**Planning Board Meeting Minutes**

**February 16, 2022**

1. **The meeting was called to order at 7:01 pm at Lovell Town Hall.** Chairman Wurm read the Board’s mission statement.

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1. **ATTENDANCE:** Heinrich Wurm, chair, Jane Lansing, second chair, Eugene Jordan, Diane Caracciolo, Sandra Bell, Sheri Paulette. Absent: Kevin MacDonald. Ms. Bell to take on voting position for Mr. MacDonald, Alan Broyer, CEO, James Katsiaficas, attorney for the Town. The meeting was recorded and shared via Internet (Zoom). There were an estimated audience of 30 in person and several on-line participants.
2. **REVIEW of MINUTES:** deferred to March 2nd. Review of minutes of the 2/26, 2/2 and 1/19 minutes required at that time.
3. **Additional Agenda Item:** Under New Business, a Conditional Use application for conversion of retail space to professional office use (2022-04, Change of Use), submitted on 1/19/22 and was be added to today’s agenda.
4. To streamline the meeting, a change in sequence of the agenda was accepted and item 6 – **Old Business, Solar Ordinance** -was moved to the first agenda item.

Mr. Katsiaficas gave a brief update on the collaborative solar ordinance creation plan as outlined in the text of the Moratorium involving the Southern Maine Planning and Development Commission (SMPDC), Planning Board workshops and Comprehensive Plan Review committee and the submission of a completed solar ordinance by Our Eden Association (OEA). He posed the question whether to hold further work on a Lovell ordinance and wait for the outcome of a vote on OEA’s submission at a special town meeting on April 2nd, 2022. After a brief discussion and an expression of continued interest in solar ordinance development work, Paul Driscoll, attorney for OAE, introduced David Patterson, founding member of OEA, and Christopher O’Neill, consultant “at the interface of politics and policy” to give an outline of OEA’s creation, methodology and goals in developing the currently proposed ordinance which is headed for a public hearing on March 2 and a Special Town Meeting vote on April 2, 2022. Following the presentation, questions were raised by PB members and the public. Among others, re. allowable dimensions for solar arrays, contiguous installations, access to the OEA website, the size of Lovell’s industrial zone district.

1. **CONDITIONAL USE APPLICATIONS:**
	1. 2021-86CU Kevin and Kathleen Cormier U08-019 30 North Lower Bay Road

Rebuild cottage in the Shoreland Zone. Mr. Jordan recused. Ms. Paulette takes his place on the voting roster.

David Hart gave an update after the PB discussed this application on 1/5 and 1/19 and did a site visit on 1/3/22. He previously (1/12) submitted an updated site plan and a 12-point list of items of understanding. Comments by DEP’s Jeff Kalinich put the feasibility of the project in question, including attaching the cabin to the garage. Mr. Hart confirms that the rebuilt cabin will be the primary residence and the kitchen will be moved from the garage to the primary residence. Lot coverage and relocation of an undocumented shed are additional issues that need to be addressed. Chair makes a **motion to defer further action until both, Jeff Kalinich, DEP and Lee Feldman, SMPDC have clarified the situation and the manner this project can go forward**. The motion was seconded by Ms. Lansing and unanimously accepted by roll call.

b. **2022.01 CU - Gehman Real Estate Partnership- U21-006 - 27 Gammon Cove Rd**: Kitchen demolition and rebuild. Presented by Bob Drew. Moving the kitchen addition from the back of the house where it is subject to water damage from the driveway and sloping terrain to the side of the house. The project was discussed with Jeff Kalinich from DEP who offered to assist in a possible reconfiguration of the drainage once the snow melts. Mr. Jordan suggested that DEP’s Permit by Rule protocol might cover the situation. Ms. Caracciolo voices concern re. potential delays. **Chair motions to accept the DEP’s offer for a visit prior to final approval of the application**. Motion is seconded by Ms. Lansing and accepted 4:1 with Mr. Jordan dissenting. Further discussion resulted in a **motion by the chair to have an erosion control plan in place prior to final approval of the project**. Ms. Lansing seconds and approval is unanimous by roll call. Mr. Drew will notify the CEO when conditions are right for a site visit.

1. **2022-04, Change of Use 571 Main St. – Dr. Candice McElroy** is moving into a commercial space owned by Bob Drew and converting it to a professional office. Minor changes are required but overall, no issues preventing the application to be approved. Motion made by chair and seconded by Mr. Jordan is approved unanimously by roll call vote.
2. **2022-03 Bridgton Investment Fund, Mr. Mark Lopez.** **Construction of six self-storage buildings (29,900 s/f). Phase 2.** Mr. Meek, engineer with Terradyn, presents the application and notes much similarity to prior submission of data, waivers and design criteria with the exception of a Chapter 500 Stormwater Permit application that became necessary due to the size of the project (48,000 s/f building area, 2.57 acres impervious area and 4,06 acres of total developed area). Mr. Meek nevertheless hopes to have the application declared complete with the DEP pending. Attorney Scott Anderson relates other town’s allowances of DEP permit as a condition of final approval. Ongoing discussion around traffic patterns, number of units to be built, rationale for applying for additional units without seeing how the first project turns out. **Mr. Jordan motions and Ms. Caracciolo seconds that the application is not complete as it lacks DEP clearance and that an independent traffic analysis in line with article 9.D.10 needs to be done.** Discussion includes Any waivers previously granted to the first application should not apply or need to be reviewed again. Vote is unanimous by roll call.

Follow-up discussion includes an expression of dismay on the part of the Planning Board and the community over this application and a promise of diligence in processing this application.

Attorney. Anderson speaks to the lack of a septic system which should preclude the need for a soil survey.

Mr. Jordan reminds the board of a survey that was submitted opposing the first application for a self-storage unit but was received and forwarded to the selectboard without follow-up.

Ms. Caracciolo raises the question of fire safety and FD access. A discussion with the fire chief is promised.

Attorney Anderson and Mr. Meek remind the Board that additional information requested can and should be submitted but should not necessarily delay acceptance of the application. Board members express reluctance in finalizing any decision re. waivers currently contained in the application as additional questions surface. Mr. Anderson mentions the Board’s right to request independent assessment of traffic and other conditions in question as part of the approval process.

Disclosure of the number of storage units is another priority request by the Board.

A number of comments from the public were heard including concerns re. back up of traffic on Rt. 5, light pollution, outdoor storage of vehicles and urgency before the Article 6.2 amendment passes.

**6. DATE & TIME OF NEXT MEETING:**

March 2, 2022, at 7:00 pm **Lovell Fire Station.**

**7. ADJOURNMENT:** Motion to adjourn at 9:29 pm accepted by unanimous roll call vote.

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 Submitted by Heinrich Wurm