

Lovell Planning Board March 06, 2024 Meeting

Amended by vote April 3, 2024

- Meeting started at 6:30 pm
- Sandy Drew, Rose Micklon, Eric Gulbrandsen, Eugene Jordan, PJ Drew, and Zachary Violette present.
- Dave Durrenberger was absent
- Due to Dave Durrenberger's absence, Zach stepped up to voting member
- In the Absence of a chairperson, Eugene as the vice chairperson, stepped up to the acting chairperson to run the meeting.
- In the absence of a secretary, Sandy stepped up to take minutes for the meeting.
- The first order of business was to review the February 2024 minutes, it was discussed that in these minutes the vote on the Lovell Store/Convenience/gas station was not included, the minutes should be amended to include the verbiage that the vote was accepted to "Application completed". In lieu of not having the minutes available at this time, the issue was tabled to the April meeting, -we need to update the verbiage and amend the minutes.
- We moved into the Public Hearing Portion-Applicant Portion of the Lovell Store/Convenience/Gas Station** -which was required to happen within 35 days. As of right now, the application is labeled as complete. After this portion we will move onto the third portion

where there will 35 days until a decision is made. This can be reviewed on page 93 on the ordinance review.

-For the applicant, John Chagnon of Ambit Engineering, presented a presentation for the public and the new planning board members and alternates. Many of the items discussed/presented at this meeting were previously passed onto the planning board/CEO and were/are available for the public's review online/at the town office. Some of the highlights that the applicant wanted to present are as follows:

The location is on Route 5/Main Street, located on Tax Map 7/Lot 038-A, which is currently a vacant lot.

This site was previously slated to be developed but, never was.

The applicant participated in the requested High Intensity Geological Survey and provided a handout for the board members with this information.

There will be 2 driveways for this site/lot.

This site will include an approximately 5,000 square structure, including a south side fueling building and underground tanks.

The Landscaping portion/tree placement would adhere to the current ordinance setback requirements.

This site plan would adhere to the state storm water drainage and run off policies.

This site plan would also contain adequate catch basins to collect run off and will be fitted with oil separation hoods.

Well and leech field placement would be approved by building inspectors.

Haley Ward sent in a response to the High Intensity Geological Survey, this was presented to the board, please see above,

It was determined that if needed, the site would be fitted with suitable gravel/materials needed for site development.

Matt Reynolds, of Drumlin Environmental LLC, spoke on this survey and did not voice any major concerns.

Drinking water and/or well placement was discussed, it was determined that the state of Maine would be involved and would need to make the determination of where both the well and gas tank placement would need to be.

-Waivers, Applicant discussed that waivers may need to be sought and ME DEP regulations may be involved, again see above and previous documentation submitted.

Planning board member Eric Gulbrandsen asked about existing wells on site, it was determined that no usable well on site at this time.

An email from DEP was submitted as to what qualifies as usable vs unusable well.

Matt Reynolds spoke to the regulations/requirements of the Drinking Water Well Program and the potential of needing 1,000 feet from any other structures/tanks and that is their requirements, and it might have to change the site plan slightly. He also spoke to the issue of the possibility of there being an aquifer located on this site.

He said the soil tests went down to a depth of between 4-7 feet, any underground tanks could possibly go to a depth of 12 feet. We may want to look at asking for soil testing further down to rule out hitting any potential water sources.

We then moved into the Public Hearing Portion-Open to the Public Hearing at this time

-John Bliss: Asked about DEP Permitting prior to proper placement of project, if they had a higher standard that the site plan had to adhere to.

-Michael Hale: Asked about the tank placement in the presence of an aquifer, if DEP would be involved.

-Chris Brink: Asked about the placement of a retention pond

-Jill Rundle: Asked how the equipment placement would affect the abutters, are the setbacks suitable for transient water?

-Shoo Hale: Asked about how many fueling station there would be- **4 fuel pumps**. She also asked about lighting 24 hours/days and glare-**Applicant answered that the lighting plan included shoebox lighting that was designed to point straight down to dispense lights to prevent glare**. She also asked about the possibility of this area becoming a truck shop in the future-**Applicant state that there was not enough area for trucks to be able to pull in/off road**.

-Micheal Hale: Asked about 2 Year plan for the Retention Pond-**Applicant discussed that there was a liner in place to allow the water to leak out a slower rate to the brook**.

The Public Hearing Portion of the Meeting was closed at this time.

O'Brien Subdivision:

Please see documentation previously submitted by John Bliss

- Mountain View Pine Lots-seeking lot line adjustment, swapping equal amount of land, there are no abutter concerns

- Land owner/Abutter Anita Pounder asked Merritt Road Access-
questions were answered

- All Board members in agreement, Eugene, Eric, Rose, Sandy and Zach voted Yay, no nays.

- The Board must sign registry of deed paperwork, was present at meeting and was signed by all voting members at end of meeting, will be placed on file.

Lake Kezar Country Club

LKCC submitted to the Planning Board an email answering questions and/or concerns previously asked about application submitted. The planning board had asked 1. estimated customers per day expected-10-30/day 2. estimated vehicles per day-7-20/day. 9.9C3 and 9.9C10 updated and completed, application now marked as completed. The board voted and approved the application by unanimous decision.

Rob Drew-Lovell Store/Convenience/Gas

- Matt Reynolds: Matt spoke to the fact that a geologist or sole scientist can decide about placement, DEP may decide prior to placement by looking at a map for bore testing.

- All permits must be submitted prior to breaking ground
- The restaurant triggers the conditional use permit due to the aquafer.
- Planning Board just received an email from the state and needs to be reviewed.
- Chris Brink: Asked about petroleum storage in our land use protocol.
- John Bliss: Discussed ordinance verbiage about aquafer placement, we need to go on what our ordinance says.
- Jill Rundle: Aaked for clarification about waivers on Haley Ward report. The waiver discussed is a state waiver, not a town waiver in question.

-CEO Report: Can be viewed online

- The Freedom of Information Act was discussed and the availability of seeking information and how to request this was discussed
- Eugene discussed what constitutes a conflict of interest and what to do in that instance on page 19 on the ordinance book, it refers to, if a person has 10% stock in a company, then they must recuse themselves from voting in that matter. It does state that an employee can partake in a discussion/vote but, it may be in the best interest of the planning board member and/or the town for that member to recuse themselves anyway.

Board of officers:

-All Planning Board members, including alternates, are allowed to vote for officers.

-Eugene nominated Eric as Chairperson, Sandy seconded, vote was unanimous.

-Eric nominated Eugene as Vice Chairperson, Sandy seconded, vote was unanimous.

-Eugene said that he had talked to Dave, and he was willing to stay on as secretary, so Eugene nominated Dave as secretary with the expectation/idea that he is still interested, Sandy seconded, and the vote was unanimous.

-Eugene motioned for the meeting to adjourn at 8:32pm, seconded and vote was unanimous.