

**Town of Lovell**



**Lovell, Maine**

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## **BOARD OF APPEALS MINUTES**

Monday, September 20, 2021

Members present: Michael Burke, Chair; Stan Tupaj; Susie Mosca.

Also present: Alan Broyer, CEO; Sally Daggett, Town Attorney; Paul Pagliarulo.

The meeting was called to order by Chair Burke at 6:30 p.m. The Chair provided an overview of why the Board is meeting – to address the Superior Court's remand order for further findings of fact by the Board. The Chair acknowledged the Board's receipt of a letter from the Maine DEP dated September 16, 2021.

Attorney Daggett handed out copies of the Superior Court order, the Board's 1/20/21 written decision, the Maine DEP letter, and a copy of the subdivision plan from the Rule 80B administrative record to help refresh the Board's recollection of the original variance application proceeding and subsequent events.

The Board discussed the issue of tent camping on the property. The CEO stated that the Maine DEP letter is correct that tent camping is allowed on the property, which is different than an individual private campsite.

Paul Pagliarulo interjected that he had a video of the bid opening when he acquired the property from the Town and wanted to know if that would help clarify anything for the Board. The Board allowed Mr. Pagliarulo to testify briefly about what the video would show. Mr. Pagliarulo also requested that the Board postpone action to a later date. The Board indicated that it planned to proceed tonight per the court order.

The Board discussed changes to Paragraphs 8 and 10 of its Findings of Fact and the addition of Paragraphs 16 and 17 to its Findings of Fact. The Board also discussed changes to Paragraphs 1 and 2 of its Conclusions of Law. After the Board had a chance to discuss these changes/additions to the written decision, the Town Attorney read all the proposed changes out loud. Upon a motion made and seconded to adopt the amended written decision as read by the Town Attorney, the Board voted 3-0 to adopt the changes to the Notice of Variance Application Decision and to authorize the Chair to signed the Amended Notice of Variance Application Decision once it was typed up.

The meeting adjourned at 7:30 pm.

Respectfully submitted,

Michael Burke  
Chair, Board of Appeals