

Monday, November 21, 2016
BUSINESS/WORKSHOP MEETING MINUTES

In Attendance: John Morrissey, Ken Hall, Bill Hoxie, Norm Harding, Eve Bergstrom, Jessie Larson, Kim Printy

Absent: None

Guests: Wes Sunderland; Emily Ward; Dan Sherman; Mat Cama; and approximately 28 other abutters and/or interested citizens.

Call Meeting to Order: 6:38 PM by John Morrissey

1. **** The Select Board has requested to speak on two matters of "significant importance" at 6:30 PM.**
 - a. **Town of Cornish Establishing a Moratorium concerning all dam activity and/or alterations of water levels in ponds regulated by a dam through non-natural means.**
 - i. The Selectmen presented a proposed moratorium for the planning Board's consideration and support for further action on said moratorium. The moratorium was developed in response to a lowering of the Mill Pond by the owner of the property on which the Jewelry store now stands, to a level that severely diminished the functions of the so-called "dry hydrants" vital to the town in case of fire in the downtown area.
 - ii. The Selectmen presented a proposed moratorium for the planning Board's consideration and support for further action on a moratorium titled **TOWN OF CORNISH ORDINANCE ESTABLISHING A MORATORIUM ON RETAIL MARIJUANA ESTABLISHMENTS AND RETAIL MARIJUANA SOCIAL CLUBS**. This moratorium ordinance would give the town 180 days to enact an ordinance to control the sales and social clubs for recreational marijuana. The Planning Board offered their support.
2. The Cornish Planning Board received a request from Jared and Jacqueline Carr for a conditional use permit (CUP) to establish a hard cider brewery to be known as *Cornish Cider Company, LLC (CCC)*, a home business from their residence at 135 High Road (Map R-02, Lot 020). This lot is in a Rural Residential (RR) District.
 - a. The Planning Board has not yet determined that the application is complete and has not reviewed the application. Abutters have been notified.
 - b. **The next Cornish Planning Board business meeting is scheduled for Monday, November 21, 2016 at 6:30 PM. At this meeting, the Planning Board will hold a Formal Hearing and may act on the application.**
 - i. Discussion: John Morrissey and Bill Hoxie recused themselves because of conflict of interests. Norman Harding, Vice Chair was appointed to chair this portion of the meeting.
 - ii. Jared Carr (JC) presented a brief description of the application:
 1. He has 12 years experience at making hard cider; Jacqueline Carr's (JLC) expertise is marketing.
 2. He will use his own trees as well as those from other local orchards.
 3. This will be a part-time business and is largely seasonal in nature.
 4. Discussion follows:
 - a. Eve Bergstrom(EB): This is a wonderful idea; if it grows to become a wholesale business, it is a different matter; it will impact neighbors; it will impact when you should build the barn. Jared Carr (JC): Asked what she meant by impacting? EB: Where are you going to store the stuff? JC: The process requires it be stored outside. EB: How much building will you need? JC: It would only be visible from the property that John owns. JL: At some point this business is going to be wholesale or maybe even retail. Suppose the business really takes off; this is when the impact will be increased traffic and other issues. JC: What is the hindrance going to be, we already have logging trucks. I am talking about box trucks not trailer trucks. Norm Harding (NH): On your business plan I noticed some parkers set up on the roadside along the stone wall about how many cars are you planning for? Jacqueline Carr (JLC): This is for the overflow. NH: What are you planning on a driveway to your building? JC: A dirt road. NH: A road past your house to the building. Ken Hall (KH): What are your plans for the tasting aspect? JC: We would set up a canopy for inclement weather.

JL: The business is under 2000 square feet. JL: What are the business hours going to be? JC: Quite seasonal between noon and 5 or 6pm. KH: You could have considerable traffic. NH: Comments from abutters. Diann Perkins (DWP): Expressed concerns about pesticides, runoff; and most similar operations own both sides of the road and are in more rural locations. There are several mistakes in the application. Several requirements are not being met. The plan needs to be more specific. JC: The apple trees will be fenced in and organic sprays will be used. 500-600 trees will be planted on 5 acres. This will be a small operation with up to 600 gallons per year. KH: How do you control the alcohol content? JC: By measuring the sugar content. KH: By specific gravity. JC: up to 8% volume is allowed. KH: When does the State get involved? JC: State is already involved; they have already inspected the site. DWP: LUO states there will be no outside storage. You are in a residential area and a little closer than we want. JL: The Board may issue a permit with specific conditions. Nancy Perkins (NP): The cidery is fine, but after visiting or calling several sites on the list I noted that they were in a much more rural location. Most public activity occurs off site and they do not have tasting. Do you change the atmosphere of the neighborhood, are you commercial or residential? To the Planning Board, if you haven't been up there, how do you rule? A site walk is in order. KH: We are bound by the comprehensive Plan approved by the voters the basis for the LUO. Courts have said it is law. It shall not change the characteristics of the town. NH: The Comprehensive Plan is not available on line and as such not readily available to the public. Alex Steed (AS): Young people are leaving because older people (60plus) are blocking progress. Why would they stay here when they are faced with you can't do this you can't do that? Help them move forward and be pro-business. Jessie Larson (JL): That's because younger people don't show up to meetings. NP: If you don't like the ordinance do something about it. JM: (speaking as an abutter) There is going to be an opening on the Planning Board and you are welcome to apply. Wes Sunderland (WS): Concerned about "creep" in the neighborhood. Homes on the High Road are large and of substantial value and should reflect the investment and character of the neighborhood. NP: It is possible to have a business and still retain the rural character by not having a store. (??): I don't see people rushing to Cornish for the apple cider tee-shirt. NP: I think there should be clear parameters stating what you can do and what you can't do within a certain timeline. Bradley Perkins (BP): My concern is what control does the planning board have regarding "creep"? Jared stated that he hopes that the business will become a full-time operation. How much cider will it take to become a \$50,000 – \$60,000 business and what improvements will be necessary? JL: A retail store in that area would potentially change the character of the neighborhood; operations like the one proposed are typically located in an agricultural zone, not in a residential zone. JC: It could coincide with the Applefest, and Apple Acres in Hiram. Silas Hagarty (SH): Spoke in support of the project as the owner of the old movie theater in Kezar Falls. Perry Perkins (PP): Concerned about pesticide runoff; JC: All pesticides will be organic. DWP: Offended by AS comment about "elder" people; the town has reached out for volunteers on numerous occasions to serve on committees, young people do not respond. AS: These are the ambassadors for the town of Cornish, good retail businesses. John Morrissey (JM): What is the process for going ahead? The letter of acceptance or denial will explain the parameters on which the PB made its decision; the letter will contain specific information for both the applicant and PB to go forward. JL: I am proposing a site review. BP: If there is an approval letter issued timetable (?). JL: If the operation becomes larger they must come back to the CEO and PB. WS: Permits will be issued according to the previous terms in the original permit. JL: Town and State regulations have to be followed. NH: Do you wish to continue? I am proposing ending discussion. Date of the site walk to be established in the workshop meeting to follow.

3. Adjourn Business session at 8:18 PM.
4. **Workshop Session: Begin at 8: 25 PM**
5. Informal Hearing: Shelby and Corey Oates, renters at 100 Maple Street, reside on the second floor and want to run a commercial business on the first floor. He does tattoos, she is an artist. She wants a gallery and does instruction clinics. The property owner (U-02//089) is Roy Nelles. This lot is in the Commercial District (CD).
 - a. The Oates presented a completed SPR and gave a description of their proposed business plan to open a business at 100 Maple Street known as *Sowing Oates, Inc. (Tattoo & Art Studio)*.

- b. Abutter notices went out to 31 abutters on November 22, 2016. The formal hearing is scheduled for December 5, 2016.
- 6. Discussion:
 - a. Social Club Definition
 - i. Let stand; no issue.
 - b. Adult Recreational Marijuana Moratorium wording change?
 - i. Agreed to read and respond with suggested changes, if any.
 - c. Sign Ordinance (Committee?)
 - i. Jessie Larson agreed to chair a committee to draft an ordinance to update or replace the current ordinance.
 - d. Other:
- 7. Approve the minutes of the October 17, 2016 Workshop Meeting.
 - a. Ken Hall: motion to approve as presented; Norm Harding: Seconded; Voted 5 yeas, 0 nays.
- 8. Other: None
- 9. Adjourn: 8:52 PM

Unfinished Business: None

Public Comment: See above.

Communications Sent/Received: See #5 above

Agenda Items for Next Meeting: Business Meeting – Monday, December 5, 2015 @ 6:30 PM

- 1. Approve Minutes of Business/Workshop Meeting, November 21, 2016.
- 2. Carr site walk
 - a. *Formal Hearing:* The Oates presented a completed SPR and gave a description of their proposed business plan to open a business at 100 Maple Street known as *Sowing Oates, Inc. (Tattoo & Art Studio)*.
- 3. Other:

Respectfully Submitted,



William Hoxie
Planning Board Secretary