

**TOWN OF LOVELL
PLANNING BOARD
MINUTES OF THE REGULAR MEETING
January 6, 2010**

Members Present: Paul Bois, Walter Grzyb, Joel Hardman, Bill McCormick, Bryan Molloy, Ed Ryan and Dean Stearns.

Also present was Lovell CEO, Ron McAllister.

Members Absent: None

Noting that a quorum of the Board was present, Chairman Ryan called the meeting to order at 7:02 PM.

It was noted that Ms. Sandra Masse, a resident of Lovell residing on West Lovell Road, was also in attendance as an observer.

APPROVAL OF THE MINUTES OF THE DECEMBER 2, 2009 REGULAR MEETING

A motion was made by Mr. Grzyb to accept the minutes of the December 2, 2009 Meeting that had been distributed to the Board previously. Mr. Molloy took exception to the description in the penultimate paragraph under *Item #7. Other. Non-agenda Items* noting that Ms. Sandra Masse had agreed to file a Conditional Use Permit Application(s) that would encompass both the cut flower business and the storage of boat trailers on residentially zoned property, not just the cut flower business.

CEO McAllister indicated that he would work with Mrs. Masse and Lee Connery, the proprietor of the Marina, to coordinate the gathering of data for the filing.

There being no further discussion, Mr. Grzyb amended his motion to approve the Minutes of the December 2, 2009 Regular Meeting of the Board, as amended. The motion was approved unanimously by the Board through a show of hands.

**ITEM #4 – OLD BUSINESS. REVIEW AND REVISIONS TO SECTION 7.14
(SIGNS AND LIGHTS) OF THE LOVELL ZONING ORDINANCE**

Chairman Ryan reported that he had heard from Mr. JT Lockman of SMRPC regarding the Town's existing (Signs and Lights) ordinance vis-à-vis the ordinances of other towns in Maine that are similarly situated. JT's view was that our ordinance was at least as good as most/many of the towns that he had researched and he didn't have much in the way of better model ordinances for the Board to review.

Based on previous discussions that the Board has had on this subject and his own study of the current Ordinance, Chairman Ryan concluded that it would be preferable to have a

number of revisions made to the current Ordinance and, in order to expedite the process, he had marked-up a copy of the existing ordinance and distributed copies to the Board. He indicated that he focused primarily on eliminatin those provisions that did not seem to serve any specific public interest.

Chairman Ryan went through the marked–up copy and explained each penciled-in proposed draft change and the rationale for each. Chairman Ryan emphasized that his comments were meant as food for thought for the Board and were not meant to be limiting in any way. He asked the Board to review the proposed draft and be ready to make decisions at the next regular meeting on February 3, 2010.

There was some discussion regarding soliciting the views of those in the community that would be most impacted by changes to this ordinance. Chairman Ryan reminded the Board that there would definitely be at least one public hearing on the proposed changes and that all constituents would have ample opportunity to have their views heard.

Chairman Ryan suggested that this item be tabled until the next regular meeting of the Board. There being no objections, this agenda item was so tabled.

**ITEM #4 – OLD BUSINESS. REVIEW AND REVISIONS TO SECTION 9.9
(CONDITIONAL USE APPLICATIONS) OF THE LOVELL ZONING
ORDINANCE.**

Following the pattern and process established by Chairman Ryan and described above for Section 7.14, proposed changes to Section 9.9 of the Ordinance were also drafted onto a copy of the existing ordinance by Chairman Ryan and distributed to the Board.

Chairman Ryan went through the marked–up copy and explained each penciled-in proposed draft change and the rationale for each. Chairman Ryan emphasized that his comments were meant as food for thought for the Board and were not meant to be limiting in any way. He asked the Board to review the proposed draft and be ready to make decisions at its next regular meeting on February 3, 2010.

Chairman Ryan suggested that this item also be tabled until the next regular meeting of the Board. There being no objections, this agenda item was so tabled.

ITEM #7 – OTHER. WATERBODY ACCESS.

Mr. Stearns gave a brief report on the status of the waterbody access project that he and Mr. Bois had undertaken a couple of months ago.

They reported that the initial research on determining the cost incurred by the Town to maintain the public access to Kezar Lake through Timber Bay Shores at Northwest Cove, might not be as informative nor as helpful as at first thought. It appears that detail records of the actual costs incurred on any specific recurring maintenance project are not

maintained and it seems that the preparation of an accurate historical analysis would not be feasible.

Mr. Stearns also reported that they were prepared to meet with Mr. Pratt, the Town of Lovell Attorney, to review the work done and the findings to date and to determine what, if any, additional steps should be undertaken.

Mr. Boise asked why the Koski property at Ladies Delight, which was recently acquired by the Town for non-payment of property taxes, was excluded from the Waterbody Public Access study early in the project. Chairman Ryan explained that it was his understanding that the Koski property could only function as an access point for canoes, kayaks, etc., and that there was no substantial advantage of putting in at the Koski property vs. the Narrows Town Landing. Both Mr. Bois and Mr. Molloy stated that the advantage to anyone canoeing to the Lower Bay would be substantial and that this property should be re-reviewed, particularly in light of the findings to date of the Northwest Cove and Severance Lodge access research.

ITEM #7 – OTHER. NON-AGENDA ITEMS

Mr. McCormick noted for Mr. Ryan that at a recent program held at the Library with the Selectmen, and in connection with other recent random events, there appears to be an increased interest in Town regarding the potential for establishing commercial/municipal windmill farms at the higher elevations in Lovell. As a result, he believes that the Planning Board should review its existing Ordinances to determine whether, or the extent to which they apply or could be interpreted to apply to such a use.

No action was taken by the Board on the Item included in Item #7 Other. Non-Agenda Items.

There being no further business, Chairman Ryan called for a motion to adjourn, which was made, seconded and unanimously approved at 8:10 pm.

Respectfully submitted,

Bill McCormick
Planning Board Recording Secretary