do all the manufacturing and concentrating. I am opposing the legalization efforts as they are currently written. I don't believe the State of Maine is ready to have full recreational use of cannabis.

Dee said does the physician prescribe the delivery system? Mr. Peterson said each dispensary is different we carry more delivery systems than any other dispensary. It is our job to guide them through by explaining the types of delivery systems there are and what to expect.

Dee said you do the prescribing? Mr. Peterson said yes.

Phyllis said is the FDA involved? Mr. Peterson said no.

Brian said one of the department reviews is from Jerry Hinton, Interim Police Chief, and he said that he passed his concerns to Mr. Baker.

Mr. Baker said I spoke with Marietta D'Agostino, Director of DHS, today and she said the Board can contact her if you have any questions or if you would like her to attend a meeting.

Michael said how many employees are you planning on? Mr. Peterson said currently I have 7 that work for me now and I anticipate on the cultivation side 15-20 and when we start to do the processing and bring the kitchen up it could easily be another 20 or so. Phyllis said will you be hiring local? Mr. Peterson said it used to be people who were familiar with the industry and horticultural. We will be reaching out locally first. A few may commute from my current facility.

Mr. Baker said are you planning on doing the kitchen? Mr. Peterson said not right now. Mr. Baker said are they ovens? Mr. Peterson said no, we do cold process. Mr. Baker said you should contact me when you start that process.

Mr. Baker said the fire chief has requested a Knox Box? Mrs. Peterson said we just installed one in Biddeford facility and we plan on installing one at this facility.

Dee said do you have people in the plant at all time or are there hours of operation? Mr. Peterson said the light needs for the plants in their infant stages needs 18hours of light and 6 hours of darkness, when they begin to flower you cut back the light to 12 hours, cannabis if both male and female - one of the few plants like holly. Dee said will there be people in the plant all the time? Mr. Peterson said no.

Dee said there will be regular hours? Mr. Peterson said yes.

Steve said does the Board want to schedule a Public Hearing?  
**Brian moved** that the Board did not need to hold a Public Hearing.  
Fred 2<sup>nd</sup>. 5 Approve / 0 Oppose

**Brian moved** to table the application to July 7, 2015. Fred 2<sup>nd</sup>.  
5 Approve / 0 Oppose

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

**Vintage Souls/Nadine Caron**  
**3 Pleasant Street; Map 26 Lot 8**  
**Residence/Furniture and Vintage Home Décor Shop**

Brian said they had a sign out on Route 302 and I don't think that they should have one out there. Mr. Baker said I will look into this.

#### **Topics for Discussion**

A. Planning Board Tablets

Georgiann Fleck, Deputy Town Manager, said I did order stylus pens for the Board. There are still a few problems which need to be worked out so I will give you a few more paper packets before going paperless.

B. Maine Townsman

C. Other/Miscellaneous

Brian said at the **Bridgton Eye Care on Portland Street** there is a **farmer's market** going on and there is a sign advertising the market. Michael said I believe it is the owner of the building. Mr. Baker said I will look into this.

**Fred moved** to adjourn the meeting at 9:44p.m. Brian 2<sup>nd</sup>.  
5 Approve / 0 Oppose

Respectfully Submitted,

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Georgiann M. Fleck, Deputy Town Manager  
Town of Bridgton