

Town of Lovell Planning Board
Minutes of the Regular Meeting
March 3, 2010

MEMBERS PRESENT: Walter Grzyb, Joel Hardman, Bryan Molloy and Ed Ryan.

Also present were Mr. and Mrs. Masse, residents of West Lovell Road, and Mr. Mark Moulton, representing Lovell Hardware.

MEMBERS ABSENT: Paul Bois, Bill McCormick and Dean Stearns.

Also absent was Ron McAllister, Town of Lovell CEO.

Chairman Ryan called the meeting to order at 7:00 PM.

APPROVAL OF THE MINUTES OF THE FEBRUARY 3, 2010, MEETING OF THE BOARD:

The minutes were approved unanimously as submitted after a motion by Mr. Grzyb.

CONDITIONAL USE APPLICATION:

The Board had received an application for a Conditional Use Permit from Lovell Hardware and Building Supply for installation of a propane bottle fill station to be located on the northeast part of the company's property, behind the main store and about one hundred feet from Alder Brook. Mr. Moulton said the fill station would be supplied by B and L Oil Company.

Chairman Ryan asked if necessary State licenses had been obtained. Mr. Moulton responded that they had not but that the applications had been submitted, and he offered copies of them to Chairman Ryan, who asked that the licenses be given to the Board when issued by the State.

Chairman Ryan said that a deed to the property and a list of abutters had been submitted but not distributed to members of the Board and that the documents appeared to be in order.

Mr. Moulton had submitted a request for a waiver of the requirement for submission of a boundary survey of the property. The waiver request was approved unanimously after a motion by Mr. Hardman.

Chairman Ryan read aloud Mr. Moulton's responses to section 9.9 G of the Lovell Town Ordinances. The responses had not been distributed to other members of the Board, and Chairman Ryan said that he would send copies of the responses to the members before the next meeting.

Chairman Ryan pointed out that there would be no vote on approval or disapproval of the application at this meeting but that a vote would be taken to approve the application as sufficiently complete, pending receipt of State licenses, to warrant scheduling a public hearing. Mr. Grzyb made a motion to approve the sufficiency of the application for scheduling a hearing. Mr. Molloy seconded the motion, and it was approved unanimously.

Mr. Hardman questioned whether or not the site and nature of the fill station met the specifications of sections 4.2 I and 7.19 B of the Lovell Town Ordinances relating to Stream Protection and Aquifer Protection Overlay Districts, respectively. After discussion, it was agreed that the fill station did not appear to be in conflict with either of the two sections. Chairman Ryan said that Mr. McAllister might be able to bring a flood plain map to the next meeting to confirm

that there would be no problem with section 4.2 I. Chairman Ryan also said that he would check with the Southern Maine Regional Planning Commission to see what their experience had been with such installations in Aquifer Protection Overlay Districts.

Mr. Moulton said that a representative of B and L Oil Company could attend the next meeting if invited and that B and L Oil Company had prepared all State license applications. Mr. Moulton then left the meeting.

OLD BUSINESS: Review and Revision of Sections 7.14 (signs and lights) and 9.9 Conditional Use Permits) of the Lovell Town Ordinances.

Chairman Ryan said he thought revisions to section 7.14 were ready to send to the Southern Maine Regional Planning Commission for their review, but that he would wait until after the April meeting of the Board so Mr. Grzyb and Mr. McCormick, who were absent at the February meeting, would have a chance to review the revisions.

Chairman Ryan then distributed typed copies of the first two and a half pages of revised section 9.9 (old sections A, B and C, which had been divided to include a new section D). No changes had been made to the rest of 9.9 except for changing D, E, F and G to E, F, G and H. There were questions from Mr. Grzyb about the use of the word “substantial” and by Mr. Molloy about the use of “landscape” in the transitional introduction of new section D, but it was agreed after discussion that the wording could stay as written. Copies of the typed revisions will be given to Mr. McCormick and Mr. Bois, and a final review will be held at the April meeting, after which the revised sections 7.14 and 9.9 will be sent for review to Southern Maine Regional Planning Commission.

WATER BODY ACCESS:

Chairman Ryan said that Mr. Bois is contacting several people who may come to a meeting or send letters relating to their use of the old boat access site at Timber Bay Shores. Chairman Ryan also said that he had talked to the Selectman about attending a Planning Board meeting regarding water body access issues and that they seemed agreeable to do so.

There being no further business, Chairman Ryan adjourned the meeting at 7:42 PM.

Respectfully submitted,

Joel Hardman, acting in the absence of Mr. McCormick