

**BRIDGTON PLANNING BOARD
SPECIAL MEETING**

Board of Selectmen's Meeting Room

**June 19, 2007
7:00p.m.**

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

Steve appointed David L., alternate, to act in the capacity of absent regular member, Fred Packard.

OLD BUSINESS

**Christian and Jessica Glendinning
2 Chase Street; Map 23 Lot 63
Residence/Skateboard and Snowboard Retail Shop
Review and Accept Findings of Fact**

The Board read for the record the Findings of Fact and Conclusions of Law.

Gordon motioned 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 no more than two signs not to exceed 2'x4' each. Plan approval is conditioned upon compliance by the applicant with the Plans and specifications 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 and authorizes Steve to sign the formal findings on behalf of the Planning Board.
David L. 2nd. 5 Approve / 0 Oppose

**Orchard Creek Estates/Joseph and Arlene Gallinari
South Bridgton Road; Map 2 Lot 2
~~10~~ 8 Lot Subdivision
Represented by Ronald Keniston**

Steve said this was tabled at the last meeting due to inconsistencies in the phosphorous. Mr. Keniston said Peter Lowell, Lakes Environmental Association (LEA), assisted in review of our phosphorous study for this project and has submitted a letter (copy attached). As a result of that review, we have decided to decrease the subdivision from 10 lots to 8 lots. DEP has an option that allows you to buy points to cover what you are over in phosphorous at \$10,000.00 per pound. We are going to

purchase a small amount, around \$2,800.00, which is about a .28 pound. We have to put in an application to DEP stating that we want to pay this amount and that way it will be applied to whatever problems might be on Ingalls Pond.

Gordon said who is the money paid to? Mr. Keniston said DEP and they work with LEA to take care of any erosion control problems that might be on Ingalls Pond which is the watershed this project will impact.

Alan Burnell, Site Evaluator, said this is a relatively new program which was implemented a couple of years ago by DEP to use for projects where it would be more detrimental to disturb the ground rather than contribute financially.

David D. said does the money have a specific use and it is a guarantee? Mr. Keniston said yes it is definitely specific for the watershed you are impacting.

David D. said do they have a particular plan on where and how to dedicate the monies that you are going to pay? Mr. Keniston said I am not sure.

David D. said you opted to pay but you could fix this project if necessary? Mr. Keniston said yes but it would be more expensive.

Steve said on the plan, note #8, regarding the buffers, who is going to do the inspection and who are they going to report the results to? I would suggest that the inspection be connected to the road association's annual meeting and it would be reported to the Code Enforcement Officer annually. Mr. Keniston said yes we can do that.

The Board reviewed the criteria for Subdivisions to establish the Findings of Fact and Conclusion 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 Board concurred that this section has been met.

2. Sufficient Water.

The Board concurred that this section has been met.

3. Municipal Water Supply.

The Board concurred that this section is non-applicable.

4. Erosion.

The Board concurred that this section has been met.

5. Traffic.

The Board concurred that this section has been met.

6. Sewage Disposal.

The Board concurred that this section has been met.

7. Municipal Solid Waste Disposal.

The Board concurred that this section has been met.

8. Aesthetic, Cultural and Natural Values.

The Board concurred that this section has been met.

9. Conformity with Local Ordinances and Plans.

The Board concurred that this section has been met.

10. Financial and Technical Capacity.

The Board concurred that this section has been met.

11. Surface Waters.

The Board concurred that this section has been met.

12. Ground Water.

The Board concurred that this section has been met.

13. Flood Areas.

The Board concurred that this section is non-applicable.

14. Freshwater Wetlands.

The Board concurred that this section has been met.

15. River, Stream or Brook.

The Board concurred that this section has been met.

16. Storm Water.

The Board concurred that this section has been met.

17. Spaghetti-lots Prohibited.

The Board concurred that this section is non-applicable.

18. Lake Phosphorus Concentration.

The Board concurred that this section has been met.

19. Impact on Adjoining Municipality.

The Board concurred that this section is non-applicable.

As sited in the Town of Bridgton Subdivision Regulations; Article X Design Standards, the subdivision meets or exceeds the following;

1. Lot size and dimensions.

The Board concurred that this section has been met.

2. Monuments.

The Board concurred that this section has been met.

3. Street Signs/Fire Lane Signs

The Board concurred that this section has been met.

4. Streets.

The Board concurred that this section has been met.

5. Sidewalks

The Board concurred that this section has been met.

6. Water Supply

The Board concurred that this section has been met.

7. Fire Protection

The Board concurred that this section has been met.

8. Sewage Disposal

The Board concurred that this section has been met.

Christopher motioned to tentatively approve the project as presented and submitted but withhold final judgment pending review of the Findings of Fact and Conclusions of Law. The tentative approval is conditional upon addition to note #8 on the plan concerning reporting annual inspection and report from the DEP regarding the excess phosphorous purchase.

David D. 2nd. 5 Approve / 0 Oppose

Hidden Brook Acres/Vincent Roth

Monk Road; Map 19 Lot 16C

9 Lot Subdivision

Represented by Delmore Maxfield, Maine Survey Consultants

Steve said this was tabled at the last meeting due to inconsistencies in the phosphorous study. Alan Burnell was present representing Mr. Roth. Mr. Burnell said as a result of the errors, we have submitted a corrected report. To control the phosphorous we have increased buffering and we are going to build a detention pond which will be sited on lot #5. The detention pond will also treat runoff from half of the Monk Road, about 900+- feet and 150' of Harvest Lane. The detention pond will be approximately 5' deep, 20' wide and 70' long. We talked with CMP about the driveway on lot #9 and they were not very receptive to putting a driveway across their right of way, however, we could cross at an angle. With a standard 8-10' driveway we will impact less than 4,300sf of the wetland which would still require a permit by rule from DEP. On your road plan and profile the topography of the road splits and water will divert through different portions for control of water runoff. This includes a level lip spreader to take channelized water and turn it to sheet flow.

Steve said in your phosphorous report, worksheet A2, states .22 lbs per 100'. You also show an 18' traveled right of way to two 3' shoulders which give us the conventional 24' x the .008 which gives us .192 lbs per 100'. Are you charging yourself for one ditch or two? Mr. Burnell said two. Steve said isn't that another .008? Mr. Burnell said yes. Steve said I believe that gives us .27 lbs per 100' not .22. Mr. Burnell said you are correct.

Steve said you have calculated the road at 0 + 50 to 2 + 00. Why do you drop the first 50'? Mr. Burnell said the road profile starts at the centerline.

Steve said the Monk Road is preexisting, therefore, why do you have to treat any of it? Mr. Burnell said because we get credit for it and we

need to treat the Monk Road and build the pond in order to make this project work.

Steve said isn't it detrimental to put the bio retention feature in the wetland? Mr. Burnell said we will have to account for the wetland impact.

Steve said you are showing 200 and 250' wide buffers to achieve your phosphorous numbers, where are the buffers? Mr. Burnell said they are shown on the plan. Steve said I would think that you would need the buffer parallel to the road. Mr. Burnell said that is only if you get sheet flow off the road. If you refer to the road profile you will notice that both sides of the road are ditched. The flow will come off the road and go into the ditch. After it becomes channellized you don't get any treatment for it until it runs through the level spreader and then through a buffer.

Steve said you are showing a buffer on all the building lots except #5 and on lot 1 you are utilizing the pond, is that the same pond we are dealing with for the Monk Road? Mr. Burnell said yes. Steve said so your calculations for the pond includes the 10 or 15,000 foot clearing from lot #1? Mr. Burnell said yes.

Steve said on lots 2 and 3 you are claiming two buffer numbers, .65 and .29 and then under your buffer you show a 50' buffer and then a 220' buffer. What is the 220'? Mr. Burnell said everything in lot 2 will end up in the road ditch flowing to the level spreader.

Steve said the buffers on lot 4 and lot 8 seem to be mixed in with the wetlands as defined and most of that buffer is wetland. Mr. Burnell said that is correct it does not say that you can't use buffers in a wetland. This is a kernel soil which is a hydrogeologic class C and is a somewhat poorly drained soil with a wetland component.

Rob Baker, Code Enforcement Officer, said can you explain the difference between class C and class D? Mr. Burnell said the reference to 3d is for subsurface wastewater disposal systems only and which indicates your water table. The reference for 3C is assigned by the soils conservation service which is what we have mostly in this area which is a glacial till where you have a mix of sandy loam and sand and is classified for its infiltration qualities.

Rob said on lot #4 you show a 50' right of way, what is it for? Mr. Burnell said the right of way is to provide access to an abutter.

Ron Smith, abutter, said where is the driveway going? Mr. Burnell said it is almost right across from your second driveway.

Mr. Burnell said note #9 on the plan has been revised to address Mr. Kidder's comments regarding its classification of a non-conforming road.

Steve said we have a detention feature that demands periodic inspection and I would propose that you revise note #20 on the plan to link it with the annual meeting of the road association which should also be reported to the Code Enforcement Officer.

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

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The Board concurred that this section has been met.

7. Fire Protection

The Board concurred that this section has been met.

8. Sewage Disposal

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David D. motioned to tentatively approve the project as presented and submitted but withhold final judgment pending review of the Findings of Fact and Conclusions of Law. The tentative approval is conditional upon addition to note #20 on the plan concerning reporting annual inspection and report to DEP. Gordon 2nd. 5 Approve / 0 Oppose

Gordon motioned to adjourn the meeting at 8:15p.m. Christopher 2nd.
5 Approve / 0 Oppose

Respectfully submitted,

Georgiann M. Fleck, Secretary
Bridgton Planning Board