

**BRIDGTON PLANNING BOARD
MEETING**

Downstairs Meeting Room

**March 3, 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; Phyllis Roth, Alternate. Absent were: Michael Figoli; Brian Thomas; 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 - February 3, 2015 (Regular Meeting)

Fred moved to approve the minutes as presented. Phyllis 2nd
4 Approve / 0 Oppose

Approval of Minutes - February 17, 2015 (Workshop/Meeting)

Dee moved to approve the minutes as presented with the revisions as discussed. Phyllis 2nd. 3 Approve / 0 Oppose / 1 Abstain (Fred - not present for the meeting)

Old Business

Bridgton Academy

11 Academy Lane; map 39 Lot 8 and Map 19 Lot 24

Reconstruct existing recreational fields

Represented by Todd Gammon, Blais Civil Engineers

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 Site Plan of Development by the applicant the project is approved conditional upon approval by the Maine Department of Environmental Protection. 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. 4 Approve / 0 Oppose

Dee said on page 2 of the Findings of Fact there is a reference to concrete pads for seating and bullpens and in the minutes the question was asked about any type of permanent structure and we were told that there was going to be an attachment curb. I know everything was included for the DEP calculation but are they concrete pads or sills. Steve said I believe it is included in the 2.9 acre calculation. Dee said it is my understanding that they are not going to pour that until the next phase. Tony Campbell, Altus Construction Group, said the concrete pads will be constructed during this phase. The second phase will be the structures above grade.

New Business

Kenneth Ainsley

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

Subdivision Revision

Represented by Kenneth Ainsley

Steve said does any member of the board have a conflict with this application? The Board concurred that they did not.

Steve said does the Board feel that we have a complete application? The Board concurred that the application is complete.

Mr. Ainsley said we own property at 50 White Mountain Way. It is shown on the Mountain View Subdivision Plan as lot 5 and 6. The subdivision was approved by the Board in 2003. When we purchased lots 5 and 6 they were combined in our deed. There is a restriction that there be no further subdivision and we can only have the one house. Once we build the house in 2011 we began to realize that the area in the front of the property is growing up very thick with vegetation which we would like to clear out to some degree. Between lots 5 and 6 is a 50' vegetative buffer and drainage easement which we cannot disturb. We are requesting to amend the subdivision plan to move that drainage easement to a point also on our lot but down to our northern border between lot 6 and 7. The person who we purchased the property from was the developer, Peter Maher. I have contacted Mr. Maher and in the approval of the subdivision plan was made at that time and in figure one you can see how the drainage easement was originally proposed to straddle the boundary between lot 6 and 7. However, in the public comment session some abutters raised concerns so at that point the buffer was moved to between lot 5 and 6. In Mr. Maher's opinion it could be moved without changing the objectives of the storm water plan. I would also like to point out that Mr. Maher combined lot 5 and 6 as it is in our deed and eliminated the boundary between lot 5 and 7 and we did not include that change in our application. If it is something that can be done I would like to do it.

Steve said you are requesting that the nominal division line between lot 5 and 6 be stricken from the plan? Mr. Ainsley said when we

purchased the lot we included lot 5 and 6 in the deed but when I looked at the plan today I realized that they had taken it out so I believe what we see here is what he plans on putting on the mylar. My concern was that I did not ask for that change specifically in the application and I wanted to bring it to the Board's attention. It seems to me that if it is o.k. by the Registrar of Deeds it is fine by this Board. Mr. Ainsley said it is a change to the subdivision plan because the plan currently shows lots 5 and 6 as discrete lots.

Mary Festa, abutter, said how is this going to effect the mylar? Mr. Ainsley said Mrs. Festa's lot is lot 3 in the David's View subdivision which is below ours to the north. In Mr. Maher's opinion it does not change the runoff to any degree.

Dorothy Merenzie, abutter, said are you within 500' of Ms. Festa's lot? Mr. Ainsley said I just clipped the corner of your lot.

Ms. Festa said one of our neighbors came down to ask us who has cut her tress down. Mr. Ainsley said I don't know anything about tree cutting. Steve said do you know what lot is involved? Ms. Festa said I believe it is Judith Otley's property. Steve said this issue is not pertinent to the application before us.

Ms. Merenzie said if the trees are on your property you can cut them but I don't want any additional runoff onto my property.

Steve said I think it is a straightforward request that the drainage easement drains to the southwest downslope toward Kezar Pond and he if proposing to move the same width so it drains to the west down the same hill face toward Kezar Pond so I don't think it changes the hydrology in respect to the northern downslope neighbors. At the eastern end there is another drainage easement and the approved plan shows a level spreader at the head of the easement. I reviewed the record from 2003 and there was a comment that there would be level lip spreaders and only one is shown. You have a 365' long drainage easement at about 11% slope between lots 5 and 6 and you are proposing to create a 520' long drainage at about 8.65% slope so it is more vegetative area but you are being allowed to open up a steeper area so I would like to propose that you would agree to a berm around the turn around and a level lip spreader at the head of the new drainage easement so that we are reasonably sure that the runoff would go into that easement. Mr. Ainsley said is it necessary, there is nothing that feeds into that? Steve said the drainage easement is to you have a vegetative root for the runoff water.

Fred said currently there is a 300' easement at 11% and this one is going to be 500' at 8% so isn't that a slower drain? Steve said yes it is an improvement but it allows the steeper slope to be harvested.

Dee said why did you locate the buffer along the line? Mr. Ainsley said it is land that we own, we go up to lot 7.

Phyllis said will lot 7 change? Mr. Ainsley said no, originally 25% of the buffer was on lot 7 but when the buffer was changed it was eliminated off of lot 7.

Steve said your lot prohibits another residence? Mr. Ainsley said it does.

Ms. Festa said there has been so many changes down there and I am not happy with the changes. I have to pay a separate fee for the road coming in to access the road to my lot or I am landlocked. The road is not an approved road, I pay separately for plowing for maintenance and association dues. Steve said that is not a topic for discussion this evening.

Steve said how does the Board feel about requiring a level lip spreader? Mr. Ainsley said it seems as though everything is working great and I have yet to see water in the ditch.

Phyllis said is there any indication as to why both level lip spreaders were not originally installed? Steve said no. Phyllis said are they a problem to install. Steve said no, it is earth moving.

Fred said I think a lawyer needs to determine if this is legal to do, this could be a moot question, because what difference does it make if lot 5 and 6 still exist? I would show the connection between lot 5 and 6 with a dotted line?

Phyllis said is the intent to sell lot 6 as a separate lot so someone could build on it? Mr. Ainsley said we cannot because of the restriction. Phyllis said can that restriction be removed? Fred said it would need to come back to the Planning Board and it would need permission of all the lot owners.

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 is not applicable
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 is not applicable
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 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 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 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 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 Signs/Fire Lane Signs. 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 has been met

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. Phyllis 2nd. 4 Approve / 0 Oppose

Dee said so we are only dealing with the change of the buffer? Steve said yes.

Steve said you need to bring the Board a mylar with this change for Board signature. At that time you and Mr. Maher need to resolve, to your satisfaction, the lot line between lot 5 and 6.

B.R.A.G.

**Brag Way/Home Run Road; Map 5 Lot 85-4A
Revision to approved Site Plan of Development
Represented by David Bush**

Mr. Bush said we are planning on building a new concessions stand in a more centrally located area. We received prior approval, and built, for a concession stand and equipment shed but over time we have decided that it is not big enough for both nor is it centrally located enough.

Anne Krieg said the Department Heads held their review and we looked at the site plan and the different location of the fields and where the access points are. There were concerns about access to the facility for emergency vehicles, deliveries and utilities as well as being located in the middle of game play so we are requesting the Board consider looking at a different locations which may not be convenient for people getting concessions but it might be safer to have it closer to the parking lot.

Mr. Bush said right now we have the portable concession stand located on the edge of the parking lot and the general complaint we receive is that most of the action takes place out in the center of the complex, along with people saying they don't want to have to walk across the soccer field or big open field to get concession or use the bathrooms.

Steve said for vehicle access, emergency and deliveries, what do you have for roads? Mr. Bush said it is wide open and unrestricted because there is drainage work that the Town has asked us to do.

Willie Angelino, BRAG, said we have had ambulances out there and we have not had any problems.

Mr. Bush said we are trying to find the most convenient spot as far as open space that won't be restrictive. The shape of the concession stand is going to be octagon so volunteers who might also be parents can better see the fields.

Dee said what is happening between fields 1 and 2 and is there enough room there for emergency vehicles? Mr. Bush said it is not accessible because there is a ditch and a fence.

Dee said how are you going to get deliveries? Mr. Bush said there is a gravel parking area with no fence, gravel to grass area. Dee said you are going to have to add a restrictive roadway. Mr. Bush said it is there right now. Dee said is it big enough for emergency vehicles? Mr. Bush said yes.

Dee said will constructing your septic system disturb the existing fields? Mr. Bush said no. Steve said sanitation is being taken care with port-a-potties? Mr. Bush said yes, we would much more rather have full time bathrooms. Rob Baker, Code Enforcement Officer, said I would like to make sure that the concession stands do not open until the septic is complete, not just a holding tank but an operational septic system. Mr. Bush said yes, our intention is to not open or use the building until we have running water and bathroom facilities.

Dee said you mentioned a press box, meetings and a multi-function area and people will be walking from the parking lot, are you going to have parking around the gazebo? Mr. Bush said no, we prefer people not drive across the field but walk in.

Dee said what are your plans for lighting? Mr. Bush said we will come back in the future for lighting of the fields. Mr. Baker said the lights on the building must be shielded and directed downward.

Phyllis said I don't like the location of the concession stand because of safety issues. Mr. Bush said there is a fence around most of the fields for safety purposes. We will add extra netting if it becomes a problem.

Fred said it is far better to have something that is centrally located, you don't put the thing that most people want in a spot that is inconvenient.

Dee said when will you start construction? Mr. Bush said we have money for a foundation and we are raising money to build a building on top of it. As we raise money we put it toward improving the complex.

Dee said are there requirements for the type of cooking for ventilation? Glen said yes they will have to follow the appropriate code when it is installed.

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 is not applicable

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

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 is not applicable

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 is not applicable

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

25. Large Scale Water Extraction.

The Board concurred that this section is not applicable

26. 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 when the building is constructed it is not be opened for use until the septic system has been constructed and inspected by the Code Enforcement Officer and all exterior lights must be shielded, low energy and directed downward. Final judgment is withheld pending review of the Findings of Fact and Conclusions of Law.
Dee 2nd. 4 Approve / 0 Oppose

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

**Hutchinson's Auto Detail Shop
80 Willett Road; Map 9 Lot 50
Residence and Auto Detail Shop**

Topics for Discussion

A. Site Plan Review Ordinance Revisions per Medical Marijuana Dispensary Ad Hoc Committee

Steve said the committee took their draft to the Board of Selectmen for consideration and the Board of Selectmen remanded it to the Planning Board for consideration.

Phyllis moved to approve the revisions and hold a Public Hearing.
Dee 2nd. 4 Approve / 0 Oppose

B. Schedule Public Hearing for Ordinance/Regulation Revisions

Fred moved to schedule a Public Hearing for Ordinance/Regulation revisions for Tuesday, March 24, 2015. Dee 2nd. 4 Approve / 0 Oppose

C. Land Use and Zoning Committee

1. Planning Board Member Appointment (See memo)
2. Charge, Mission & Authority

Steve said The Board of Selectmen have requested volunteers and have directed the Planning Board to provide a liaison.

Steve said Brian has expressed some interest. The Board concurred that Anne Krieg, Economic Development Director, will talk to Brian about the committee and confirm his interest.

D. FYI

1. Maine Municipal Association - Local Planning Boards and Boards of Appeal Seminar (Bridgton, Maine)
2. Maine Townsman - February Issue

E. Other/Miscellaneous

Steve said at the February Planning Board meeting we had an application before us for **Randy Gardner** and we tabled the application until this meeting. He has not submitted the additional information so I would suggest that extend the tabling until the April 7, 2015 meeting and contact him to find out what his intent is.

Fred moved to extend the table until the Tuesday, April 7, 2015 meeting pending contacting Mr. Gardner to find out what his intent is.
Dee 2nd. 4 Approve / 0 Oppose

Fred moved to adjourn the meeting at 8:50p.m. Dee 2nd.
4 Approve / 0 Oppose

Respectfully Submitted,

Georgiann M. Fleck, Deputy Town Manager
Town of Bridgton