

1069 MAIN ST

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**Planning Board Minutes**

**October 27, 2021**

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Lovell Maine Planning Board Meeting.

Members present: Jane Lansing, Diane Carraciolo, Eugene Jordan, Sandra Bell, Chairman Heinrich Wurm, Sherri Paulette and Kevin McDonald.

Also present: CEO Alan Broyer, Town Attorney Durwood Parkinson, Jon Bliss, Mark Lopez, Rick Meek, Scott Anderson, Shelley Pilsbury, Rick Pilsbury, Sarah Clemmons, Bill Paulman, Chris Brink, Linda Dunlea, Janice Arsenault and Bob Drew.

Meeting is called to order by Chairman Wurm at 7:00 pm. Chairman Wurm reads the Planning Boards Mission Statement.

Minutes from 9/1/2021 are accepted with a motion by Ms. Carraciolo, vote is unanimous to do so.

Minutes from 9/8/21, Public Hearing, are accepted with a motion by Ms. Carraciolo, vote is unanimous.

Old Business:

Mr. Lopez C.U. Permit is the topic of discussion. CEO Mr. Broyer speaks to the history of the project that started in March of 2021. Mr. Broyer references that the classification of a warehouse is the most appropriate. Article 6.2 states that uses not listed, the Board shall determine the most similar. The word shall is generally thought of as mandatory. Mr. Jordan speaks to the definition of "shall" and reads his email that was sent to the Board into the record. Members of the Board as well as members present speak to the fact that most similar equals a warehouse. The Board reviews the application one more time.

Approval Standards are addressed individually all are approved unanimously except for " Disposal of hazard waste.” Mr. Jordan votes against approval.

All finding of fact are approved except for number two, determination of use, is this a warehouse. Motion by Chairman Wurm, vote is unanimous. The Board will vote as to whether or not this is a warehouse. Vote is unanimous that this facility is in fact not a warehouse. However, the definition is most similar and therefore the discussion continues. Motion by Chairman Wurm that warehouse is the most similar and an approved use is voted on by the Board. Mr. Jordan feels that we are not required to make the decision as shall equals may. The vote is four in favor and one against. The motion passes.

Decision.

Motion to approve project/application with conditions set forth above. Vote is four to one in favor to do so.

Motion to have Chairman Wurm sign decision, vote is unanimous to do so.

Discussion ensues about future projects and whether or not we should seek a moratorium on some issues.

Meeting is adjourned at 9:05 pm

Respectfully submitted Kevin McDonald.