

**TOWN OF LOVELL
PLANNING BOARD
MINUTES OF THE MEETING**

Wednesday, January 3, 2007

Members Present: Ed Ryan (Chair), Walt Grzyb, Bill McCormick, Paul Bois, Farwell Sawin, John Donnelly.

Members absent: Steve Korth and Ronald McAllister, CEO

Meeting called to order at 7:35 PM

Minutes from the December 2006 meeting were read and accepted.

Regarding the mailing of notice to Lovell property owners of the proposed changes to shoreland zoning, The Board discussed sending every property owner in town a summary of changes and having complete copies available for anyone who wants them at the town office. This would ensure every property owner is notified. It would also ensure that all interested residents would have access to a full copy of the changes if they desired. Posting the document on the town website was also suggested for those who have access to the Internet.

The Board officially voted to accept the timber harvesting language that is being put forth in the new shoreland zoning regulation mandated by the State of Maine as opposed to coming up with our own wording for the town. This was strongly suggested by SMRPC.

The Chair advised that the Board of Appeals prefer the appellate process (as opposed to de novo process when reviewing planning board and CEO decisions (section 10.5). The Chair further advised that Ron McAllister, the CEO, did not have an opinion either way at this time. The Board took an internal vote. 5 members voted to use the appellate process and 1 member voted to use the "de novo" process. The Chair will explore this issue further and we will return to this matter at a later time.

The Chair went on to say that he will explore having the procedure in section 5-3 paragraph B-3 "Change of Use" changed so that the review is made by the Planning Board instead of the Board of Appeals. He feels that the Planning Board would be better able to review such matters. He bases this on a recent Court finding involving a town matter. The Judge in that case suggested that the Planning Board should review these matters first.

The Board reviewed the December 7, 2006 draft of the proposed changes to the zoning ordinance edited by JT Lockman to reflect the new shoreland zoning language.

- The definition of institutional (page 7) was removed.
- Section 4.3 (page 16). The reference to the 1994 tax assessment should be changed to reflect the most current assessment.
- Inquire about the reference in section 5.2 paragraph C.1.d (page 22) to the date of January 1, 1989.
- Outlining problem in section 6.2 (pages 30 and 31).
- Check paragraph 3 on page 31. The Board remembers that was supposed to be deleted.
- Outlining problem in section 7.14 (page 37 and 38).
- Inquire about the stricken wording in section 8.1 paragraph A.5, "After the effective date of this ordinance." Should it remain in or taken out as in other areas of the document.
- Outlining problem in section 8.11 (page 43).

The Board discussed the issue of animal husbandry in the Village zone. We will explore the possibility of adopting similar standards currently existing in section 8.9 under the definition of Kennel

Meeting adjourned 9:05PM.

Respectfully Submitted,

Walter Grzyb