

**BRIDGTON PLANNING BOARD
MEETING**

Downstairs Meeting Room

**May 12, 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; Dee Miller; Brian Thomas; Michael Figoli; Phyllis Roth, Alternate. Absent were: Fred Packard, Vice Chair; 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 - April 7, 2015

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

Phyllis 2nd 5 Approve / 0 Oppose

Old Business

Justin McIver

220 Kimball Road; Map 18 Lot 50-1

2 Lot Subdivision

Review and Accept Findings of Fact and Conclusions of Law

Sign Mylar

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

Brian 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. Dee 2nd. 5 Approve / 0 Oppose

The Board signed the mylar.

Bridgton Automotive Service Center/Justin Gibbons

721 Portland Road; Map 6 Lot 27A

Automotive Service Center/Used Cars

Review and Accept Findings of Fact and Conclusions of Law

Steve said we received a copy of the Department of Transportation entrance permit for the record.

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

Michael moved that based upon the application submitted and representation to the Planning Board of the proposed Site Plan of Development by the applicant the project is approved conditional upon a valid Department of Transportation entry permit and any lighting that differs from what is being proposed is subject to review and approval by the Code Enforcement Officer and Compliance with comments made by Glen Garland, Bridgton Fire Chief, as noted on his impact statement. 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

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

Steve said does any member of the Board feel that they have a conflict with this application submitted? There was none.

Steve said does the Board feel that we have received a completed application? Brian said there was no financial statement submitted with the application. Steve said does the Board think this is a substantial flaw in the application or can we take that up for discussion in Board deliberation? The Board concurred that it could be discussed in deliberation.

Ms. Tremblay said Mr. Bennett and I are both avid shooters at the Western Maine Fish and Game Club and Mr. Bennett is a long-time hunter. There is an "L" section in our home which we would like to utilize that section. We decided to become an "FFL" Federal Fire Arms License by the ATF which is Alcohol Tobacco and Fire Arms which is run by the Federal Government. We went through a long process to become permitted through the FFL, we were fingerprinted, we spent about 4 hours with agent/investigator and we have been approved and are ready to get our license. We would like to open a small shop, which under the FFL license needs to be for profit, out of our home to purchase and sell guns. We have the ability to do background checks and we must keep explicit records. We also want to include hunting and

fishing items. Currently there are 990 FFL licenses in the State of Maine. FFL can require us to turn over our records at any time. Mr. Bennett said there will be no firearms fired on my property.

David Dow, Dow's Law Office, said we are representing Bridgton Academy and they have obvious concerns about the possibility of a gun shop in the area. The use is not harmonious to the buildings that surround it but more importantly there are safety concerns. I believe the applicant's property does abut the Bridgton Academy property and Federal Law regulates possession of fire arms by individuals within 1,000' of school zones and Bridgton Academy is a designated school zone. Guns maintained on private property are an exception but the problem is people coming to and from that private residence could present a problem. We encourage the Planning Board to hold a public hearing.

Amy Figoli, Bridgton Resident, said in the information from the officer that interviewed Ms. Tremblay and Mr. Bennett there are a couple of outstanding concerns and one was that they were going to purchase as much ammo as possible and there are not guidelines and he also referenced that he was going to be doing this part-time and then eventually doing this full-time. How many guns do you have to sell in order to make a living? This is in the heart of Bridgton and I know that not all the residents were informed. Some of the houses that abut this property there are landlords and the tenants have not been informed. I also would suggest that you schedule a Public Hearing.

Ms. Tremblay said we are not going to be a "Cabela's", it is set back in an "L". The information that Bridgton Academy has represented by Mr. Dow does come from the brochure of the U.S. Depart of Justice and generally it is unlawful for an individual to knowingly to possess a firearm in a school zone. A school zone according to the Maine Revised Statute is defined as being a distance of 1,000' and we are approximately 922.2' from the actual school. We are not talking about land, we know we abuts the academy. This prohibition does not apply to the possession of a firearm on property, not part of school grounds such as a FFL business premises, commercial storefront, residence or private driveway so we do have a right to possess the storefront because we will be a licensed storefront. We will be a licensed FFL even if we don't have a store we can do it from our home. Right now people can hold thousands of guns and ammo in their home and they can sell to people. Once we have this license we cannot do that. The Officer's report states we are directly across the street from the Academy and we are not, we are down the street, there are plenty of houses in between. The Academy is purchasing a lot of houses on our street which is starting to inhibit what the residents can do. Mr. Bennett did say that he was going to try to buy what he could and he can do that even without an FFL license. Mr. Bennett said to Mr. Dow, is the concern access of the firearms to the students, what is the concern that the Academy has? Mr. Dow said safety of the students

themselves, close proximity of the retail to the Academy. Mr. Bennett said does the public know that the Academy offers their students a shooting program? Mr. Dow said that is one of the exceptions in the statute. Ms. Tremblay said we have an estimate for an alarm system so we will have security which will be done by WAM Alarm. We have certain locks and the guns will have locks.

Brian moved to hold a Public Hearing. Dee 2nd. 5 Approve / 0 Oppose

Dee moved to hold a Public Hearing on Tuesday, June 2, 2015 at 7:00p.m. Brian 2nd. 5 Approve / 0 Oppose

Brian said I would like to request the applicant submit the brochure regarding the Federal Regulations for that meeting.

Ms. Tremblay said for clarification all the abutters that are owners were notified. Ms. Figoli said but the people living in the dwellings were not notified. Steve said Ms. Tremblay and Mr. Bennett have met the notification requirements of the Ordinance. The Public Hearing will be advertised.

Brian said can we also get more information on the security system. Ms. Tremblay said I can submit a copy of the invoice.

Ms. Tremblay said the Fire Chief had a question about what we were going to have and how it is going to be stored. Mr. Bennett said under the license we have applied for we are not allowed to have any explosives, no reloading supplies, I can have Triple 7 and Pyrodex black powder. The ammo will be secured and locked up.

Ms. Tremblay said Maine comes under Fire arms preemptive law which means, there are 46 states out of 50, and Maine is one of them, Ordinances through municipalities cannot prohibit or prevent such applications "no political subdivision of the state including but not limited to municipalities may adopt any order, Ordinance, Rule or Regulations regarding the sale, purchase, purchase delay, transfer ownership, possession, licensing, permitting, and another other matter related to firearm, ammunition or supplies.

Phyllis moved to table the application to the Public Hearing. Brian 2nd. 5 Approve / 0 Oppose

Steve said I would like to request from the Town's Attorney for any guidance he can offer the Board in review of this application.

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**

Steve said does any member of the Board feel that they have a conflict with this application submitted? Dee said I don't have a conflict but the Fire Department made a call several months ago to my son's home and I had to handle that and while Mr. Perreault was there he stated that in the future he would be coming here before the Board and for what reason but we didn't discuss it any further. The Board concurred that it was not a conflict.

Steve said does the Board feel that we have received a completed application? Brian said I am not sure we may need discussion on some of the plans.

Mr. Perreault said I copied everything from the last application in which we were approved years ago but fell under the sunset clause so we need to reapply. We were approved for five 30,000 gallon propane tanks which we had not started on. I have downsized it to three 30,000 gallon propane tanks. Everything is the same. We have put in water storage as well as the monitors and that is shown on the drawings. Chief Garland and I have discussed installing cameras as a safety feature.

Steve said you intend on doing this project incrementally? Mr. Perreault said yes, right now we will do one 30,000 gallon tank and possibly two more. We downsized it because in the future there may be oil storage tanks on the site as well as a small office but that is in the future.

Dee said the applicant refers to water capacity. Steve said that is the size of the tank. Dee said so if it were filled with water that is what it would be? Mr. Perreault said yes. Dee said is this going to be fenced in? Mr. Perreault said yes.

Dee said what is your access? Mr. Perreault said the recommendation was for us to put in an access that is off Route 302 and that will be done. We need to clear some trees for visibility, we will keep as many trees along Raspberry Lane to conceal the tanks. There will be a chain link fence surrounding the tanks. It is heavily regulated.

Todd said to start the fire department process as far as getting a water shuttle established, as we install a tank, we need to put in another 1,000 gallons of water storage for each tank as well as a depth monitor with a nozzle pointed at the propane tanks.

Phyllis said are you going to have any sort of barrier between trucks backing up and the tanks. Todd said yes. Phyllis what kind of barriers? Todd said I am not sure yet but they can do concrete barriers or fence posts. Phyllis said I have seen a guard rails used. Steve said to Glen Garland, Fire Chief, does NFPA have any regulation for type of barrier? Mr. Garland said no it does not specify but Dead River decided to do guardrail and there was a spot that the State

Inspector wanted additional protection so Dead River installed a Jersey Barrier.

Michael said I know there was more concern with Dead River because of visual impact as well as the close proximity to the nursing home facility across the street. I think it would be more appropriate to have a more detailed plan that may show location and type of barriers. Mr. Perreault said that is all part of NFPA but there is basically only one other choice, if you want to see guardrails you need to tell me because other than that you have a chain link fence, you don't get options.

Dee said is there anyone on site during normal business hours? Mr. Perreault said at this time there is no one on site and at this site there is already 3,600 gallons of propane. Dee said so the truck driver has access. Mr. Perreault said yes it is going to be gated.

Dee said what is the topography? Todd said it is gently sloping property with not a lot of elevation.

Phyllis said what are your plans for a warning system? Todd said no, we are better off where we are than where Dead River is located which is why we purchased this property. There are not a lot of houses in close proximity to this facility and therefore we can use reverse 911 call-out to automatically have their homes call for evacuation.

Brian said I agree, I would like more detail such as where is the fence going to be located. Michael said also show the grade, elevation, scale and driveway dimensions.

Brian said do we need a stormwater runoff? Mr. Perreault said we did not have to before because it was going to be all gravel. Mr. Baker said you may need stormwater also for the new section of the road.

Brian said you are going to have an access way on Route 302? Do you have a DOT approval? Mr. Perreault said I was going to get approval first. Mr. Baker said you need to get an entrance permit before you can get approval.

Brian said you are going to put in the one 10,000 gallon water tank to start with? Mr. Perreault said yes. Brian said and the one monitor? Mr. Perreault said yes. Brian said so every time you add one you are going to install a water tank? Mr. Perreault said yes.

Brian said will there be a gate on Route 302? Mr. Perreault said yes. Brian said that needs to be shown on the plan.

Brian said who is going to have access to the security camera? Mr. Perreault said we are, fire department and dispatch. Mr. Garland said

that is same thing we required of Dead River and both the Fire Department and Dispatch have access to that.

Brian said Raspberry Lane is one way in and out so there is an issue with fire and the residents beyond are basically trapped. Mr. Perreault said I may choose to have everyone at Raspberry Lane go to the end and protect them there which is about a mile away.

Brian said in your Risk Analysis it states hydrant 1.8'. Mr. Perreault said that should be miles not feet.

Michael said you should add that distance to your plan.

Dee said the road you are going to keep the Raspberry Lane entrance open? Todd said yes.

Dee said how many trucks a day do you get on average? Mr. Perreault said right now I don't get any because there is no 30,000 gallon tank on site. Dee said will these be big trucks? Mr. Perreault said yes, tractor trailer trucks. The facility is designed so you pull up beside it which prevents you from having to back up. Phyllis you don't have any trucks now but with the addition of 90,000 gallons of propane how many trucks do you anticipate? Mr. Perreault said approximately three to four times a day. Michael said have you considered a turning radius? Mr. Perreault said they make the turn now.

Brian said what is in the building right now and what is it going to be used for in the future? Mr. Perreault said it is propane cylinders and that use won't change.

Steve said I would like to have you submit information on financial capability.

Steve said does the Board want to hold a Public Hearing? The Board concurred to not hold a Public Hearing.

Brian moved to table the application to the next regular meeting scheduled for June 2, 2015. Phyllis 2nd. 5 Approve / 0 Oppose

Kansas Heights/Vista Investments

670 Kansas Road; Map 6 Lot 33

5 Lot Subdivision

Represented by Jon Whitten Jr., Terradyn Consultants LLC

Steve said does any member of the Board feel that they have a conflict with this application submitted? There was none.

Steve said does the Board feel that we have received a completed application? Brian said there was no financial statement submitted

with the application. Dee said but he is selling the property not building houses. Steve said the applicant is asking to make 5 lots saleable and we need to determine what is fair and equitable for fire protection and that will be part of the deliberation.

Mr. Whitten said last year Vista Investments purchased a 6 acre parcel of land off of the Kansas Road. The property was taken over by the Town for non-payment of taxes and was sold at auction. After clearing the title the applicants would like to develop the property while keeping the costs and impact low therefore there will only be two curb cuts along Kansas Road and a third on Kansas Shores South Road which will result in Lots 1 and 2 sharing a driveway, lots 3 and 4 sharing a driveway with lot 5 having its own driveway off Kansas Shores South Road. There is a provision in the Maine DEP phosphorous manual for small development where we don't have to calculate the pounds of phosphorous allocated vs. the amount generated. If the development follows strict protocol of limitation of development. I have included the language from Chapter 6 in your packet. This is exactly what we have done, we have taken the first 150' of the property limited that to the disturbance area and left the remaining portion of the site to wooded buffers. The minimum wooded buffer for the guidelines is 35' and some of these lots have a 230' flow path before it leaves the property. Stormwater generally flows away from Kansas Road toward Long Lake, it will flow through the wooded areas before it enters the drainage system along Kansas Shores South Road. We feel that it meets the DEP standards for stormwater and phosphorous.

Mr. Whitten said the Fire Department requires a gravel emergency vehicle staging area so the plan proposes that the staging area will be integrated into the curb cuts for lots 1 and 2.

Mr. Whitten said the proposed house locations shown on the plan are only proposed and that is a preferred location and as long as the homeowners keep within the DEP standards they can decide where they would like the house to be.

Mr. Whitten said wells and septic will be privately installed by the purchaser.

Steve read for the record correspondence received from Chris Zorn (copy attached) regarding hazardous material dumped on the property. Mr. Whitten said I forwarded that correspondence to the applicants and they were unaware of any hazardous materials on site. Mark Lopez, developer, said I can go to PFU right now, purchase railroad ties, and put them on my property. Mr. Baker said when I did a site visit I noticed old piers and, although I don't have it in writing, a representative from DEP said that it could be buried on site. Brian said where is it? Mr. Baker said it is a large pile with weeds growing up through the pile. Steve said is this a civil issue? Mr. Baker said DEP said it was ok to bury or haul off. Mr. Lopez said if

removing the pile is going to make the lots more saleable of course we are going to get rid of it.

Steve said read for the record correspondence received from Victor Rutana (copy attached) regarding 2 children buried in the corner of proposed lot 1. Mr. Baker researched and found Title 13 Section 1371 and 1372 regarding undocumented burial sites. Brian said I think what it is saying is it has been brought up, the CEO has been notified of it and now the applicant needs to investigate. Mr. Lopez said how, it sounds like an old wives tale? Mr. Baker said the person that wrote that would need to provide an affidavit. Brian said the Historical Society might have some information on it. Mr. Lopez said what level of proof does the board want? Steve said I don't know the answer and the burden is on you to prove that the burial site exists. Mr. Whitten said this would not stop the development of lot 1. Mr. Lopez said the statute says that someone has to have knowledge not hearsay this has just been passed down through the generations. Brian said to me that is knowledge. Mr. Lopez said I disagree, it is hearsay it would not be admissible in a courtroom. Brian said true, maybe we could ask Mr. Rutana to come in and speak to us at a meeting and possibly bring other people who may have knowledge of this. Mr. Lopez said can you ask MMA? Steve said it is not up to the Board to do that the burden is on you. Mr. Lopez said the abutter was notified and he could have been here this evening instead of sending a letter.

Anne Krieg, Economic Development Director, said staff would be happy to contact the Maine Historic Society to see what references they have on this issue. I think it is in everyone's best interest to work on this.

Steve said what is your legal right to access Kansas Shores South Road? Mr. Whitten said I will ask the surveyor. Mr. Lopez said I believe we have access off of that road according to the deed but I will confirm that.

Dee said since the driveways are shared does the first person on site have a right to say where the driveway is going to go? Mr. Whitten said no, the driveways are located within the easement areas and are shown on the recorded plans.

Steve said Jim Kidder, Public Works Director, commented on his impact statement concerns regarding excavation equipment damaging the recently paved Kansas Road. Dee said it is just going to be a lot at a time and I don't know if it is completely fair to hold an applicant responsible for an undetermined amount of time. Dee said the only thing I can think of is to have the lot owner contact him. Mr. Lopez said if you are going to make that a condition you should make that a condition of every landowner in town.

Steve said I am content with note 11, doesn't that answer the question? Brian said maintained by who? Jon said it is up to the two lot owners to maintain it, snow plow etc.

Mr. Baker said we have people that purchase lots and they do not realize that they are in a subdivision. Mr. Lopez said any deed that is conveyed is going to reference that plan.

Steve said is the Board content that the small amount of infrastructure removes it from the requirement of financial capability? The Board concurred.

Steve said does the Board want to go through the Performance Standards or do we want more information on the undesignated burial site? The Board concurred that they would like more information on the burial site and access off Kansas Shores South Road.

Mr. Lopez said I did a quick research of diphtheria in Bridgton which dates back to the 1870's so I don't believe there is anyone alive today that can give firsthand knowledge of where bodies may or may not be buried.

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 has been met

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

The Board concurred that this section has been met

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 has been met

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 has been met

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 a reference should be made to the emergency vehicle staging area and the access road

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 has been met

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 has been met

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 research needed to be done on the possible burial site of the children.

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 has been met

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 has been met

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 is not applicable

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 ration greater than 5 to 1;

The Board concurred that this section has been met

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 has been met

19. **Impact on Adjoining 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 has been met

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 has been met
3. **Street Signs.** The Board concurred that this section has been met
4. **Streets.** The Board concurred that this section has been met
5. **Sidewalks.** The Board concurred that this section has been met
6. **Water Supply.** The Board concurred that this section has been met
7. **Fire Protection.** *The Board concurred that a note should be added to the mylar regarding the right of way*
8. **Sewage Disposal.** The Board concurred that this section has been met
9. **Surface Drainage.** The Board concurred that this section has been met

Brian moved to table the application until the next regular scheduled meeting of June 2, 2015 pending additional information and research regarding the private road known as Kansas Shores South Road is available to be used as an access, the burial site of the children has been clarified and an agreement between the Fire Chief and the

Developer regarding fire protection. Michael 2nd. 5 Approve / 0 Oppose

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

**Mr. Butcher Inc./James and Kelly Moore
19 Sandy Creek Road; Map 9 Lot 76A
Meat Market**

Topics for Discussion

A. Planning Board Tablets

Ms. Fleck said Chris Sanborn, Tech for the Town of Bridgton, is willing to come to a workshop/meeting and go over the tablets with the Board.

B. Hancock Lumber - Illumination Settings

Brian said this proves that illumination can be controlled and now going forward we can use this information.

C. Manager's Report - Candidates for Board Positions

D. Maine Townsman

E. Other/Miscellaneous

Mr. Lopez said the **project on South High Street** is progressing nicely and I would like to invite anyone who is interested to stop in and take a look at it.

Dee moved to adjourn the meeting at 9:31p.m. Phyllis 2nd.
5 Approve / 0 Oppose

Respectfully Submitted,

Georgiann M. Fleck, Deputy Town Manager
Town of Bridgton