

**BRIDGTON PLANNING BOARD
MEETING**

Downstairs Meeting Room

**July 21, 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; Brian Thomas; Michael Figoli; Phyllis Roth, Alternate; Catherine Pinkham, Alternate. Absent were: Fred Packard, Vice Chair; Dee Miller.

The Pledge of Allegiance

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

Steve appointed Phyllis Roth, Alternate, and Catherine Pinkham, Alternate, to act in the capacity of absent regular members.

Approval of Minutes - July 7, 2015

Phyllis moved to approve the minutes as presented with the revision as discussed. Brian 2nd.

4 Approve / 0 Oppose / 1 Abstain (Michael not present for meeting)

Tablet Tutorial - Chris Sanborn

Chris gave a review of the tablets issued to the Planning Board and answered any questions the Board Members had.

OLD BUSINESS

Kansas Heights/Vista Investments

670 Kansas Road; Map 6 Lot 33

5 Lot Subdivision

Represented by Mark Lopez

Review and Accept Findings of Fact and Conclusions of Law

Sign Mylar

Brian moved that based upon the application submitted and representation to the Planning Board of the proposed 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. Michael 2nd. 5 Approve / 0 Oppose

No representative was present, therefore, the Board did not have a mylar for signature.

The Carry All Corner LLC
103 Main Street; Map 23 Lot 147
Mixed Use; Retain, Restaurant, Office
Represented by Michael Tadema
Tabled July 7, 2015

Steve said does any Board member feel that you have a conflict of interest with this application? There were none.

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

Steve said this application was tabled on July 7, 2015 due to improper notification to abutters. The Board removed the application from the table to begin discussion.

Mr. Mike Tadema-Wielandt said also present is Justin McIver who is the applicant. Mr. Tadema said the proposed building is at the corner of Cottage Street and Main Street which was the site of Sportshaus, which was razed. The proposed project includes a 2,500sf two story building consisting of mixed use to include retail on the first floor and office uses on the second floor. There are sidewalks surrounding the building, a 13 lot parking area at the rear of the building to be accessed off Cottage Street. In the front of the building there will be a raised patio from 1.5 to 2.5' above the elevation of the Main Street sidewalk accessed by two sets of stairs from Main Street or from an accessible sidewalk that runs around the west side of the building which is less than 5% and meets standard ADA accessibility. The patio will be used for restaurant seating and retail display. The patio encroaches into the right of way. The Applicants did have discussion with the Town to secure an easement for the patio and those discussions are on-going. Above the 13 parking spaces there will some additional parking created in the driveway that existed for the previous business, Sportshaus. Utilities will be similar to the previous use, public sewer and water will be coming from Cottage Street. There will be the installation of a grease trap for the restaurant use as well as a new septic tank. Compared to the previous development this site will create about 5,400sf of additional impervious area and in order to mitigate that we are proposing a few stormwater measures i.e.; a filter strip along the west and south side of the building to collect roof runoff through a soil filter and the bulk of stormwater management will be through an infiltration trench located on the east side of the parking lot which will take the first inch of rainfall running off the parking lot, infiltrate it and treat it. The applicant would like to begin construction in late summer completing construction in 2016.

Steve said where does the effluent from the 1,500 gallon on-site septic tank go? Mr. Tadema said into the public sewer system. Steve said what is the sewer allocation for this property? Mr. McIver said

I believe it is 900 gallons. Steve said is that sufficient for the restaurant use as well as the use of offices? Mr. Baker said it depends on how many seats are in the restaurant but Mr. McIver and I met to go over the allocation and it appears that 900 is more than sufficient. Steve said would an approval include a condition on the restaurant seats? Mr. Tadema said there is an estimate flow of 450 gallons per day and that is based on a 30 seat restaurant. Brian said does that include the patio seating? Mr. Tadema said yes. Mr. McIver said that is based on paper service. Steve said should we impose a condition of 30 seats? Mr. Baker said no, I think as long as they don't exceed 900 gallons a day. Mr. Tadema said if you are considering a condition maybe the aggregate of uses should not exceed 900 gallons which would allow some flexibility in the restaurant seating as well as other uses.

Steve said is this property in the flood plain? Mr. Tadema said I don't believe it is. Mr. Baker said it is not in the flood plain and it is out of the shoreland zone area.

Phyllis said tell us about the restaurant? Mr. McIver said the owner is Barbara Bloomgren who is present. The name of the proposed business is *Towanda's Specialty Foods and Deli*. Ms. Bloomgren said it is a specialty food and kitchen business, offering a limited breakfast menu, lunch would be deli sandwiches and salads, dinner would include take out and heatable meals. Specialty items would include jams, jellies, chocolates, oils, vinegars and deli service. Phyllis said will you be open year round? Ms. Bloomgren said yes.

Phyllis said is there ADA access to the second floor? Mr. McIver said I am going to have a wheel chair lift available to the second floor.

Michael said where is the stormwater drainage going? Mr. McIver said there is a catch basin on Main Street.

Brian said what size is the building? Mr. Tadema said it is a 50x50' building so the footprint is 2,500sf, two stories. Brian said so the building is 5,000sf? Mr. Tadema said yes, the floor area.

Brian said are you going to have signage indicating parking in the rear for the patrons of this building only? Mr. Tadema said yes.

Brian said what are your plans for the second floor? Mr. McIver said potentially three offices. My architect met with the State Fire Marshal's Office and they are not requiring a second means of egress.

Brian said what are your plans for signage? Mr. McIver said it will be less than 50sf. Brian said that will go where the sign is now? Mr. McIver said no it will be closer to the corner. Brian said will it be lit? Mr. McIver said yes, externally lit. We are also going to include business logos on the awnings. Mr. Baker said if the sign

location creates a visual obstruction, is there flexibility to relocate the sign? Mr. McIver said yes.

Brian said will there be any outside lighting on the building? Mr. McIver said yes, there is a street light in close proximity to the building but I plan on having three recessed lights under the awnings and some lighting in the rear for the parking lot.

Brian said have you received approval from the Bridgton Water District? Mr. McIver said yes.

Brian said what are the hours of operation for the restaurant? Ms. Bloomgren said 7a.m. to 7p.m. which may change due to the demand. Brian said the patio seating also? The owner said yes, seasonally.

Brian said the parking on the side of the building is close to the street. Mr. McIver said that parking is for employees only. Brian said will there be signage to signify that? Mr. McIver said yes.

Phyllis said what are your plans for disposal of trash? Mr. McIver said I have not made plans for anything at this time. The restaurant owner plans on composting. The business owners on Depot Street take care of their own trash but I will make accommodations to screen an area if a dumpster is brought in for disposal.

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

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

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

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

The Board concurred that this section has been met

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

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

The Board concurred that this section has been met

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

The Board concurred that this section has been met

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 has been met

13. Protection Against Undue Water Pollution:

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

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

The Board concurred that this section has been met

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

The Board concurred that this section has been met

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

The Board concurred that this section has been met

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

The Board concurred that this section has been met

17. Provision for adequate sewage waste disposal.

The Board concurred that this section has been met

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

The Board concurred that this section has been met

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

The Board concurred that this section is not applicable

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

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

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

Sound Pressure Level Limit

7a.m. – 8p.m. 8p.m. – 7a.m.

70 dB (A) 55 dB (A)

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

1. Noises created by construction and maintenance activities between 6:30a.m. and 8:00p.m.
2. The noises of safety signals, warning devices, and emergency pressure relief valves and any other emergency activity.
3. Traffic noise on public roads.

The Board concurred that this section has been met

21. Conformance with Comprehensive Plan for the Town.

The Board concurred that this section has been met

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

The Board concurred that this section has been met

23. Location in Flood Zone: The subdivider shall determine, based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, whether the proposed development in whole or part, is in a

flood prone area. If the proposed development, or any part of it, is in such an area, the applicant shall determine the 100 year flood elevation and flood hazard boundaries within the development. The proposed development plan shall as a condition of site plan approval assure that principal structures on lots in the subdivision shall be constructed with their lowest floor, including basement, at least one foot above the 100 year flood elevation.

The Board concurred that this section is not applicable

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

The Board concurred that this section has been met

25. Special Regulations

The Board concurred that this section is not applicable

26. Dimensional Requirements

The Board concurred that this section has been met

27. Large Scale Water Extraction.

The Board concurred that this section is not applicable

28. Surface and Subsurface Mineral Extraction Applications.

The Board concurred that this section is not applicable

Brian moved to tentatively approve the project conditional upon negotiation with appropriate authorities for the patio right of way and any outside rubbish facilities be appropriately screened.

Michael 2nd. 5 Approve / 0 Oppose

David Randall

251 Portland Road; map 9 Lot 72D

Boat Sales and Related Activities

Represented by Ronald Keniston

Tabled July 7, 2015

Steve said does any Board member feel that you have a conflict of interest with this application? There were none.

Steve said does the Board feel that we have a complete application? I am in receipt of an email from Dee Miller, who could not be present this evening, questioning the application completeness (copy attached). I would like something more substantive regarding financial capability. Brian said there should be an entrance permit application too. Steve said does the existing driveway qualify? Mr. Baker said the State DOT stated that it was o.k. Steve said the applicant should submit something in writing. Brian said the application says boat storage but if you read the application it states repairs so the application is unclear what the proposed use is going to be.

Steve said will the boats be open air storage? Jason Randall said mainly boat sales. Brian said the application states boat storage so you are not going to be storing boats? Mr. Randall said not.

Phyllis said your application also states "and other related activities". Mr. Randall said it is mainly boat sales and in the winter we are going to do snowmobile repair. Brian said boat repairs

also? Mr. Randall said no boat repairs will be at our other facility. Brian said will there be snowmobile sales also? Mr. Randall said yes, probably used snowmobiles.

Phyllis said the application stated district, are you in "a" or "b"? Mr. Baker said neither, it does not apply.

Steve said I think the narrative needs to be revised to clarify the proposed activity.

Steve said if you are doing repairs you should clarify what your plans are for waste oil and lubricant disposal.

Brian said is this property in shoreland zone? Mr. Baker said there is a brook which is more than 75' from the proposed building and the floodplain is on the right hand side of the plan, it just barely touches the blue storage building on the adjacent lot.

Steve said there is a 50' strip which runs back about 100' and then there is a large lot, the application indicated boat parking in the big lot. Mr. Randall said there would be a small parking area behind the building. We are not going to develop any of that at this time.

Steve said what are your intentions for the snowmobile trail that runs at the west end of the big lot? Mr. Keniston said the applicant has talked with representatives of the Bridgton Easy Riders Snowmobile Club and the snowmobile trail will not be changed. Steve said the application needs to clarify that.

Brian said is this on the Bridgton Water District system? Mr. Randall said yes. Brian said you need to submit something from the water district that they have reviewed this project and approve the use.

Brian said if they show the elevation of the building we would have an idea of the style. Mr. Randall said I can put together a sketch but it is going to be a 50x50 building.

Brian said a waiver would be needed for the road frontage because we require 100'. Steve said is that within the Board's authority? Mr. Baker said yes.

Phyllis said are you going to put up a sign? Mr. Randall said yes, it will be in compliance with the Town of Bridgton Sign Ordinance. Michael said you should submit a sketch of the proposed sign, location and how it is going to be lit.

Steve said we need to see a sketch of placement of the building to determine side line setbacks due to narrowness of the lot.

Phyllis moved to table the application until the next regular meeting scheduled for August 4, 2015. Catherine 2nd. 5 Approve / 0 Oppose

New Business - None

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

Drip Maine LLC/William Henry Holmes
260 Main Street STE B; Map 23 Lot 86(PO)
Coffee Shop

Topics for Discussion

A. Maine Townsman

Steve said you should refer to the June issue of the Maine Townsman because there is a legal opinion regarding the Town of Hallowell for not having adequate findings and conclusions of law.

B. Other

Brian moved to adjourn the meeting at 8:18p.m. Phyllis 2nd.
5 Approve / 0 Oppose

Respectfully Submitted,

Georgiann M. Fleck, Deputy Town Manager
Town of Bridgton