

**BRIDGTON PLANNING BOARD
MEETING**

Board of Selectmen's Meeting Room

**March 6, 2007
7:00p.m.**

The Bridgton Planning Board was called to order at 7:00p.m. by Steve Collins, Vice Chair. Those in attendance were: Steve Collins, Vice Chair; Gordon Davis; Dee Miller, Alternate; David Lee, Alternate. Absent were: Fred Packard, Chair; Christopher McDaniel; David Diller.

Steve appointed David Lee, Alternate, and Dee Miller, Alternate, to act in the capacity of absent regular members.

Approval of Minutes - February 6, 2007

Gordon motioned to approve the minutes as presented. David L. 2nd.
4 Approve / 0 Oppose

Approval of Minutes - February 20, 2007 (Public Hearing)

Gordon motioned to approve the minutes as presented. Dee 2nd.
3 Approve / 0 Oppose / 1 Abstain (David L. - not present for meeting).

Old Business

Steve said the following 5 articles need a review of the findings of fact, therefore, I will read the conclusions and decision from each for the record.

Reny's Store

Main Street; Map 23 Lot 125, 126 and 128

Raze an existing structure & addition to current retail store

Review and Accept Findings of Fact

Gordon motioned to approve the Findings of Fact and Conclusions of Law as presented and to grant Fred Packard, Chair, the authority to sign the formal document. David L. 2nd. 4 Approve / 0 Oppose

Tabernacle of the Congregation

Corner of Moran Road and Route 302; Map 12 Lot 21B

30x40 addition

Review and Accept Findings of Fact

Gordon motioned to approve the Findings of Fact and Conclusions of Law as presented and to grant Fred Packard, Chair, the authority to sign the formal document. David L. 2nd. 4 Approve / 0 Oppose

Dee said what is the status of the State Fire Marshal's Office? Rob Baker, Code Enforcement Officer, said we have not received a construction permit from them yet. I will not issue a building permit until we have.

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Rocci Overlook-Wildhaven/Chris & Debra Rocci
Wildhaven Road; Map 17 Lot 27A-7
2 Lot Subdivision
Review and Accept Findings of Fact

Gordon motioned to approve the Findings of Fact and Conclusions of Law as presented and to grant Fred Packard, Chair, the authority to sign the formal document. David L. 2nd. 4 Approve / 0 Oppose

Dee said what is the status of the stormwater control standards for the long driveway and their inclusion in the deeds? Mr. Baker said I have not received a deed yet to review.

Gibbons Two/James Gibbons
Off Icabod Trail; Map 3 Lot 30C-1
2 Lot Subdivision
Review and Accept Findings of Fact

Dee motioned to approve the Findings of Fact and Conclusions of Law as presented and to grant Fred Packard, Chair, the authority to sign the formal document. Gordon 2nd. 3 Approve / 0 Oppose / 1 Abstain (David L. - recused himself from the original discussion because he is an abutter).

Glennco Property LLC
Hio Ridge Road; Map 8 Lot 23
8 Lot Subdivision
Review and Accept Findings of Fact

Gordon motioned to approve the Findings of Fact and Conclusions of Law as presented and to grant Fred Packard, Chair, the authority to sign the formal document. Dee 2nd. 4 Approve / 0 Oppose

Wales & Hamblen / George and Amy Maguire
260 Main Street; Map 23 Lot 86
Request for Removal of Restriction
Represented by George and Amy Maguire

Steve said when we approved that project there was a question of dividing their sewerage disposal between the Town's system and a private system. Since then, the Town has sold additional capacity to Mr. Maguire so a waiver is no longer necessary.

David L. said will that impact the tank? Mr. Baker said the tank will have to be enlarged.

David L. said will that increase their parking capacity? Steve said this will have no impact in their parking.

Gordon motioned to grant the Maguire's request to remove the condition. Dee 2nd. 4 Approve / 0 Oppose

**Mountain Lane Subdivision/Chet Homer
Mountain Road; Map 7 Lot 18
7 Lot Subdivision
Represented by Christopher DiMatteo, Sebago Technics**

Steve said this was tabled last month due to a technicality concerning notification to the abutters which has since been rectified.

Mr. DiMatteo said in our second letter to the abutters we were able to address some of their concerns. This is a 5 acre parcel located on Mountain Road. The rear of the lot is very steep and moderates toward the front. In the area being developed it is around 12-15%. We are proposing a private 50' right of way which would provide the required frontage for 7 single family dwellings. The 7 lots were based on 30,000sf per unit which is allowed with the use of a common septic. The plan shows suggested building envelopes. There are two areas that are being preserved by no cut wooded buffers to help with the stormwater requirement in terms of the phosphorous load of the road and future development. These areas would also help to screen the subdivision from Mountain Road. Power will come from an existing pole line on Mountain Road and will be underground to the lots. There is a sewer main that connects to the common septic. There are essentially two directions of water that come down a natural swale. Those areas are preserved and we divert one around lot 6 into a wooded buffer through a level spreader. The other drainage swale is picked up with a rip rap apron and diverted into a road ditch and is pulled into another level spreader to a wooded buffer and out into Mountain Road drainage. We received a letter from the Toner's regarding the density of the proposed subdivision. We followed the density that is allowed under the Ordinance with the use of a common septic. There is a large portion of this lot in the rear that is not going to be developed.

Mr. Maczuba, Citizen, said I am concerned with the density of the subdivision and how you are gaining the total square footage by connecting them to the common area. Mr. DiMatteo said the density is based on 30,000sf.

Mr. Maczuba said what is going to happen to the common area and wouldn't it make sense to spread the lots out? Mr. DiMatteo said the common area is undevelopable because of terrain. Mr. Maczuba said how can you include that in your proposal? Steve said because it is not going to be developed, this is not an unusual request, there is precedent.

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Mr. Maczuba said what is the size of the lots? Mr. DiMatteo said the density is based on 30,000sf. When you divide 4.9 acres by 30,000sf you get 7 lots.

Mr. Neumeyer said how does the map you are showing this evening differ from the plans you mailed to the abutters? Mr. DiMatteo said we have added some additional notes to the plan.

Steve said you show lot 3 at 20,444sf. Mr. DiMatteo said nothing is going to be less than 20,000sf. Steve said you are using the average density? Mr. DiMatteo said yes the 30,000sf to arrive at the number of lots.

Gordon said are our Regulations written to allow an average or does it have to be applied per lot? Steve read Article X Section 1. for the record. Gordon said it sounds like each individual lot needs to be 30,000sf. Mr. DiMatteo said our lawyer said if we presented a condominium plan with no right of way we would have the same number of lots only in units. So in a sense, we have arrived at the same place. Dee said we don't have specific language in the subdivision regulations to address this type of development.

Mr. DiMatteo read a letter from their attorney regarding the minimum lot size requirement which states "in the absence of a local zoning ordinances establishing a minimum lot size for lots not served by municipal sewer, the state minimum lot size is dictated by 12MRSA 4807-A and is 20,000sf". The point is you have specific shoreland zoning but you don't have general zoning that specifies certain lot sizes. Steve said I would respectfully disagree with his advice. We have specific subdivision regulations.

Ms. Neumeyer, Citizen, said are there any plans to prevent deforesting up to the adjacent property lines? Mr. DiMatteo said that is something to consider and we can look at different language. The only areas that would not be deforested are the two wooded buffers shown on the plan.

Dee said you should have specific language regarding use of the property outside of the building envelopes.

Mr. Maczuba said I am concerned with the runoff. Steve said this Board does not have the authority to establish requirements for control. The State has standards and it is incumbent upon the applicant to show that he is meeting those standards and incumbent upon us to make sure he has done so.

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Mr. Maczuba said once the project is in what recourse do I have if my property is damaged because of the development? Steve said recourse of law.

Colin Holme, Lakes Environmental Association, said the Board does have authority over soil erosion which is in your Subdivision Regulations giving you authority to review what is submitted. Also, I see proposed buffers, however, I have not seen the erosion control plan.

Steve said on page 2 of your Stormwater Management Plan you note HSG of "A" which is good yet the HHE 200 show group "C" which is reasonably harsh. Mr. DiMatteo said some of the test pits are borderline because they are in a low lying areas for natural drainage.

Mr. Maczuba said was that test done just by observation? Steve said no, there is a document called the medium intensity soil survey. I would suggest that you include a photo copy of the pertinent portion of that. It also shows a classification B & C for this area which would put a further load on your ability to cope with it.

Mr. Holme said your buffers are based on "A" soils yet your medium intensity soils map shows "B & C" and the your test pits shows "C". Mr. DiMatteo said I need to confirm that and report back to the Board. Mr. Holme said that would make a big difference on your buffer width.

Steve said your phosphorous worksheet "A-1" is calculated 3.15 acres however in your stormwater management you are showing 1.75 acres, which is correct? Mr. DiMatteo said I need to confirm that with the engineer and report back to the Board.

Steve said there is a worksheet A-3 which is the export from the lots and I don't find that sheet and the summary is to reflect the .26lbs from the A-2 sheets and no addition from the lots. Mr. DiMatteo said I will clarify that for the Board.

Steve said treatment factor "D" for the roads is stating .15 for both road sections. That .15 is for 0-3% slopes which this is not and it wants a 250' buffer to cope with that .15. Mr. DiMatteo said I will clarify that for the Board.

Steve said how do you propose to make the runoff down the road get into that area? Mr. DiMatteo said with level spreaders, check dams, rip-rap, culverts and ditches.

Gordon said would it be appropriate to put this to a Public Hearing? Steve said I believe so. Mr. Baker said you should come to a resolve about the lot size.

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Dee said I am concerned with the use of the common lot. You have factored it into your calculations, however, you don't have anything in your plan to protect that. There needs to be clear language on the plan defining the intent of that parcel.

Gordon said the Subdivision Regulations are specific that it needs 30,000sf per lot.

Dee said we should consider amending our regulations to address this type of development.

Mr. DiMatteo said if we return with the building envelopes, the whole land as an association and keep the road outside the building envelopes in common with restrictions would the Board have a problem with that? Steve said we have set a precedent with at least one other project being done that way.

Mr. Maczuba said how is precedent established? Steve said by action that we took in a meeting. Mr. Maczuba said so you can establish precedent now.

Steve said description of the property being held in common to gain the 30,000sf average would be acceptable.

Dee motioned that the Board instruct the applicant to take steps to consider this as common land with appropriate covenants. Gordon 2nd.

Steve said the motion is to instruct the applicant to take steps to describe the common holding of the land to the effect of establishing the regulations in the sense of average area per lot.

The vote is 4 Approve / 0 Oppose

Gordon motioned to schedule a Public Hearing for April 3, 2007.
David L. 2nd. 4 Approve / 0 Oppose

**Streeter's Brook/Joseph A. Colonair
Pond Road; Map 15 Lot 20
10 Lot Subdivision
Represented by Jason Farthing, Survey, Inc.**

Steve said we received a request from Mr. Farthing to table this application to a future date.

Dee motioned to approve the request to table the application to a future date. Gordon 2nd. 4 Approve / 0 Oppose

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Russell Parent, Citizen, said why does this usually happen? Steve said it is at the request of the applicant. Mr. Parent said does he state why and does he plan on changing the plan again? Steve read the request for the record (copy attached).

Robert and Gail Stone
Kezar Heights Road; Map 16 Lot 2C
2 Lot Subdivision
Represented by Jonathan Bliss, Bliss & Associates

Mr. Bliss said this is a 10 acre parcel located on Kezar Heights Road. The parcel is being divided into two 5 acre parcels. Because this is a previously approved subdivision it requires a subdivision review. We were here to present this to you last month but there was an issue with notification to abutters which we have since resolved.

David said were there conditions on the original plan? Mr. Bliss said yes, the requirement of lot splits to be 5 acres or greater. Steve said that condition should be carried over and noted on this plan.

Steve said your phosphorous plan states Hydro soil "C" and when I look at table 4.3 I think that warrants a 50' buffer. Your plan says 50' but your drawing shows 25'. Mr. Bliss said I will make that correction.

The Board reviewed the criteria for Subdivisions to establish the Findings of Fact and Conclusion of Law.

Gordon motioned to approve the application as submitted and presented conditional upon language regarding deed covenants be carried over from the original plan and correction of the buffer as depicted on the plan from 25' to 50'. 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 to the Board in the course of its deliberations. David L. 2nd. 4 Approve / 0 Oppose

Orchard Creek Estates/Joseph and Arlene Gallinari
South Bridgton Road; Map 2 Lot 2
10 9 Lot Subdivision
Represented by Ronald Keniston

Steve said this is a 10 lot subdivision, however, your A-3 worksheet shows 9. Mr. Keniston said originally it was 10 lots, however, once we did soils delineation we eliminated a lot and enlarged lot #6, 8 and 9. There is a brook on the property that comes across Route 107 and runs along on the westerly side of the property to Tom Gyger's

property. It is an established brook so we need to maintain a 75' setback. That zone is depicted around the brook on lots 1, 3, 5 and the corner of 7. We have approval from DOT for a driveway off Route 107. We have planned a hammerhead with the required 100' per lot.

Mr. Holme said is there any phosphorous control methods planned? Mr. Keniston said we submitted that with our application. Mr. Holme said could you describe it? Mr. Keniston said the stormwater study was prepared by Chappel Engineering and we are able to detain most of the water with very little taken off the lot. This runs into Ingalls Pond, better known as Foster Pond. We are able to come up with a .037 to come off the lot. With the export from the road we came up with a .509 and we used some buffers and some ditching to spread it over the property. Some of the buffers are about 125 and one of the bigger sections is 250'. The area was considered by a soils scientist of about a 3% grade. Soils in that area were "C" which is normal for most of that area.

Mr. Holme said are the buffers going to be shown on the final plan? Mr. Keniston said we can. Steve said your worksheet shows wet ponds for three sections of the road and they should be shown also. Mr. Keniston said I will add them to the plan.

David L. said does this about the Harmon Road? Mr. Keniston said yes, there are several references to the road, Harmon Road and Harmond Road even Fosterville Road is mentioned. We still don't know for sure if the road belongs to Mr. Gallinari. Earl Hotchkiss did a survey in 1965 and he recognized the wall and the Harmon Road being on Gallinari's property.

Dee said note #5 is unclear if you are going to have a full road association. Mr. Keniston said we have included the association by-laws and there will be a road association so all nine lot owners will be involved in maintaining the road.

Dee said are you proposing to use rain gardens? Mr. Keniston said yes, that is something that DEP is recommending. Dee said who is going to maintain them? Mr. Keniston said the owner of the property. They are only going to be about 6" deep maybe 1' at the most with various shrubs, flowers and plants using anything that will soak up the water. Dee said will that be in the deed? Mr. Keniston said we haven't thought of that but we can make that reference.

Gordon said is it the intent that there will be no further division of the lots? Mr. Keniston said yes. Gordon said that should be noted on the plan. Mr. Keniston said note #1 states "not be subdivided without Planning Board approval".

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Steve said you are proposing three rain gardens and substantial buffers which should be depicted on the plan along with language regarding the mandatory road association. Mr. Baker said also any waivers should be submitted in writing. Mr. Keniston said we are requesting waivers from paving and sidewalks and that is part of the application.

David said will the power be underground? Mr. Keniston said I am not sure.

David L. motioned to table the application until the items discussed can be added to the plan for further Planning Board review. Dec 2nd.
4 Approve / 0 Oppose

Wildwood Estates/Hill Top Land Development & Gen. Cont. Inc.
Swamp Road and Wildwood Road; Map 9 Lot 16
6 Lot Subdivision
Represented by Ronald I. Keniston

Ms. Fleck said I have just received a letter of concern from Jeffrey Cohen, Sanctuary Cove LLC (copy attached).

Mr. Keniston said we received a request from Wildwood owners to change the name of the subdivision, therefore, we have changed it to Sandy Creek Estates.

Mr. Keniston said this parcel is 8.7 acres and we are proposing six lots. They will all front either on Wildwood Road or Swamp Road. We did get a note from Jim Kidder, Public Works Director, that each lot will have to have a culvert and we have no problem with that request.

Mr. Keniston said the letter from Mr. Cohen is requesting a setback from the street. We are going to work on a 100' setback from the street. Steve said I believe Mr. Cohen's request for a 25' setback is a side setback of your access into lot 6, along the property line.

Steve said where are you proposing the road? Mr. Keniston said our road is going to be just a driveway to get to a rear lot.

Mr. Holme said is there phosphorous for this subdivision as well? Mr. Keniston said yes. Mr. Holme said with buffers? Mr. Keniston said yes. Steve said with wet ponds. Mr. Keniston reviewed his phosphorous study with the Board including the required buffers. Steve said I thought the biggest buffer you were allowed was 250'. Mr. Keniston said you can interpellate if you can get more and that is what we did. Mr. Holme said what do you mean, interpellate? Mr. Keniston said they run it in 200' to 250'. Mr. Holme said in the manual after 250' you need to rechannelize. Mr. Keniston said I believe you can

still interpellate to 300. Mr. Holme said I don't think that is what it says in the manual. It would be beneficial to have the buffers shown on the plan so you could compare the calculations. Steve said the rain gardens and wet ponds should be shown on the plan.

Mr. Holme said are the rain gardens proposed to treat the runoff from the house? Mr. Keniston said yes. Mr. Holme said will they be constructed as part of the subdivision? Mr. Keniston said that would be done by the homeowner. Dee said that needs to be defined.

Justin Gibbons, owner/developer, said is it a requirement for every building lot in the town to have rain gardens? Steve said it depends upon the calculations from the design manual.

Glen Zaidman, Citizen, said instead of rain gardens why can't you use a french drain? Mr. Keniston said rain gardens are a recommendation from DEP? Mr. Zaidman said is it mandated? Mr. Keniston said no but french drains are more expensive and require another review from DEP. Mr. Zaidman said to put in a perimeter drain you need a permit from DEP? Mr. Keniston said yes, because it is infiltration into the soils.

Eric Bloomberg, Camp Kingswood, said a 100' setback would be more beneficial because directly across the road is the kids camp. In the summer there are 200 kids and 50 counselors and it is noisy. With no real close abutters it has never been a problem but now I am concerned that there are going to be complaints from these new owners about the noise. Dee said there is nothing in the subdivision regulations regarding noise, therefore, it might be a good idea to advise buyers. Mr. Zaidman said Camp Wildwood receives complaints all day and into the night from neighbors regarding noise generated by the camp and police are dispatched whenever a complaint is made. Mr. Bloomberg said esthetically it would be better to have four lots access off Wildwood Road and two lots access off Swamp Road.

Mr. Gibbons said we will definitely inform buyers of the existing camp, we will work with the 100' buffer and have four lots access off Wildwood Road and two lots access off the Swamp Road.

Dee said also in the e-mail from Mr. Cohen it is requesting landscaping. Mr. Gibbons said we have done several projects and the Board is more than welcome to view those. Gordon said I concur with Mr. Gibbons, I have seen many of his projects and they are tastefully done. Dee said does Mr. Gibbons do the landscaping? Gordon said you are going to build on the lots? Mr. Gibbons said yes. Gordon said you are going to do the landscaping? Mr. Gibbons said yes.

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Steve said I am concerned that the proposed buffers are nominally bigger than the lots and then each lot had a rain garden associated with it as part of its mitigation. Again, I think these need to be defined on the formal plan.

Dee motioned to table the application until the items discussed can be added to the plan for further Planning Board review. Gordon 2nd.
4 Approve / 0 Oppose

Mr. Gibbons said is that the same thing I suggested with the 100' or is it different? Steve said I gather Mr. Cohen is talking about 25' from any property line, a minimum setback. Mr. Zaidman said I think he is talking about 25' from the road because people will have to pass by Mr. Gibbons' development to get to his. He wants it landscaped from the road 25' in.

Dee said I would like to see something regarding his plans for landscaping. Mr. Gibbons said does the Town have a standard on how a lot needs to be completed? Dee said no, it just requires a landscape plan as part of the application.

Serenity Place/Glennco Property LLC
North Road; Map 8 Lot 23
6 Lot Subdivision
Preliminary Discussion
Represented by Craig Higgins, Development Services, Inc.

Mr. Higgins said I am following up with the second phase of a subdivision you approved last month. We are proposing to create six lots on 16.5 acres which is a portion of parcel "A". The average lot size would be one unit per 2.75 acres, we have a conceptual plan showing where the contours are and depicted on the plan the proposed phosphorous buffers. The greatest impact of this project will be extending the road to town specifications. We believe they start our previous phosphorous calculations for the first phase that we have 8lbs of allocation for the overall project which will clearly provide us with a capability of widening this road to town standards and without the need of creating any retention ponds, rain gardens or dry swales. We are proposing a 150' buffer from the back of lots A-1 through A-4 which is down gradient of the properties and buffers on lots A-5 and A-6 along the road frontage 50' in size. Carissa Drive, which was created for Deer Run, will continue but will not be improved, it is pre-existing.

Mr. Baker said the name Old North Road shown on your plan should be changed to North Road.

David L. said how wide is the right of way? Mr. Higgins said 50' wide. David L. said do you intend to make the road 18'? Mr. Higgins said yes. We are also going to work with the owner of Deer Run Subdivision, who got a waiver from the Board for paving, so the road is paved in its entirety right to the hammerhead. We would like to Board to consider granting a waiver from the paving so as lots are sold there will be cash flow to pave the road.

Dee said will these lots be part of a road association? Mr. Higgins said yes, as well as the people of the previous 40 acre lots.

Mr. Higgins said these lots that are being created will have a prohibition on further division because otherwise it will compromise the integrity of the phosphorous analysis.

Jamie Tebou
Off Wildwood Road; Map 9 Lot 2
6 Lot Subdivision
Preliminary Discussion
Represented by Jamie Tebou

Mr. Tebou said I am proposing a 6 lot subdivision at the end of Wildwood Road. It will be a hammerhead construction. The lot owners will have a common interest in the remainder 69 acres. The intent is open space that will be deeded to each lot to remain open space, never to built upon. The size lots will consist of roughly 1.5 acres to 1.6 acres with a minimum 100' frontage.

Steve said what is your intention in respect to the road? Mr. Tebou said the road will be held in common with the open space and will never be a burden to the Town and will be noted as such in the deed.

David L. said is the road existing? Mr. Tebou said no.

Mr. Zaidman said Wildwood Road ends at the brook, from there it is owned by Camp Wildwood almost to his land with two landowners in between. The road that he will use to access is a right of way over Wildwood Road. At this time we are in discussion because there is no right of way. Steve said so currently it is landlocked? Mr. Zaidman said I don't know.

Mr. Tebou said will the right of way have to be 50'? Steve said I believe so. Mr. Zaidman said if he is going to cross our land why do we have to widen our right of way? Steve said that is between the two negotiating parties, we are not in a position to negotiate with you. Mr. Zaidman said if we don't allow him a 50' right of way, his project is denied? David said is there more than one owner to that right of way? Mr. Zaidman said the land goes from Camp Wildwood to the Old

Howard lot. The six camp owners at the end of the pond opened the back of the right of way up to 50', Camp Wildwood's right of way was given in early 1900's where the surface has not changed and I don't believe we want to open that up. Would the Board consider waiving the 50' criteria? Steve said I believe we can waive the right of way based on the situation.

Harrison Marina/David Randall
Route 117/Brickyard Hill Road; Map 19 Lot 43
Showroom, repair facility & parking
Represented by Tom Dubois, Main-Land Dev. Consultants

Mr. Dubois said we are proposing just the showroom on the lot located on Route 117. The proposed building is going to be 4,600 square feet for a garage, repair, showroom area and offices. Parking associated with that consists of 8 spaces for vehicle and trailer on one side of the building, and a number of spaces around the side and front along with a couple of handicap in the front of the building. The entire impervious foot print, including the driveway in to the site, is 19,600. Based on comments received at previous meetings we have done some additional landscaping.

Steve said I don't see any phosphorous calculations. Mr. Dubois said your Site Plan Review Ordinance deals with stormwater control and phosphorous control but does not get specific in relation to numbers. This project is no longer going to the State so we basically addressed what is in your ordinance which is controlling a 10 year storm event. We have sized the grass filter strip to correct and contain the entire 10 year storm off the imperious area of the site. We have graded the site so basically the entire impervious area drains through the proposed grass filter strip, filtered out through perforated pipes to the existing swale area.

David L. said how close is this to the lake? Mr. Dubois said greater than 400'.

David L. said they are not going to do anything at all with the other strip of land? Mr. Dubois said the application we have before you does not contain anything in regard to the other land owned by my client. David L. said they are not going to tie this into that? Mr. Dubois said no.

Mr. Baker said is the septic still designed for 960gallons or is that going to change? Mr. Dubois said we have kept that design for 960 gallons only because if the building needed an expansion we didn't want to have to deal with that at a later date.

Mr. Holme said on the previous application there was a sediment four bay? Mr. Dubois said that is still planned, it is a very flat ditch that runs into the site so our four bay is the ditch that runs into the grass filter strip itself, a 1% flat ditch going in.

Mr. Holme said has there been a stormwater permit issued, permit by rule? Mr. Dubois said we filed about a week ago for a permit by rule for the clearing of the land but we have not received any correspondence back from DEP yet. Mr. Baker said I received a copy of the approval just today.

Dee said are the boats waiting for repair limited to the number of parking spaces? Mr. Dubois said to some degree. Dee said what about a limit on size? Mr. Dubois said no there isn't one. Dee said what about noise, odor and ventilation? Mr. Dubois said the facility will be dealing with boat repair and not so much with finishing or lacquers.

Dee said how far is the 6' wooded fence from Brickyard Hill Road? Mr. Dubois said from the edge of the pavement on Brickyard Hill Road it is approximately 40-45'. It berms up about 6' from the low spot in the road, you have a grass berm and then the fence. Dee said what type of fence is being proposed? Mr. Dubois said a solid wooden fence. Dee said like a stockade? Mr. Dubois said yes. Dee said are there provisions for maintaining the fence? Mr. Dubois said in any business maintaining a site that is esthetic is important. Dee said I understand that but there should be a maintenance plan.

Dee said are you going to do any landscaping on the other side of the fence facing Brickyard Hill Road? Mr. Dubois said no. We don't want to get into planting anything on the berm that might be deep rooted that could potentially harm or allow water to penetrate during storm events.

Gordon said we should set this for a Public Hearing. The Board concurred.

Gordon motioned to schedule a Public Hearing for April 10, 2007 at 7:00p.m. Dee 2nd. 4 Approve / 0 Oppose

Camp Micah
Peabody Pond Road/Moose Cove Lodge Road; Map 1 Lot 1
Expansion of Youth Camp
Represented by Tom Dubois, Main-Land Dev. Consultants

Steve said because this is partially in Bridgton and partially in Sebago, we have set a tentative date for a joint meeting in Sebago for March 20, 2007. Mr. Dubois said that is the first I have heard of

this. We are scheduled to meet with Sebago Planning Board on March 13, 2007. We have one building planned for Bridgton. We are planning a new councilor in training cabin for the boys side for the Bridgton side and a councilor in training for the girls, two new staff housing buildings, two rec buildings and the septic system in Sebago.

Dee said we are only reviewing the single building proposed for Bridgton? Mr. Baker said at the joint meeting you can have input on the whole project in general.

Dee said what is the size of the building? Mr. Dubois said 24x60.

Dee motioned to hold a joint meeting with Sebago on March 20, 2007.
David L. 2nd. 4 Approve / 0 Oppose

**Approved Applications as per Bridgton Site Plan Review Ordinance 4.A.1
- None**

Ms. Fleck said there is an application which I just received all the impact statements on.

**Kargos/Tammie Scott
187 Main Street; Map 23 Lot 122
Commercial and Residential**

This business was originally in the building that Renys just razed. They have moved to the building adjacent to Corn Shop Trading and is expected to open this month.

Topics for Discussion

A. Appeal

Randall Marina/David Randall

Ms. Fleck said I have given you a copy of Mr. Randall's request to withdraw his appeal from the Zoning Board of Appeals.

Connie Scott and Snapdragon

Ms. Fleck said Ms. Scott has filed an appeal with Superior Court. She has 40 days from the date of receipt to file a brief, the Town will have 30 days to respond to her brief and then she has 14 days to respond the Town's brief.

B. Sample Board By-Laws and Conduct of Public Hearings

Steve said I would like the Board to review these samples and consider reviewing them at a workshop meeting so we can determine if we need to make any changes.

C. Ordinances

Mooring and Harbor Master Ordinance - DRAFT for Planning Board review

Ms. Fleck said Mitchell Berkowitz, Town Manager, gave me this Draft Ordinance to pass on to the Planning Board for you to review and either endorse or not endorse and make your recommendation back to the Board of Selectmen.

Mr. Zaidman said I read in the paper that the mooring ordinance was going to be 150' and it was my impression by State rules it could only be at 200'. Steve said we will address specific questions at a Public Hearing.

Gordon motioned to hold a Public hearing on the proposed Harbor Master and Mooring Ordinance on April 10, 2007. David L. 2nd.

Gordon said how was this committee selected or appointed by the Board of Selectmen? Mr. Bob Macdonald said I personally made the request to the Board of Selectmen to have a mooring ordinance with a harbor master. I got on the Board along with Bob Bell and others.

I was also going to suggest, and I mentioned it Ms. Fleck, I think when you discuss the Shoreland Zoning Ordinance on the 10th for example, that you can discuss and make changes as they come up to the whole Ordinance. I would hate to think that you have a Public Hearing on the Shoreland Zoning and someone came up with another issue that is valid but it needs another Public Hearing and by the time you scheduled another Hearing it is too late to get it on the June warrant. My suggestion is for the Shoreland Zoning Ordinance, Mooring Ordinance and Site Plan Review Ordinance, etc., that your Public Hearings are generic.

Steve called the motion to a vote. 4 Approve / 0 Oppose

Ms. Fleck said Mr. MacDonald did come in and talk with me about "blanket ordinance changes" and what I told him was when the Board considers changes to Ordinances you hold a workshop, a draft ordinance is created and prepared for the public to review prior to the Public Hearing and that draft ordinance is what is before the Planning Board to consider. The Board has made minor changes but any substantive changes have always been discussed, a new draft created and an additional Public Hearing is held. The Board has never done blanket changes at a Public Hearing. I told Mr. Macdonald he could discuss this issue further with the Board.

Mr. Macdonald said I don't want to get caught where we wish we had time to do something and it doesn't get done because of a technicality

that that is how it has always been done. My suggestion is on the 10th I would have your Public Hearing on Shoreland Zoning, Harbor and Mooring Ordinance, Site Plan Review Ordinance and anything that anyone comes up with that they feel is important should be able to be changed at that time. I would suggest that you get Mr. Spencer involved on your procedure.

Shoreland Zoning Ordinance - Discussion of exemption of Marinas

Mr. Macdonald said I have the following recommended changes to the Shoreland Zoning Ordinance.

Section 14. Table of Land Uses

Campgrounds - Change LR to no.

Glen Zaidman said how is that going to impact the existing campgrounds? Mr. Macdonald said they are exempt. Mr. Zaidman said Camp Wildwood is in the LR zone. Maybe the Planning Board should consider taking children's camps out of the LR zone because we are commercial. Mr. Baker said DEP would never approve that. Also, I agree with Mr. Zaidman, for instance if they wanted to expand a ballfield at the camp, I don't know if that were changed to no, if they could do any expansion of existing services. Mr. Macdonald said there shouldn't be a problem with that. Mr. Zaidman said what should not have been a problem on Moose Pond ended up in Superior Court.

Marina - Change SP to no and LR to no.

Section 15F.j.

Remove "or sale except storage on same property as use occurs and except for storage and sales associated with marinas".

Mr. Zaidman said at Camp Wildwood when we run our ski boat and we put gas in it we are selling it to the kids indirectly, if you are saying that we can't sell petroleum products on the lake then I can't put gas in those ski boats for the kids. Mr. Macdonald said that is not what it says. Mr. Zaidman said yes it is. You are changing these Ordinances and saying that I am grandfathered but I am not sure that I would be on some uses.

Dee said we should define summer camps to prevent any problems.

Section 17. Definitions

Functionally water-dependent uses
Remove marinas

Site Plan Review Ordinance

Mr. Macdonald said how does the Site Plan Review Ordinance define abutter? Ms. Fleck said in the Subdivision Regulations abutters are considered those within a 500' radius of the subject property line. Any Ordinance lacking a clear definition of abutter such as The Site Plan Review Ordinance are considered properties directly touching the subject property line unless there is a stream involved where the properties on both side of the stream touch in the middle therefore the property on the opposite side of the stream is considered an abutter. There is an amendment proposed at the upcoming Town Meeting to increase the abutter notification in the Site Plan Review Ordinance to a 100' radius.

Mr. Macdonald said why didn't the Board just accept the same criteria as the Subdivision Regulations? Ms. Fleck said the Board held workshops and decided that for in-town proposals for the applicant to notify abutters within a 500' radius would be a huge burden for the applicant. Granted the burden is on the applicant but the Board was sensitive to not wanting to impose that kind of hardship or burden on the applicant. Mr. Macdonald said unfortunately if you come under the Site Plan Review Ordinance you are going to have to make the argument of aggrieved party. Ms. Fleck said the Appeals section from each Ordinance is also up for amendment at the Town Meeting in June.

Dee motioned to make the changes to the Shoreland Zoning Ordinance as recommended by Mr. Macdonald and set a Public Hearing for April 10, 2007. Gordon 2nd. 4 Approve / 0 Oppose

Site Plan Review Ordinance

Mr. Macdonald said dimensional requirements mentions commerce but not commercial until section B.1 where a 2' setback is required for a specific area. Are those setbacks fine? Mr. Baker said yes, as long as it doesn't involve commercial.

Mr. Macdonald said do you want to address the abutter issue? Dee said why can't we establish a radius? Gordon said we have. Ms. Fleck said you have established a 100' radius in the Site Plan Review to be considered at the Town Meeting in June. Dee said does it cover aggrieved party? Mr. Macdonald said aggrieved party is more of a legal term that I am not concerned with.

Gordon motioned to adjourn the meeting at 10:50p.m. David L. 2nd.
4 Approve / 0 Oppose

Respectfully submitted,

Georgiann M. Fleck
Municipal Secretary