

Town of Cornish
PLANNING BOARD

17 Maple Street
Cornish, Maine 04020

Telephone: 207.625.4324 Fax: 207.625.4416



12-4-17

UNANIMOUSLY 5-0

Monday, November 06, 2017
BUSINESS MEETING MINUTES

In Attendance: Jessica Larson; Ken Hall; Norm Harding; Eve Bergstrom; Nancy Perkins

Absent: none

Guests: Wes Sunderland (CEO), Carlton Candage (selectman), Heidi Cates, Steve Smith, Diane Perkins, Craig Jones, Lisa & Mike Fulginiti

Call Meeting to Order: 6:30pm PM by Jessica Larson

Unfinished Business: 22 Main St, Café/Organic Bakery- Municipal Sewer/minimal impact review
(rescheduled from 10/30/17 due to storm cancellation)

Discussion:

Water Usage: Heidi Cates (Cornish water District); 2016: 32,164 gallons 2017 to date: 14,212 gallons

1. **Chair:** *What about the Leak?*
 - a. **H Cates:** *Not reflective of these totals leak was backflow off the meter. Doesn't go through the meter. Estimated Leak: 65,000 gallons over a couple of days. Water lost went into the ground not meter.*
2. **Chair:** *When did burst pipe/leak occur?*
 - a. **H Cates:** *Late November 2016. Burst pipe repair done, meter replaced 12/13/16. Water district does daily tests. Guesstimate done 65,000 lost over 2 days (difficult to determine since bleeding also being done). He did not report neighbors did. Water District investigated line followed found burst line at 22 Main St.*
3. **Chair:** *How many gallons per day?*
 - a. **H Cates:** *Can give you gallons per quarter.*
2016 quarterly results: 1st- 9726 gallons; 2nd-9724 gallons; 3rd- 12,716 gallons; 4th-7480 gallons,
tougher to determine since leak occurred.
 - b. **C. Candage:** *Thought you said leak did not go through meter?*
 - 1.) **H Cates:** *Can tell you what went through before leak and what went through after since meter replaced 12/13/16. 4th quarter 7480 gallons.*
4. **Chair:** *What about 2017 usage? What are the quarters?*
 - a. **H Cates:** *Quarters are 3 months (Jan-Feb-March).*
2017 quarterly results: 1st-5336 gallons; 2nd-1496 gallons; 3rd-1496 gallons.
5. **E Bergstrom:** *Was there another leak?*
 - a. **H Cates:** *Water District only aware of one leak. They may have had leaks in the plumbing. We only replaced frozen water line and meter. C Jones: Freeze point blows makes a mess*
6. **C Candage:** *Mentioned 2 different leaks at the last meeting. E Bergstrom: CEO & D Drake discussed.*
 - a. **H Cates:** *The only discussion with CEO was burst pipe/ leak in November 2016. Did give him the numbers and how much was lost. Informed him loss did not go through meter.*

Sewer System: C Candage: Updated substance & flow rate evaluation on October 17, 2017.

Attendees at evaluation: Jess Larson, Norm Harding, Carlton Candage, Fred Gallant (DEP), Ron Taylor(operator) Diane & Linwood Perkins, Nancy & Brad Perkins, Member of Cornish Fire Dept.

1. **Chair:** *Recapped procedure; attendees stationed at uncovered D-Boxes. Cochair: Location was at pump station with operator & fire dept. member.*
2. **Chair:** *Can you share the findings of the evaluation?*
 - a. **C. Candage:** *To date DEP/Operator have taken the unknown substance to numerous state agencies. Agencies have never seen this substance. Suggested go door to door to determine what homes and businesses are using & placing into the system.*
3. **Chair:** *DEP mentioned possible lanolin base products?*

- a. **C Candage:** Day to day operations need to be evaluated. D-Boxes will be covered with hay to prevent freezing. Worst case scenario operator will change valves to keep system operational.
4. **Chair:** Substance viewed looked like white lithium grease. Prior to flow rate test D-Boxes were pumped. Substance found in boxes on the day of test. **N Perkins:** substance is a live substance **Chair:** Bacteria/fungus
5. **Chair:** Flow rate test fire dept. pumped water into tank to disperse affluent. D-Box stationed at, was only a gurgle vs. stream. Trapped gas in pipe no main stream flow prevented proper filling. D-Box filled with substance hindering exit from box. **CoChair:** Was at pumping station, the tank should have been clear instead substance visual once tank uncovered. Substance floated on top when water added. Substance should have been held back in holding tank prior to pump tank.
6. **Chair:** Wasn't tank pumped out?
 - a. **C Candage:** Suspicion grease trap may not be sized for current volume of business or a malfunction exists at the restaurant. **CoChair:** At the time restaurant reviewed sewer was not an obstacle. No opposition existed for establishment. **H Cates:** Sewer design intention was no big users on system. **C Candage:** Inn was consideration. **H Cates:** Reviewed substantial water usage at the restaurant. **C Candage:** Averaging 3x original design for building.
7. **N Perkins:** Reviewed Table 2 sewer system in land use ordinances. What year is table? Shouldn't an updated list exist & review of capacity.
 - a. **C Candage:** Reviewed by laws of sewer district, annual meetings. If system fails town problem. People involved previously wanted to protect commercial interests.
 - b. **Chair:** Table 1996. Design standard 60,710 gallons per day. Max capacity? 17 users on table other establishments added not reflected in the table. **H Cates:** 20 users currently
8. **N Perkins:** Does PB have power to ask sewer district to get reasonable data to make decisions? We must get more updated information Appendix D needs to be addressed.
 - a. **C Candage:** It will be updated. November 30th, 2017 at 6:30 PM annual meeting at Pike Hall with users. 13-20% increase may happen to get system back on line since No incremental increase happened. PB to make informed decisions will be addressed at the meeting suggest your attendance. Usage is part of application consideration.
 - b. **Chair:** Referred to Ordinances Article 1, Section 3, Purpose: Public Health, Safety & general welfare of residents. Need PB to be involved for decision making.
9. **E Bergstrom:** How is substance affecting system?
 - a. **C Candage:** Living organism growing potentially clogging, can shut the system down. Growth greatest concern at the pump station. Concern growing substance can instantaneously clog 1 ½ inch pipes.
10. **CoChair:** Some mention was made to pour chemical to flush out system?
 - a. **C Candage:** Reluctant. **N Perkins:** Proximity to the river. Chemical may leach into the soil & eventually into the Saco river. SMED: Saco River water supply to mill cities. DEP concern: public water supply to these larger communities.
 - b. **C Candage:** System was designed to handle 3x the capacity can't handle current usage.
11. **Chair:** How do you want to proceed?
12. **CoChair:** Café Can they operate or not?
13. **Chair:** Review/ Recap Evidence:
 - Water usage 2016 & 2017, minimal impact operator/DEP: 90/day not seen as an issue.
 - MMA's response (10-02-17): CUP permit issued to building and valid with unique stipulation.
 - Unique stipulation: Cafe22; Coffee, Espresso & some baking, sewer district will keep an eye on usage & grease trap requirement since minimum baking at site (Bakery not primary business)
 - January 18, 2016 new owners. Organic Bakery/Café. Question asked about grease trap? Response grease trap will be installed.
 - Current permits/inspections issued, Dept. Of Agriculture Retail Bakery/Café.
 - Fred Gallant DEP: Unknown substance growing in system, DEH grease trap inspections, permits & plumbing at commercial establishments
 - Oct. 16, 2017 asked if plumber contacted. Response: Working on it.
14. **Chair:** Concerns; Malfunctioning sewer system & stipulation of grease trap.
15. **CoChair:** Taxpayers will be responsible for system failure. Recommends before opening to the public, a grease trap is a requirement. Original applicants stated no baking on site. (PB Member at time of CUP)

16. **E Bergstrom:** 2 parts Café vs residential maybe an either-or situation?
- Chair:** Concern 90 gallons/day minimal impact vs potentially addition of 290 gallons/day residential, apprehensive adding additional usage until sewer issue resolved.
 - CoChair:** residential what floor? **Chair:** Second floor.
 - N Perkins:** Certificate of Occupancy review/ inspection process by CEO?
 - CEO:** Key Inspection Safety, Electrical, Egress, Hand rail, shut off, smoke alarms. Commercial need a check list for requirements. Develop a clearing house for licensing/permits, etc.
 - E Bergstrom:** Extensive requirements needed to be completed for new home by previous CEO prior to certificate being issued.
17. **Chair:** 22 Main St grease trap requirement?
- CoChair:** Need grease trap before opening to protect sewer system and we do not need to readdress.
 - K Hall:** Applicant has given repeatedly conflicting answers over last 3 months required.
 - E Bergstrom:** Grease trap required and allow to open.
 - Chair:** Letter needed mandating grease trap before opening. **CoChair:** Sized for growth
 - N Perkins:** Is there clear documentation on electrical/plumbing inspections at commercial establishment? Noted D Drake stated he did electrical work at Café.
 - CEO:** Home owners can do own need licensed electrician for broken box. Commercial business licensed electrician required. **Chair:** Permit required? **CEO:** No electrical permit required assumption licensed electrician did work. **CoChair:** New power hook up (CMP) need appropriate permits documentation. **Chair:** What about established business with power? **CoChair:** Commercial should be required. **CEO:** Did electrical plumbing inspections in the past how it got watered down is the question? **C Candage:** In the past permit required with follow up inspection.
 - N Perkins:** Grease trap letter worded to include all necessary permits/inspections.
18. **H Cates:** Bakery/Café require commercial RPZ backflow preventer. Prevents back up of E. Coli into municipal system and contamination of public water supply (Public Health/Safety). State of Maine Water Drinking Program adopted 2014. All businesses using municipal drinking water are required to install. Inspected once a year, J Taylor on Water District has specialized license for inspection. Copy of program presented.
- Chair:** Is there a log? **H Cates:** Yes, even private inspectors send copy of certificate/inspection yearly.

Conclusion: Chair motion for a vote: Send certified letter Bakery/Café may open to the public after installation of a properly fitted **grease trap and RPZ commercial grade back flow preventer** by a licensed plumber including permits/ building inspections certified by the CEO & Water District before opening.
CoChair: so, moved **E Bergstrom:** 2nd: **Vote: unanimous 5 to 0**

Public Comment:

- CEO:** To protect neighboring landowners behind Café, Parking in rear of building?
 - Chair:** Original CUP, site walk questioned property lines. Difficult to address parking issue Main St restrictions & other businesses. **N Perkins:** Ironic spaces on Main St are counted by all businesses, parking ordinance difficult to evaluate. **CEO:** Parking is a free for all.
 - CoChair:** PB in the past has had numerous walk arounds to address the issue not a lot of room to resolve the problem. **Chair:** C Candage working on it, tricky situation residential properties, wet lands & river. **C Candage:** Grant money may be available.
- D Perkins:** Should MMA review letter?
 - Chair:** Unique stipulation addressed in original CUP, Sewer problem now a Public Health/Safety issue.

New Business: none

Agenda Items:

- Approval minutes of the Business/Workshop Split Meeting Monday, October 16, 2017
 - Minutes unavailable until next workshop meeting November 20, 2017.
- Continues business: CUP/22 Main St, residential occupancy permit
 - Application deemed incomplete until all members get copy, deferred till December 4th, 2017 Business Meeting, guidance needed from annual Sewer District meeting November 30th, 2017.
- Spirit of America Tribute Mr. Hoxie
 - York County Commission Letter: November 15, 2017 3:30pm at 149 Jordan Spring Rd, Alfred.

4. Pike Hall renovations/ PB office
 - a. Files organized by property tax map I.D... Maps are being reviewed organized, new map holds 200 maps. Geographic, FEMA, aerial, conservation & aquifer maps will be on hand. Located original plans for sewer, water & aquifer plans will go to Town Clerk for municipal service files. Upcoming workshop meeting November 20, 2017 6:30 PM will be at Pike Hall
5. Other: **L McMaster:** *Questioned business meeting scheduled 10/30/17, PB By-Laws Article 5 Section 1. Regular scheduled business meetings shall be 1st Monday of each month. Can another business meeting be scheduled outside of By-Laws for a vote? Legal/compliance?*
N Perkins: *School Board meets 1st Wednesday of each month, when written was a different time issues come forth needing immediate attention. School Board reviewed with Drummond/Woodsome: When business meeting happens outside of 1st Wednesday announcement required, Public informed that a decision/vote will take place. Dynamics changing that you can't wait a month for issue to be addressed.*
L McMaster: *Concern; PB By-Laws make provisions conflict may exist?*
Chair: *Will follow up with MMA for clarification/guidance.*

Communications Received/Sent:

1. YWSG notice 10/30/17 22 Café/22 Main St/Sewer review
2. Cancellation 10/30/17 due to storm/power outages (e-mail)
3. E-mail sent to Selectman CPB positions available

Agenda Items for Next Meeting: Workshop Meeting – Monday, November 20, 2017 6:30 PM

1. Approve minutes of the Business/Workshop Split Meeting Monday, October 16, 2017
2. Review Commercial Food establishments licensing/permits/inspections
3. MMA request PB By-Laws clarification scheduling business meeting outside Regular Meeting.
4. Other

Adjourn: 8:30 PM