

**BRIDGTON PLANNING BOARD  
MEETING**

**Downstairs Meeting Room**

**October 7, 2014  
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. Absent were: Phyllis Roth, Alternate; Adam Grant, Alternate.

**The Pledge of Allegiance**

**Appoint Alternate(s) to vote in place of any absent regular member(s), if necessary** - None were appointed.

**Approval of Minutes - September 2, 2014**

**Brian moved** to approve the minutes as presented. Fred 2<sup>nd</sup>.  
5 Approve / 0 Oppose

**Old Business**

**New Cingular Wireless PCS, LLC (dba AT&T Mobility LLC) and  
American Towers, LLC**

**214 Hio Ridge Road; Map 13 Lot 53B**

**130' Tower w/antennas and equipment shelter on leased land**

**Represented by Barry J. Hobbins, P.A.**

**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 telecommunication facility by the applicant the project is approved conditional upon the foregoing Conditions of Approval which include any landscaping must be chosen to minimize noise; a private driveway/road sign must be posted and any noises created by construction and maintenance activities must be between the hours of 7:00a.m. and 7:00p.m. excluding what is related to the generator schedule as stated in the application. 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 2<sup>nd</sup>. 5 Approve / 0 Oppose

Paul Veit said I have a procedural question for the Board. I have to at some point ask a question about Mr. Figoli's employment. Would I do that now or would I meet with the Town Manager? Steve said no, our decision has been made so I think your vehicle is through the Appeals

Board. Mr. Veit said would the Appeals Board know about Mr. Figoli's employment? Steve said I have no idea, I can't advise you on that.

### New Business

**McDonald's**  
**Portland Road/5 Lumberyard Drive**  
**Request for sign waiver**  
**Represented by Edward Roetman**

Mr. Roetman said I am requesting a waiver for my digital road sign. The purpose of the letter I submitted (copy attached) is to request a waiver under the Town of Bridgton Sign Ordinance governing the use of changeable signs.

Steve said this is similar to the application we recently heard from Frank Howell representing Magic Lantern and at that time we granted a waiver down to the 8 second interval. We determined that we did not want to give a blanket approval to the non-conforming signs in Town but would wait until the owners came in with their specific requests to the Board.

**Fred moved** to approve Mr. Roetman's request down to a minimum of 8 seconds. Michael 2<sup>nd</sup>. 5 Approve / 0 Oppose

Brian said I recently reviewed the State Law and there is a bill pending that the State wants to change it from 20 minutes to 1 minute.

**The Estates at Long Lake/Maine Property Investments Inc.**  
**Long Lake/Kansas Road; Map 10 Lot 47**  
**6 Lot Subdivision**  
**Represented by George Sawyer, Sawyer Engineering & Surveying**

Mr. Sawyer said this is a proposed 6 lot subdivision on 59.4 acre parcel that is located between Kansas Road and the western shore of Long Lake. There are two existing houses on the property which have been there for a considerable time that are served by a common driveway. We are proposing to create four new lots and then divide off a lot for each of the two existing houses. The plan shows that each existing house has an existing septic disposal system but seem to be relatively new, but I have not confirmed that with the Code Enforcement Officer. We have done a soils test on each of the other lots in what appears to be a reasonable building area. The lots vary in size from 5 acres to 13 acres. Each lot has frontage on Kansas Road and frontage on Long Lake. The four new lots will be served by driveways which are shown on the plan in a general location but not permanently defined. The locations were chosen because on lots 1, 2 and 3 we have to cross some wetlands and the places shown are the narrowest crossing points of the wetlands. Lot 6 the building area will have to be back beyond the 250' mark because of the amount of

wetlands within that area of the lot. Topography is wooded. We did a phosphorous calculation and what we have shown along each of the new driveways on each side will be a 50' buffer strip. We allowed a limited area for utilities go down the driveway either overhead or underground. The four new lots will have a buffer strip along the shoreline signifying the 100' setback. On lots 1 and 6 we did not take that into account of the phosphorous calculations due to the amount of existing wetlands. For stormwater generally the driveways run down the hill and they should not need culverts but they may install some if needed. There is no limitation on building envelopes and no covenants or restrictions to be placed on the property. We have provided an erosion control plan which is standard details.

Brian said what are your plans for fire prevention? Mr. Sawyer said there is no site on property to put in a dry hydrant. I didn't look into where the closest one was but there is no area that is going to be accessible as far as water i.e.; ponds or brooks. Brian said what would your option be? Mr. Sawyer said it would depend on the fire department to truck water to the new sites the same as they would the existing homes now. Rob Baker, Code Enforcement Officer, said there are three options available either a cistern, dry hydrant or sprinkler system in the homes. Fred said would there need to be 5 cisterns, 5 dry hydrants or 5 sprinkler systems? Brian said no. Steve said the Ordinance defines the options.

Steve said you took the entire 59 acres to calculate the total allowable phosphorous export but then when you look at the export you excluded lots 4 and 5 because they already exist. Mr. Sawyer said that would be two acres and we can take that out because it will not impact the final numbers. Are you saying I should take out more than the two acres? Steve said why wouldn't you take out the 18.1 acres that those two lots represent? Mr. Sawyer said because they only disturbed about 2 acres. I could make those smaller lots, they have an existing driveway. Steve said the problem is the unique nature of this application. Typically we see a plot of land that is going to be developed as a whole and then parceled off in the sales so when an agent comes in with a plot with existing structures or infrastructure it doesn't get charged against this application which has been our standard consistent logical way of doing it. Mr. Sawyer said that is the way the State is set up. Steve said you are suggesting that we take off the standard disturbed area for a house. Right now there is a small area disturbed around one of the structure with a larger area of disturbance around the other structure but together they equal about 2 acres. Steve said in this application you are proposing individual driveways they are in aggregate almost a mile. Consequently they are quite important and so I would suggest that the Planning Board would want to see construction details such as thickness. Mr. Sawyer said in the phosphorous it does not matter if you have 6" of gravel or 1". Steve said I am worried about long term erosion issues. Therefore, when we have a developer putting in

these types of features it is relatively easy to determine starting date, end date and we tell the Code Enforcement Officer and the Developer that we want a third party present to make sure that it is done according to the plan. Mr. Sawyer said make the approval conditional upon a third party inspection of the driveways. Steve said then I worry about how it gets inspected, etc. Mr. Baker said put something in the deeds. Steve said did you consider lots 1, 2 and 3 as a common drive? Mr. Sawyer said yes, however, we decided that it would be difficult to keep the wetlands disturbance to a minimum with a common drive and it would be better maintained by each individual lot owner then it would be by a small common group.

Dee said how did these two existing lots get included in a new subdivision? Mr. Sawyer said they were part of the whole property, they were never on individual lots.

Dee said are the existing homes currently occupied? Mr. Sawyer said no, they were used by the previous owners during the summer.

Dee said is there any common area for the development? Mr. Sawyer said no.

Dee said will the individual homeowner be responsible for water flow and infrastructure? Mr. Sawyer said the only common element would be the two lots. Dee said so the only common element is the existing road. Mr. Sawyer said for the two lots. Dee said that will have a special agreement between the two lots? Mr. Sawyer said yes and if that becomes an issue with the Planning Board or the two buyers a private driveway can be installed. Dee said how far apart are the driveways? Mr. Sawyer said approximately 300'.

Dee said is there any chance that these homes will be torn down and I know that they can be rebuilt in the same footprint but if they do tear it down they will have to get a building permit. Mr. Sawyer said correct, if they want to expand or rebuild they have to apply for building permits, etc. They are both within the 100' so they are limited as to how much they can expand. Dee said and that is the only time they will get that information is if they apply for a building permit? Mr. Sawyer said what information? Dee said what they can and cannot add. Mr. Sawyer said it is not up to us or the developer to tell them, that is a state law. Dee said but they should know that because they may need to make plans. Mr. Sawyer said they will have to research it individually.

Michael said because of the slope I would like more design detail for the driveways. Maybe the addition of some water bars or winding? Mr. Sawyer said I don't agree with water bars and/or winding. The best thing you can do is construct the road so it drains properly, grass the edges and keep it graded. Michael said if your information binds the homeowner that may give Mr. Baker more enforcement authority.

Steve said we should determine if the application is complete or incomplete because we need more information such as detail of the road and fire prevention methods.

Dee said you said there were no building envelopes but there are because lot 6 and lot 1 have limited envelopes.

Steve said additional information we need would be enough detail about the fire protection to show that it complies with the Fire Protection Ordinance, reasonable construction details of the proposed driveways and a note saying that third party oversight of the roads will be required of each.

Steve said I would also like to request a comparison of a joint driveways for lots 1-3 vs. the three individual driveways. Mr. Sawyer said in regards to amount of disturbance? Steve said yes disturbed surface area of each.

Fred said also a road agreement. Mr. Sawyer said I will leave that to the attorney. Fred said we still should have something in file regarding the common driveway.

**Brain moved** that the application is incomplete pending the additional information requested by the Board until the next regular meeting on November 4, 2014. Michael 2<sup>nd</sup>. 5 Approve / 0 Oppose

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

**Nails by Diana-Lynn/David and Diana White  
1335 North High Street; Map 11 Lot 1B  
Residence and Nail Salon**

**Topics for Discussion**

A. Revised Shoreland Zoning Ordinance

B. Other/Miscellaneous

Brian said do we want to schedule a workshop to begin review of Ordinance revisions? Steve said do you have a suggestion?

**Brian moved** to schedule a workshop/meeting for Tuesday, October 21, 2014 at 7:00p.m. Fred 2<sup>nd</sup>. 4 Approve / 0 Oppose / 1 Abstain (Dee - will not be present for that date)

**Fred moved** to adjourn the meeting at 8:10p.m. Brian 2<sup>nd</sup>.  
5 Approve / 0 Oppose

Respectfully Submitted,

\_\_\_\_\_  
Georgiann M. Fleck, Deputy Town Manager  
Town of Bridgton