

## Minutes for Thursday, September 10, 2009 Planning Board Meeting

**1. Call to Order:** Chairman Dave Johnson called the meeting to order at 7:02 PM.

**2. Introduction of Attendees:** Present were: Chairman David Johnson, Secretary Laura Chadbourne, Member Gail Bartlett, Member Annette Bouchard, CEO Eric Gulbrandsen; and Marcia Storkerson taking notes. David Johnson introduced Mr. George Wilson who was attending the meeting to present his subdivision pre-application information to the Board.

**3. Meeting Minutes.** The minutes from the August 13, 2009 meeting were read. Gail Bartlett moved and Annette Bouchard seconded the acceptance of the minutes as read. The motion passed unanimously.

**4. Communication & Bills:** the only correspondence received was a copy of pre-application information and a memo from Mr. George Wilson. No correspondence was sent.

**5. CEO's Report for August 2009:** Eric Gulbrandsen submitted the August CEO report. Three building permits were issued. Other items noted on the report were a reminder to Tim & Jean Kelly, R2-29, to submit an application for conditional use for their unauthorized sign. Also noted was that Mr. Ryan Crowell submitted an incomplete application for a wind generating tower; Eric returned the form to Mr. Crowell as it was not completed.

Gail Bartlett moved and Laura Chadbourne seconded the acceptance of the CEO's August report. The motion passed unanimously.

### **6. Old Business:**

A. **Wind Generation:** there was a brief discussion on height restrictions in the Sweden Town Ordinance, and how these restrictions will impact Mr. Crowell's application should it be submitted. Mr. Crowell's proposed tower will likely be 60 feet tall; the Sweden Zoning and Land Use Ordinance Section VIII Zone Requirements Subsection A. General Requirements 3. Structure Height Limit (page 6) states that structures in the Town of Sweden cannot exceed 50 feet.

In addition, regarding wind generation, Julie McQueen contacted MMA Legal to find out more about wind generations laws and to get some recommended examples. There is no State Law requiring a Town in Maine to allow windmills. MMA Legal sent along examples for approved ordinances regarding wind generation from 10 other towns in Maine. Laura Chadbourne brought copies to the meeting. All agreed that, for now, this information will be stored in a recently-created Wind Generation file in the Planning Board files at the town office for reference.

B. **Planning Board Vacancies:** David Johnson attended the Tuesday, September 8<sup>th</sup> Selectman's meeting and reiterated to them that there are still two vacancies on the Planning Board.

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C. **SMRPC newsletters via US Mail:** On July 22<sup>nd</sup>, Julie McQueen did receive confirmation in writing from Marian Alexander at SMRPC confirming that SMRPC will continue to send newsletters via US Mail to the following Board members: Ron Kiesman, Annette Bouchard, and Gail Bartlett. Laura Chadbourne confirmed at the meeting that only these three members require newsletters via US Mail. The remaining members will continue to receive the newsletters via email.

D. **Wild Haven Subdivision discussion:**

1. David Johnson first confirmed that everyone had received Mr. Wilson's packet of information (all of which had been submitted as pre-application materials in 2008, with the exception of a new memo dated August 24, 2009) at least two weeks prior to the meeting and that no Board members had discussed the details Ex Parte. All members confirmed both statements.

2. Mr. Wilson made a pre-application presentation concerning his proposed lot subdivision. A pre-application presentation for the same lot had been made to the Board in the fall of 2008. Mr. Wilson's presentation included a brief history of his activities in regards to the pre-application process.

3. David Johnson and Laura Chadbourne both cited direction from MMA and SMRPC that since Mr. Wilson's proposal is to subdivide a lot that is contained within a Major Subdivision, and that the Wildhaven Covenants direct any changes to be reviewed and approved by the Sweden Planning Board, the Board is obligated to review any proposed change to the Wildhaven Subdivision plan as an amendment to a Major Subdivision, using the Sweden Subdivision Regulations (Section 4, Page 11 of the Sweden Subdivision Regulations).

4. Eric Gulbrandsen questioned whether the Sweden Regulations were clear in regards to the review process; he questioned whether Mr. Wilson's proposal could be reviewed as a Minor Subdivision.

5. It was discovered that Mr. Wilson has been using an outdated (2006) version of the Subdivision Regulations. The Board instructed Mr. Wilson not to reference this book any longer. Eric Gulbrandsen gave his updated copy (2009) of the Subdivision Regulations to Mr. Wilson to keep.

5. To try to help clarify questions about the pre-application process, the Board and Mr. Wilson reviewed the materials that Mr. Wilson had presented against the checklist contained at the back of the Sweden Subdivision Regulations book for a Minor Subdivision.

6. It was determined after discussions around the table that, aside from needing to submit a USGS Topographical map of his lot, Mr. Wilson had met the requirements of pre-application for a Minor Subdivision.

7. A Board vote was proposed to record that Mr. Wilson, aside from the topographical map as mentioned above, had met the pre-application requirements for a Minor Subdivision. Mr. Wilson promised to provide a topographical map copy to each Board Member directly by mail. Gail Bartlett moved and Annette Bouchard seconded that the pre-application materials be accepted by the Board. The motion passed.

8. The group reviewed that Mr. Wilson would have to repeat certain requirements necessary to submit his application; namely, that he would have to notify all abutters again; and that another site walk would be needed, and possibly a public hearing.

9. The Board tentatively scheduled a site walk at 9:00 AM on October 10<sup>th</sup> at Mr. Wilson's property. David Johnson will ensure a notice is put into the Bridgton News at

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least one week prior to the site walk. Laura Chadbourne will obtain the site walk advertising template from Julie McQueen.

10. Mr. Wilson thanked the Board and departed.

E. **Maine Townsman magazine articles:** the most recent issue did not have any articles that the Board wished to discuss.

### **7. New Business:**

- A. **Future applications for State Directional Signs:** Laura Chadbourne presented the following: both SMRPC and MMA Legal have confirmed that the DOT signs do require municipal approval (which explains why a municipal officer must sign the application). In the future, an applicant will be required to obtain a conditional use permit from the Planning Board before the form is signed by a municipal official. Title 23 Section 1918 and 1922 of MSRA both address this. Laura Chadbourne brought copies of these state statutes to the meeting for the reading file.
- B. **Review of MMA Planning Board Manual:** due to time constraints, the planned educational review was postponed until the next meeting in October.

### **8. Announcements:**

- A. The next regular Meeting will be Thursday, October 8th at 7:00 PM at the Sweden Town Meeting House.

Gail Bartlett moved and Annette Bouchard seconded that the meeting be adjourned at 8:42 PM.

Respectfully submitted,

Laura Chadbourne  
Secretary