

Minutes and Exhibits June 7, 2023, Lovell Planning Board Meeting

1. Call to Order: 6:33 PM

Andrew: Call to order.

2. Attendance

Andrew: Roll call

- PB Members present: Eugene Jordan (Eugene), Andrew Brosnan (Andrew), Heinrich Wurm (Heinrich), Dave Durrenberger (Dave), Mike Lewis (Mike), Rose Micklon (Rose)
- CEO Present: Alan Broyer (Alan).
- Also present: Chris Brink (Chris), Jill Rundle (Jill), Paul Denis (Paul), Heinz (first name? last name?), Jack Jones and other members of the public.

3. Review, Accept / Correct Minutes

Andrew: 4/19/23 Minutes motion to approve: All Yes

Andrew: 5/3/23 Minutes motion to approve: All Yes

4. Ordinances

LD 2003 Ordinance Amendment

Andrew: Advised he notified Selectboard know the ordinances were ready.

Andrew: LD1706 may delay LD2003, but we are ready with ordinance changes for it, and Paul has a trigger so our Amendments would become effective when LD2003 was effective.

Andrew: Our ordinance limits Accessory Dwelling Units (ADU) currently as written to ~1,400 sq. ft., and short-term rental minimum is 60 days. This restriction is only for ADUs, not primary dwellings.

Jill: We should be ready now, if LD2003 does go through, it will be state laws governing, if we don't have our own.

Eugene: How is 40% or 1,500 sq. ft. My house is 1,300, 40% is 520 sq. ft.

Chris: 800 sq. ft. is the maximum other towns are proposing.

General discussion about how small is too small.

Jill: Don't want to affect the rural character with additional larger units.

Chris: 50% or 800 sq. ft., whichever is less is a good option.

Dave: I support this range.

Rose: Schools are overwhelmed right now, going bigger will make it worse

Heinz: If the intent of the law is housing for people that need it, the larger is better. I would like to see a minimum of 1,000 sq. ft.

Eugene: 40% might be too low, 1,500 sq. ft. might be too high.

Someone proposed voting on 75% or 1,200, whichever is less.

Dave: Suggest motion to vote on two options.

- A - 75% of primary or 1,200 whichever is lower
- B - 50% of primary or 800 sq. ft. whichever is less

Jill: School board, teachers could not live, could not afford to live.

Mike Lewis: Can we go to a public hearing and have the public vote on what they want?

Andrew: I think best we have a final draft to go to a public hearing.

Andrew: Motion for A - 75% of primary structure or 1,200 whichever is less? Yes = Mike, Eugene, Andrew

Andrew: Motion B - 50% of primary structure or 800 sq. ft. whichever is less? Yes = Dave, Heinrich

Submitted by Dave Durrenberger

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The vote decided size to be 75% of primary structure or 1,200 whichever is less, as a draft, to move forward.

Chris: Renting a 1,200 sq ft house would be about \$3,000/mo. which is not affordable.

Andrew: Motion to accept the rest of the ADU as written: Yes = Mike, Andrew, Heinrich, Dave; No = Eugene.

The vote decided to accept the rest of the ADU as written.

Section 6.3 Amendment

Andrew: The new Amendment, is to add needed standards, or the Application is prohibited.

Dave: Read the Amendment addition which is ~ “use must be (b) both (i) expressly listed in the above table as a conditional use (C) and (ii) expressly subject to specific performance standards set forth in Article VIII,” or it is prohibited.

Eugene: We are stopping applications?

Dave: Yes, until they have performance standards.

Paul: Example laboratory could be built however they want. This Amendment would give time to build performance standards.

Dave: Good idea, warehouse, self-storage brought the need to light.

Andrew: It is a stop gap.

Paul: Laboratory, could be built however they want. You can’t come up with conditions on a case-by-case basis.

Andrew: Anything in the land use table, that doesn’t have performance standards, would be on hold.

Dave: We can accelerate performance standards if the people want to accept an application for a project.

Andrew: Don’t want North Conway.

Dave: Gives us a chance to develop standards, but if we don’t have them ready, we can accelerate the performance standards if the town people want it. Example: If the people in town needed an emergency 8,000 sq. ft. warehouse, write the performance standards, move through to a special town meeting.

Jill: If we needed something, we would accelerate the writing of the performance standards.

Lynn Hurd: I would be willing to put a stop on things so Lovell can decide.

Andrew: Motion to include the Amendment?

Mike Lewis: Just want to make sure if the public has an opinion, we can decide what to do next.

Heinrich: 11.2.b 35 days board holds a public hearing, then the planning board votes to send it to the select board.

Andrew: Motion to move it forward: Yes = Heinrich, Andrew, Mike, Dave; No = Eugene

The vote decided to move it forward.

Dock Ordinance Amendment

Andrew: Diane is looking into this.

Communication Ordinance Amendment

Andrew: Selectboard suggested, instead of making it an Amendment, make a “policy” that will achieve similar results.

Dangerous Buildings

Andrew: State has a law, what would be different for Lovell?

Submitted by Dave Durrenberger

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Alan: An ordinance that would tighten it up, piggyback on the state.

Heinrich: Question of a blight ordinance has come up, is that something that we should consider? We tolerate a lot of properties, there are blight ordinances out there and it is worth a discussion.

Mineral Mining

Heinrich: Denmark has an ordinance we can look at, and Pembroke.

Andrew: Next will be a Public Hearing for the Ordinances. We might find out tomorrow LD2003 is delayed, but we can have our Public Hearing, and our next meeting is on July 5th.

Andrew: We have to give 14 days' notice for the public hearing.

Andrew: Motion for June 28th Public Hearing for the above items = Unanimous

Heinrich: Suggest preparing a financial impact, what would it cost to get the performance standards in place, the select board will want to know.

5. Old Business Conditional Use Application – None.

6. CEO Report – No report presented.

7. Public Hearing – None.

8. Meeting Adjourned: 8:32 PM

- **Date and Time of Next Planning Board Meeting – July 5th**

Additional Exhibits – None.

Submitted by Dave Durrenberger

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