

**BRIDGTON PLANNING BOARD  
MEETING**

Board of Selectmen's Meeting Room

October 2, 2007  
7:00p.m.

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

Fred appointed David Lee, Alternate, to act in the capacity of absent regular member, Steve Collins.

**Approval of Minutes - September 4, 2007**

**David D. moved** to approve the minutes as presented. Gordon 2<sup>nd</sup>  
5 Approve / 0 Oppose

**Old Business**

**Arthur O'Keeffe**

**80 Wildhaven Road; Map 17 Lot 27A-5**

**Lot Split**

**Review and Accept Findings of Fact and Conclusions of Law**

**Sign Mylar**

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

**Christopher 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 to the Board in the course of its deliberations. Gordon 2<sup>nd</sup>.  
5 Approve / 0 Oppose

The Board signed the mylar.

**New Business**

**Gordon** said I have a **concern** that I would like to discuss at this time with the Board because it has to do with the projects coming up under new business. Approximately three meetings ago I was not in attendance and this Board voted to make the **Town Manager part of the**

**departmental review process with impact statements.** Had I been in attendance I would have probably agreed with the Board's decision because I think it is important to keep the Town Manager informed. However, as a result I do have a problem with the impact statements we are getting from Mr. Berkowitz, Town Manager. If you compare the impact statements we are getting from Mr. Berkowitz to the Department Heads, we are being told what specifications to ask for, what questions to ask and if something should be approved or not. I have a problem with the Town Manager telling this Board what to ask for questions and what to demand for specifications. I did call Mr. Berkowitz this afternoon to discuss my concerns and I also told him I would discuss it with the Board this evening.

David L. said I have had the same problem in the past with the Board of Selectmen telling us what to do. We are on equal footing.

Rob Baker, Code Enforcement Officer, said I don't recall the Board voting on the issue. Georgiann Fleck, Secretary, said I gave the Board a memorandum informing you that the Town Manager was going to become involved in reviewing applications to offer comments and suggestions. At that same meeting Fred stated that the Town Manager was not a Department Head. As a suggestion I would like to offer that we remove Mr. Berkowitz from the Department Impact Statement because technically he is not a Department Head under our personnel policy, therefore, if he wants to submit comments or suggestions it could be in a memo form to you, the Board, only.

Dee said I think that what Ms. Fleck has offered is a viable solution. Mr. Berkowitz's suggestions are already in the form of a memo.

David D. said I would like to have Mr. Berkowitz's input. I don't know if he needs to give us specifics but an overview might be better.

Christopher said I agree with what Gordon said. I have no problem at all with memo format but I don't think it needs to be in the form of an impact statement.

Mr. Baker said the only Ordinance that requires impact statements are the Site Plan Review Ordinance under Department Review. I think it is a good thing to have impact statements, however, the Board may want to amend the Ordinances to include impact statements.

The census of the Board was to remove Mitchell Berkowitz, Town Manager, from the Impact Statement and have him submit his comments and suggestions to the Board in memorandum form.

**Paris Farmers Union**  
**Portland Road/13 Sandy Creek Road; Map 9 Lot 76**  
**Additional Fencing**

Fred Rolfe representing Paris Farmers Union said when the application was originally submitted the fence was inadvertently omitted. Obviously we have to have a fence around the facility for security purposes. We are proposing to install 622' of 6' chain link fence which will be in an area invisible to the public, through the tree line in the rear of the building and a little on the left side of the property as you face the building from Route 117. We are also going to install 522' of 4' high chain link fence that will go across the front of the building up the Route 302 side and in between our facility and the Morning Dew. We would like to also install a 43' wide entrance gate for public entrance and a 4' walkthrough gate to allow access from and to the adjacent property.

Fred said are there any specifications that the State has along Route 302 for the type of fencing that can be used? Mr. Rolfe said no.

Mr. Rolfe said we did a temporary fence and took some photos so you could get an idea of what it might look like.

Dee said why are you planning on fencing in the whole site? Mr. Rolfe said for security reasons. Dee said will it be locked at night? Mr. Rolfe said yes.

Dee said are you planning on additional landscaping? Mr. Rolfe said yes, seasonal low growth plantings.

Gordon said will you incorporate safety features on the fence? Mr. Rolfe said yes.

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

1. Preserve and Enhance the Landscape.

The Board concurred that this section has been met.

2. Relationship to surroundings.

The Board concurred that this section has been met.

3. Vehicular Access.

4. Parking and Circulation.

5. Surface Water Drainage.

6. Existing Utilities.

7. Advertising Features

The Board concurred that because this is a revision to a previously approved application items 3-7 do not apply

to this application.

8. Special Features of the Development.

The Board concurred that this section has been met.

9. Exterior Lighting.
10. Emergency Vehicle Access.
11. Municipal Services.
12. Protection Against Water Pollution
13. Protection against undue air pollution.
14. Water Use.
15. Protection against unreasonable soils erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.
16. Provision for adequate sewage waste disposal.
17. Protection against any undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas.
18. Protection of waters and shoreland.
19. Limit of Noise Levels.
20. Conformance with Comprehensive Plan for the Town.
21. Location in Flood Zone.
22. Proof that the applicant has adequate financial and technical capacity to meet the above standards.

The Board concurred that because this is a revision to a previously approved application items 9-22 do not apply to this application.

**Christopher 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. Gordon 2<sup>nd</sup>. 5 Approve / 0 Oppose

**Tuomi Electric/Charles Tuomi**  
**22 Main Street; Map 22 Lot 43A**  
**Addition; 2 Bay Garage**  
**Represented by Charles Tuomi**

Mr. Tuomi said I am proposing to build a 32x30 garage. Currently I am operating my business out of the basement of this building and need to expand. There will be space above the proposed garage which I will use as my office and the garage will be used for storage.

Fred said will this addition be to the rear of the building? Mr. Tuomi said yes.

Dee said is the garage going to match the existing building? Mr. Tuomi said yes.

Gordon said will there be additional living space? Mr. Tuomi said no. Mr. Baker said because there are potential issues with septic I plan on putting on the building permit "no living quarters".

Dee said are you going to have bathroom facilities in the garage? Mr. Tuomi said yes, bathroom and kitchenette.

Fred said will there be any advertising signs placed on the garage? Mr. Tuomi said yes.

David D. said what will the bathroom consist of? Mr. Tuomi said it will include a shower and tub.

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

1. Preserve and Enhance the Landscape.  
The Board concurred that this section has been met.
2. Relationship to surroundings.  
The Board concurred that this section has been met.
3. Vehicular Access.  
The Board concurred that this section has been met.
4. Parking and Circulation.  
The Board concurred that this section is non-applicable.
5. Surface Water Drainage.  
The Board concurred that this section has been met.
6. Existing Utilities.  
The Board concurred that this section has been met.
7. Advertising Features  
The Board concurred that this section has been met.
8. Special Features of the Development.  
The Board concurred that this section has been met.
9. Exterior Lighting.  
The Board concurred that this section has been met.
10. Emergency Vehicle Access.  
The Board concurred that this section has been met.
11. Municipal Services.  
The Board concurred that this section has been met.
12. Protection Against Water Pollution.  
The Board concurred that this section is non-applicable.
13. Protection against undue air pollution.  
The Board concurred that this section has been met.
14. Water Use.  
The Board concurred that this section has been met.

15. Protection against unreasonable soils 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.
16. Provision for adequate sewage waste disposal.  
The Board concurred that this section has been met.
17. 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.
18. Protection of waters and shoreland.  
The Board concurred that this section is non-applicable.
19. Limit of Noise Levels.  
The Board concurred that this section has been met.
20. Conformance with Comprehensive Plan for the Town.  
The Board concurred that this section has been met.
21. Location in Flood Zone.  
The Board concurred that this section has been met.
22. Proof that the applicant has adequate financial and technical capacity to meet the above standards.  
The Board concurred that this section has been met.

**Christopher 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. David D. 2<sup>nd</sup>. 5 Approve / 0 Oppose

**Brook Hollow/G. Fred Packard, et/al.  
Beaver Creek Farm Road; Map 5 Lot 96F  
Lot Line Revision  
Represented by Ronald I. Keniston**

Fred and Gordon recused themselves because of direct pecuniary interest.

Fred appointed Dee Miller, Alternate, to act in the capacity of a regular member.

Christopher was appointed to act as chair for this portion of the meeting.

Mr. Keniston said when we originally submitted the application we showed a property line on the plan which has since been changed in order to clarify the location of the lot line according to deeds with property owned by Packard et/al and Mr. Ebinger, the abutter. We have made arrangements with Mr. Ebinger and Mr. Packard, et/al to revise the property line on lot 9 and lot 14 which also changes the lot sizes on

both lots. Each abutter has filed with the Cumberland County Registry of Deeds corrective deeds.

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 is non-applicable to this application.
2. Sufficient Water.  
The Board concurred that this section is non-applicable to this application.
3. Municipal Water Supply.  
The Board concurred that this section is non-applicable to this application.
4. Erosion.  
The Board concurred that this section is non-applicable to this application.
5. Traffic.  
The Board concurred that this section is non-applicable to this application.
6. Sewage Disposal.  
The Board concurred that this section is non-applicable to this application.
7. Municipal Solid Waste Disposal.  
The Board concurred that this section is non-applicable to this application.
8. Aesthetic, Cultural and Natural Values.  
The Board concurred that this section is non-applicable to this application.
9. Conformity with Local Ordinances and Plans.  
The Board concurred that this section is non-applicable to this application.
10. Financial and Technical Capacity.  
The Board concurred that this section is non-applicable to this application.
11. Surface Waters.  
The Board concurred that this section is non applicable to this application.

12. Ground Water.  
The Board concurred that this section is non-applicable to this application.
13. Flood Areas.  
The Board concurred that this section is non-applicable to this application.
14. Freshwater Wetlands.  
The Board concurred that this section is non applicable to this application.
15. River, Stream or Brook.  
The Board concurred that this section is non applicable to this application.
16. Storm Water.  
The Board concurred that this section is non-applicable to this application.
17. Spaghetti-lots Prohibited.  
The Board concurred that this section is non-applicable to this application.
18. Lake Phosphorus Concentration.  
The Board concurred that this section is non-applicable to this application.
19. Impact on Adjoining Municipality.  
The Board concurred that this section is non-applicable to this application.

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 is non-applicable to this application.
2. Monuments.  
The Board concurred that this section is non-applicable to this application.
3. Street Signs/Fire Lane Signs  
The Board concurred that this section is non-applicable to this application.
4. Streets.  
The Board concurred that this section is non-applicable to this application.
5. Sidewalks  
The Board concurred that this section is non-applicable to this application.
6. Water Supply  
The Board concurred that this section is non-applicable to this application.

7. Fire Protection

The Board concurred that this section is non-applicable to this application.

8. Sewage Disposal

The Board concurred that this section is non-applicable to this application.

9. Surface Drainage

The Board concurred that this section is non-applicable to this application.

**David D. moved** to tentatively approve the project as presented and submitted but withhold final judgment pending review of the Findings of Fact and Conclusion of Law. Dee 2<sup>nd</sup>. 4 Approve / 0 Oppose

Fred returned to his status of Chair for the remainder of the meeting.

**Everlast Roofing/Lee Eastman**

**24 J.R. Mains Drive (off South High St.); Map 9 Lot 45B and**

**Map 26 Lot 8A**

**Addition; 11,000sf**

**Represented by Lee Eastman**

Mr. Eastman said we are planning on adding on 11,000sf to our existing structure. This will give us the opportunity to incorporate new equipment/machines and add additional jobs. It will also enhance our shipping and receiving so the tractor trailer trucks can load and off-load under cover. We intend to remove the old slab which has been deteriorating over time along with an old building that survived the fire years ago. I have retained George Sawyer, Sawyer Engineering, to factor in a water retention area. The building will be a pole building constructed by Pioneer Pole Company out of Pennsylvania. They will assemble the building with the remaining construction such as excavation and electrical, etc. to be done by local contractors. I don't foresee an increase in the municipal services due to this addition. Noise will not be an issue and we recycle through the Transfer Station. The addition will be built to meld in with the existing building.

David D. said how much will this increase your production? Mr. Eastman said it will add approximately 8-10 jobs and a whole new profile which is a 3' wide screw-through panel. Hopefully with the addition of this new profile it will add about 3 million dollars to our actual cost in volume which we need in order to pay for the new equipment and machinery.

Fred said Mr. Sawyer will be working on the Stormwater Plan and elevation? Mr. Sawyer said the footprint is going to be basically the

same, however, we will put in some catch basins. I don't expect the erosion to be an issue.

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

1. Preserve and Enhance the Landscape.  
The Board concurred that this section has been met.
2. Relationship to surroundings.  
The Board concurred that this section has been met.
3. Vehicular Access.  
The Board concurred that this section has been met.
4. Parking and Circulation.  
The Board concurred that this section has been met.
5. Surface Water Drainage.  
The Board concurred that this section has been met.
6. Existing Utilities.  
The Board concurred that this section has been met.
7. Advertising Features  
The Board concurred that this section has been met.
8. Special Features of the Development.  
The Board concurred that this section has been met.
9. Exterior Lighting.  
The Board concurred that this section has been met.
10. Emergency Vehicle Access.  
The Board concurred that this section has been met.
11. Municipal Services.  
The Board concurred that this section has been met.
12. Protection Against Water Pollution.  
The Board concurred that this section has been met.
13. Protection against undue air pollution.  
The Board concurred that this section has been met.
14. Water Use.  
The Board concurred that this section has been met.
15. Protection against unreasonable soils 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.
16. Provision for adequate sewage waste disposal.  
The Board concurred that this section has been met.
17. 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.
18. Protection of waters and shoreland.  
The Board concurred that this section is non-applicable.

19. Limit of Noise Levels.  
The Board concurred that this section has been met.
20. Conformance with Comprehensive Plan for the Town.  
The Board concurred that this section has been met.
21. Location in Flood Zone.  
The Board concurred that this section is non-applicable.
22. Proof that the applicant has adequate financial and technical capacity to meet the above standards.  
The Board concurred that this section has been met.

**Christopher 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. The tentative approval is conditional upon submittal of a stormwater plan to be prepared by George Sawyer, Sawyer Engineering. David D. 2<sup>nd</sup>. 5 Approve / 0 Oppose

**Barrington Estates/Ronald Edson, Susan Edson, Teresa Owens(Edson)**  
**630 Kansas Road; Map 6 Lot 37-1**  
**2 Lot Subdivision**  
**Represented by George Sawyer**

Mr. Sawyer said we are proposing to split a lot that was a part of a previously approved subdivision which was originally shown as Lot 1 on the Barrington Estates plan. This lot has frontage on the Kansas Road with an existing farmhouse, barn and field area. In their original application they did not put any restrictions on this lot or buffers because it was an existing lot. We are proposing to split the lot in two parcels. The parcel with the farmhouse will be approximately 2 acres and the other portion approximately 2.5 acres. In the original subdivision plan one of the issues was the phosphorous. They had originally allocated .58 pounds of phosphorous for this lot which had no buffers. We were able to use the .58 pounds per year and by adding buffers still meet the criteria. The stormwater does not show any significant increase. The lot will be served by its own driveway and will have its own well and septic.

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 has been met.
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 is non-applicable.
15. River, Stream or Brook.  
The Board concurred that this section is non-applicable.
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 has been met.

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.

9. Surface Drainage

The Board concurred that this section has been met.

**Christopher moved** to tentatively approve the project as presented and submitted but withhold final judgment pending review of the Findings of Fact and Conclusion of Law. Gordon 2<sup>nd</sup>. 5 Approve / 0 Oppose

**David D. moved** to hold a special meeting to review Findings of Fact and Conclusions of Law for the projects that receive tentative approval this evening. Gordon 2<sup>nd</sup>. 5 Approve / 0 Oppose

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

**Hayes True Value/Allen and Kerry Hayes**

**204 Portland Road; Map 10 Lot 15B-2 & Lot 15C and Map 9 Lot 66**

**Expansion; Parking Lot**

**Topics for Discussion**

**A. Reminder - October 9, 2007 Workshop/Meeting**

**B. Department of Environmental Protection - Revised Map for Significant Wildlife Habitat**

**C.** Dee said it might be beneficial in the near future to hold a workshop to discuss the possibility of an **accessory structure** being used as a **dwelling unit**. Fred said I think they can be now. Mr. Baker said yes, however, they need to meet the criteria of septic and lot size.

**Gordon moved** to adjourn the meeting at 8:50p.m. David D. 2<sup>nd</sup>.  
5 Approve / 0 Oppose

Respectfully submitted,

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Georgiann M. Fleck, Secretary  
Bridgton Planning Board