 **PLANNING BOARD**

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Monday, January 7, 2019

BUSINESS MEETING MINUTES

**Call to Order**

Vice-chairwoman Emily Ward called the meeting to order at 6:30 p.m.

Present: Eve Bergstrom, Ken Hall, Emily Ward, Nancy Perkins, Sandra Watts, Code Enforcement Officer Wes Sunderland, Recorder Desirae Bachelder.

Absent: Jessica Larson, Stephanie Smith

Guests Present: John Watts, Tom Dubois – Project Engineer, Debra Furlong, Denise Benton, Sam Park

**New Business:**

1. **Miscellaneous – Voting Members**

Emily Ward designated Nancy Perkins and Sandra Watts as voting members in Jessica Larson and Stephanie Smiths absence.

1. **Miscellaneous – Fairgrounds CUP Letter**

The Board read and signed the November 5, 2018 Conditional Use Approval letter addressed to Mr. Anastasiadis concerning the Fairgrounds Restaurant and Pub’s

1. **Debra Furlong – Subdivision – R08-039B**

Emily Ward started by explaining that the board is reviewing a subdivision application submitted by Debbie Furlong, Map R09, Lot 039B. The Board has previously voted that the application is complete. The access to Joe Berry Road was the question to be discussed. The board has received a legal opinion that states that according to the application that was submitted and the Cornish Land Use Ordinances that there can only be two access points onto Joe Berry Road.

Emily Ward read aloud a statement that the town’s attorney had prepared for the board concerning this project. This statement is attached to and does hereby become a part of the original set of these minutes.

Nancy Perkins made a motion to comply with the advice of the town attorney, Ben McCall of Bergen & Parkinson, LLC, and deny the application. It was seconded by Eve Bergstrom.

Tom Dubois stated that he and Ms. Furlong are not disputing the attorneys letter, but are willing to work through the process like the Land Use Ordinance requires. Mr. Dubois explained that Ms. Furlong would like to divide the property into two lots with one duplex on each lot. Ken Hall asked if this is a new application. Mr. Dubois stated that it is his opinion that a new application is not needed, nothing on the existing application is changing. Emily suggested a revised plan with what is intended so that it can be added to the current application. Mr. Dubois explained that the ten acre lot would be divided into a three acre lot with a duplex and a seven acre lot with a duplex. Emily observed that since Ms. Furlong is only dividing her property once into two lots, it would not be a planning board issue at that time. Mr. Dubois stated that it does need Planning Board approval only because it is for a four unit dwellings.

Wes asked what the purpose is for reverting back to a three acre and a seven acre lot. Mr. Dubois stated that the purpose is to create a clear title for what has been built already. Wes explained that the two lot split would fall under Code Enforcement jurisdiction. Mr. Dubois agreed and stated that the plans that will be presented to the board will feature two lots with a duplex on each lot. These plans will be recorded at the Registry of Deeds so that there will be clear title to each of the lots.

Nancy would like the proposed changes in writing so that it can be compared to the legal advice from Ben McCall of Bergen & Parkinson, LLC. If the written changes comply with the legal advice it can be reviewed at the January 28, 2019 workshop meeting once the meeting dates are changed, and if it needs to be voted on that can be done at the February 4, 2019 business meeting.

The above motion to comply with the advice from the attorney was seconded. The Board agreed that a revised proposal needs to be received by the Board for further discussion at the next workshop meeting. Motion carried with all in favor.

1. **January Workshop Change of Date**

Nancy Perkins made a motion to change the January workshop date from January 21, 2019 to January 28, 2019 due to the holiday. It was seconded by Eve Bergstrom. Motion carried with all in favor.

1. **Approve minutes from October 15, 2018 workshop meeting, November 5, 2018 business meeting, November 19, 2018 workshop meeting, December 17, 2018 workshop meeting**

Nancy Perkins made a motion to approve the minutes from the October 15, 2018 workshop meeting, November 5, 2018 business meeting, November 19, 2018 workshop meeting, and December 17, 2018 workshop meeting as presented. It was seconded by Eve Bergstrom. Motion carried with all in favor.

1. **Southern Maine Planning and Development Commission - Workshop Discussion**

Emily reported that she had spoken to Paul Schumacher early today. He and Abbie Sherwin will attend the January 28, 2019 workshop meeting to discuss the Land Use Ordinance revisions. Emily suggested, and Paul agreed, that each board member should bring three items that they are concerned about in the Land Use Ordinance to the workshop meeting, so that Paul and Abby have a better idea of what needs to be looked at. They will be updated the State Statute references and reorganizing the ordinances to make them more user friendly. Nancy asked if any of the board members know how the ordinances as a whole match against State law. Emily stated that the reference points are off, but there are a lot of completed ordinances. She has explained to Mr. Schumacher about the Historic District appendix that has been removed. Emily would like to see the definitions gone through. Nancy suggested that the board look into using MUBEC (Maine Uniform Building and Energy Code). Emily will confirm the date of January 28, 2019 with Mr. Schumacher and Ms. Sherwin.

1. **Miscellaneous – Budget Article**

Emily presented the budget request that Jess Larson had sent out. Emily pointed out that minimum wage is now $11.00 an hour, which means that the secretary needs to be raised from $10.00 to $11.00.

1. **Miscellaneous – Discussion Executive Sessions**

Nancy Perkins stated that she looked into Executive Sessions and what the State provides Executive Sessions for. Maine Statutes, Title 1 §405, 6 lists the appropriate reasons for Executive Sessions. Nancy suggested executive sessions to discussed issues or discrepancies. Emily suggested contacting Maine Municipal Association (MMA) and asking if executive sessions are appropriate for discussion between agencies when there are discrepancies. Wes agreed that when there is conflict, to iron it out privately. Emily explained that if Wes has concerns about a project he should discuss them with the chairperson, and they can maybe resolve the issue before a public meeting, so there are no arguments in front of the public.

Ken Hall noted that he would like the planning board to take better control when the public is in frenzy.

1. **Miscellaneous – CEO Report**

Wes reported that Brent Anderson purchased the old gas station on the corner of King Street and Route 25 (Maple Street). Mr. Anderson is considering reconstructing the building into commercial office space. After review the building is not on the list of Historic Buildings, but is in the Historic District.

*Article II, Section 1, B. Historic District (Overlay) (HD)*

*This District is an overlay district covering the historic Village Center of Main, Maple and High Streets. The general purpose of the Historic District is to protect the historic character of the District.*

*The uses of the buildings and the setbacks are controlled by the underlying district. This District, while protecting the historic character of the Village, recognizes the need to make these buildings economically sustainable by allowing mixed uses, permitting full use of all floor space, waiving density requirements and allowing alternative off-site parking arrangements, as long as they are nearby.*

*Article II Section 6, J Historic Building*

*Approval is required from the Planning Board before the Code Enforcement Officer can issue a permit to demolish, move or alter the exterior elevations of a designated historic building (see Appendix C for a list of designated historic buildings and locations).*

According to Article II, Section 6, J since the building is not on the list of Historic Buildings any changes to the current building do not need to come before the planning board. He will need to come before the planning board for a Change of Use application if he moves forward with any changes to the building. Nancy would like the records for when the underground gas storage tanks were removed.

**Communications Received/Sent:**

None

**Adjournment:**

Nancy Perkins motioned to adjourn the business meeting at 7:30 p.m. It was seconded by Eve Bergstrom. Motion carried with all in favor.

Respectfully Submitted,



Desirae Bachelder

CPB Secretary