

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

Wednesday, March 5, 2008

Members Present: Ed Ryan (Chair), Walt Grzyb, Bill McCormick, and Ronald McAllister, CEO.

Members absent: John Donnelly, Paul Bois, Farwell Sawin, Steve Korth.

Meeting was called to order at 7:30 PM

- The Board continued its review of the Bender Conditional Use Application dealing with their request to make improvements to a building on their property (West Lovell Road) that is within the 100 foot setback from Kezar Lake. Full documentation of this application is part of the file maintained at the Town Office.
- The Board read documentation that was submitted by independent contractors, hired by The Board, to offer their opinions on the application and proposals set forth in it.
 - The first report was submitted by Daniel Riley an engineer from Sebago Technics. In short he concludes that the applicants proposal is the best situation for the lake. He recommends that the building remain where it is, not moved back. He cites the removal of the trees as being detrimental to the lake creating a much worse situation than leaving the building where it is.
 - The second report was submitted Richard Girard, a forester with BH Keith Associates. He reports that the stand of white pines found on the property in question is in good health. He goes on to say that it is his opinion that the best situation for the site is to leave the building where it is, allow it to be elevated, and not remove any of the existing trees.
- An additional report was submitted by Ross Cutlitz, engineer for the Bender's, regarding his phosphorus study. In it, he concludes the proposed application will improve the phosphorous run off situation by 5%.
- Finally, the Bender's legal council, attorney Michael Friedman submitted a report outlining the legal issues surrounding this application.
- After some discussion, The Board voted to approve the application unanimously with the following conditions:
 1. There will be no deviation from the submitted plan without Planning Board approval.
 2. The Benders will remove said buildings 7 and 8.
 3. The planning board action does not negate the requirement of The Bender's to go to The Appeals Board regarding the allowance of 3 bedrooms instead of 1 bedroom.

4. Erosion control measures prepared by an engineer must be submitted for review (to the Code Enforcement Officer) before a building permit will be issued.

The meeting adjourned at 8:45 PM

Respectfully Submitted,

Walter Grzyb