



12-18-2017

unanimous 3-0

Monday, December 4, 2017
BUSINESS MEETING MINUTES

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

Absent: none

Guests: Wes Sunderland CEO, Lisa & Mike Fulginiti, Craig Jones, Diane Perkins, Thomas Greer, Jack Wadsworth

Call Meeting to Order: 6:30 PM by Jess Larson

Unfinished Business: 22 Main St CUP for Certificate of Occupancy: agenda item 4

New Business: Wadsworth Gravel Pit (pre-application review): agenda item 5

Agenda Items:

1. Approve minutes of the **Business Meeting, November 06, 2017.**

Motion, moved, 2nd, vote: **5-0 unanimously approved**

2. Approve minutes of the **Workshop Meeting November 20, 2017**

N Perkins absent at the WM recused herself: Motion, moved, 2nd, **vote 4-0 unanimously approved**

3. **CPB Housekeeping:**

A. Planning Board Budget request FY2018 to be sent to Selectman & Budget Committee.

Chair: Reviewed budget FY2017 for lawyer fees \$1000 ask to increase to \$5000. **N Perkins:** suggests \$3000

CoChair: probably need more **Chair:** Motion to send request for \$3000 legal fees in a perpetual account.

Moved, 2nd, **Vote: 5-0** unanimous. **Chair:** Budget request will be sent to committee.

B. Selectman reviewing Emily Ward's application for Planning Board membership.

4. **Unfinished Business:** CUP 22 Main St Certificate of Occupancy for the commercial establishment.

A. **Chair presented each member of the PB a copy of the CUP application** (application deemed incomplete at Nov. 6, 2017 Business Meeting since each member did not have a copy).

Chair: CEO initiated CUP. Review:

1.) Only CUP that exists is for Café 22 no other on file.

2.) Current owner's establishment has not been open to the public for 18 months, unable to determine water/sewer usage.

3.) Appendix B: Sewer table "Potential for 2 bedrooms 290 gallons".

4.) **Sewer system issues** asked E Bergstrom to review findings at 11/30/17 Sewer Annual Meeting.

a. **E Bergstrom:** District located someone that saw a similar substance, determined it's not live found to be wax. Not sure where it came from, could have been there for a long time slowly building up. Voted to increase the capital fund to cover expenses, follow up in 6 months to determine another increase.

b. **Chair:** 19 users. Appendix B Table user list up to date. Flow rate issue due to substance. Sample sent to Colorado determined wax, believe to be a breakdown of lanolin. Asked about adding on to system. Sewer operator cautioned taxing the system. Need flow rate test due to the waxy substance.

c. **M Fulginiti:** Elected CoChair of Sewer District, Flow test will be done, trying to find someone local due to cost \$100/hr. If repairs needed would not happen until Spring. Possibly grants available.

d. **N Perkins:** If grants become available maybe months before funds issued.

5.) Dan Drake letter returned. E-mail sent with attached letter on same day certified letter mailed, no issues on recipient receiving the message. **CEO:** He was given the letter reviewed stipulations of Grease Trap, permits, PBZ backflow and inspections before Café/Bakery opening.

B. **N Perkins:** CUP application before the board is not from the Town of Cornish, Line 11 residential dwelling. If someone is reviewing the application, they would not know what his actual attentions are.

DISCUSSION:

1.) **Chair:** Language vague we should require corrected detailed application.

- 2.) **E Bergstrom:** *My understanding: he thought he already had CUP for Café to open. The expiration date on the bottom of CUP was add on by CEO. CUP was for residential establishment upstairs.*
- 3.) **N Perkins:** *Request clean application. CEO: On the application questioned time line and expiration of the initial CUP. Recent meetings CUP initiated to Café 22 carried over without expiration (renovation work time frame was questioned). This CUP is for a residential/occupancy permit at the commercial building.*
- 4.) **Chair:** *Mr. Drake stated that Libby's (Yarn Shop) had a CUP for Occupancy/Residential Permit. Reviewed files only a pre-application exists never approved. Occupancy was to be on 3rd floor with garage and elevator. Depended on whether they found another establishment that suited their needs.*
- 5.) **N Perkins:** *Site walk 3rd floor: reviewed that there was knob and tube wiring. Upgrade needed?* **Chair:** *Mr. Drake presented 2nd floor for residential. N Perkins: CUP needs to indicate/state clearly. CEO: Residential needs drafted floor plan to define commercial space vs residential.*
- 6.) **E Bergstrom:** *We tabled the residential space focusing on the Commercial Café portion first. Chair: Sewer is and was the issue since never opened to the public. Do we want to potentially add usage or wait until after spring wen issues are defined and CUP application is corrected?* **CoChair:** *Wait*
- 7.) **N Perkins:** *Motion to table this CUP until a clearly defined plan of action and we are aware of the capacity of the sewer system. Chair: So, moved K Hall: 2nd CoChair: Prior to the vote question sprinkler system needed for 2nd floor residential. CEO: State Fire Marshall will determine. Chair: Vote on the motion presented by N Perkins to table CUP* **Vote: 5-0 unanimous**

PUBLIC COMMENT: **D Perkins:** *PB By-laws 60 days. Chair: Tabled initially CUP due to sewer issues primary CUP Café 22, question of expiration. Last Business Meeting CUP deemed incomplete each PB member did not have a copy. Each member presented copy at today's meeting. D Perkins: How long can PB table? Chair: PB by-laws do not give time frame if tabled. Will check with MMA for guidance.*

FURTHER DISCUSSION:

N Perkins: *Reviewed of the CUP application again, needs to be filled out correctly. Should we reject the application for being incomplete? Wouldn't the CEO be more comfortable if we resend the vote and reject CUP for completion start CUP over with fresh page? Motion: To resend the previous vote to table the CUP. Moved, 2nd. Chair: Vote: 5-0 unanimous. N Perkins: Motion to reject CUP occupancy/residential application since it is incomplete and needs to provide required/requested information, moved, 2nd. Vote: 5-0 unanimous*

CONCLUSION:

A registered letter will be sent to commercial address, along with e-mail (including the letter) to Mr. Drake rejecting his CUP application for it was deemed incomplete. Application requires floor plan for residence, since 2nd floor has commercial offices, clear delineation required. Article III, Section 7, Land Use Ordinances Site plan review requires application be on provided forms by the Town.

5. New Business: Wadsworth Gravel Pit (pre-application review) New **Location: Tax Map R02, Lot 71, Wadsworth Lane** behind Industrial Park Contour360.

A. Thomas Greer P.E. representing John Wadsworth presented overview of the project:

- 1.) The Plan, Wadsworth parcel, & 3 aerial photos.
 - a. Pit area is less than 5 acres internally drained, 50-100 ft. property line buffers
 - b. Gravel access road (24 ft. wide), from Rt. 25, Wadsworth Lane, behind Contour360 to pit. Portion of road to be upgraded some. Pit operator will review and upgrade as needed.
 - c. Pit volume 90,000 cubic yards over 10 years. 9,000/yr. approx. 750 trips/over 150 working days, average 5 trips/day (most likely 30 to 40 trips/day and days with no trips)
 - d. Hours of operation: 6 days per week, ½ day Sat, 6am to 7pm Mon-Sat.
 - e. Entrance gated during off hours, some screening of material (due to silt), rock crushing at site, stockpiles. Separate air license for crusher.

B. DISCUSSION:

- 1.) **CoChair:** *What is the road going through the center of the property?*
 - a. **T Greer:** *Road goes through the parcels over the brook to the Old Limington Rd.*
 - b. **J Wadsworth:** *Cost share road NRCS (Natural Resource) used for fire access & logging. This parcel acquired 1995, 96-acre track connects to 2-300-acre lot.*
- 2.) **K Hall:** *Pit operation in past operated on Sundays, huge issue with neighbors. Feel that PB should mandate proper security & time of operation.*
 - a. **Chair:** *Mineral Exploration & Extractions Ordinance hrs. of operation 7am-7pm Mon-Sat*
- 3.) **Chair:** *Permits/licenses? Crusher/Noise? Storm water run-off?*

- a. **J Wadsworth:** Under 5 acres, boundary requirements, meet state performance standards.
- b. **T Greer:** Pit location, far from neighbors, a lot of wooded area, noise should not be an issue. Internally drained so no storm water run-off, area not wetlands, noted another pit location.
- 4.) **N Perkins:** CUP application line #9 DOT, do you need DOT permit?
 - a. **T Greer:** Yes, if change of use of road, would need to estimate number of trips, site distance.
 - b. **J Wadsworth:** Our use may be more than what was used in past.
 - c. **N Perkins:** Will you be getting something from DOT? **T Greer:** Yes, if required.
 - d. **K Hall:** PB requires for our records.
- 5.) **Chair:** Reclamation of Site, Top Soil, vegetation?
 - a. **J Wadsworth:** Revegetation with Norway Pines. Brownfield Pit, 3000 pines planted, 80% survival. Cornish parcel not much topsoil mostly sand & gravel, not enough loom on site to reclaim land. Norway Pines best answer for reclamation.
- 6.) **K Hall:** Washing at site? What's per-cent analysis composition at site?
 - a. **T Greer:** No washing, gravel crushing. Pit sandy w/gravel specs on a project determine amount/%.
- 7.) **N Perkins:** Looks like Mr. Wadsworth is the major abutter. Will other plots be developed?
 - a. **J Wadsworth:** I'm to the west, R Libby north. Other pits maybe, current focus 5 acres over 10 yrs.
- 8.) **Chair:** Fuel storage at site?
 - a. **T Greer:** No, machines fueled by a mobile unit most likely.
- 9.) **E Bergstrom:** Is the center road designated a Fire Lane which must remain clear? Gate placement?
 - a. **J Wadsworth:** Not sure on designation by town
 - b. **T Greer:** Gate will be at top, will not prevent access to that road.
- C. **Conclusion:**
 A Site-Walk, YWSG Notice, and abutter notification required. **Site Walk Scheduled: Monday, January 8, 2018 at 2pm**, due to New Year's Day the Business meeting is rescheduled for: Monday January 8, 2018, 6:30pm. CUP application, site-walk & abutter commits will be reviewed.

Communications Received/Sent:

- 1. Dan Drake certified letter returned 11/28/2017
- 2. Pinkham & Greer Civil Engineers: Wadsworth Gravel Pit
- 3. Selectman reviewing application for new PB member

Agenda Items for Next Meeting: Workshop Meeting – Monday, December 18, 2017 @ 6:30 PM

- 1. D. Drake letter PB members signatures
- 2. Approve minutes of the Business Meeting, December 4, 2017.
- 3. Review: Mineral Exploration and Extraction Ordinance
- 4. Wadsworth Grave Pit: CUP review
- 5. Other

Adjourn: 7:38 PM