

Cornish Planning Board
3/2/93

Mtg. called to order at 7:15 PM.

Bob Libby of No. Parsonsfield present. He wants to buy the Saco River Estates subdivision (Patten) and wants to know if there will be any problem with changing owners. Everything else would be as approved for Patten. Closing is set for 2/27/93.

KL informed Bob that we have a moratorium in effect until May.

JM - Names on maps would have to be changed if he knows what he will call it otherwise would have to come back.

BL - It would be the same, Saco River Estates.

JM - You would just be the new owner, as recorded.

BL - The appraisal on that approval, a stack of papers about this high, says-

KL - It also says, "Note: owner of record, Patten Corp of Maine" with their PO Box and address. I think that probably it would be appropriate to have a new plat plan-

BL - A new map?

KL - A new map submitted with your name, the owner of record information being updated but beyond that I wouldn't see any problem at all as long as it's going to stay exactly the same as it's laid out now. Essentially before - and I don't know if it's before any construction can begin or before any lots could be sold - as to the performance guarantee or the letter of credit. As I recall in our conversation on the phone, I made you aware that there currently is a moratorium on this property which would not permit construction to occur until such time as the new land use ordinance is approved or acted upon by the town.

BL - When is that going to be?

KL - Well at this point in time it looks like it will be sometime in May.

BL - Oh, no problem cause I have to get the road in anyway.

KL - You also indicated to me that you were considering doing some logging on some of the land and one of the concerns we would have in that regard is that the law requires for subdivisions that trees over a certain circumference have to remain on the property.

BL - Right, what we want to do is take all trees 6 inches and under and take all that out, and anything over 6 inches take 40% to 50%.

JM - Need line of credit from the bank before he can start it for the road. That has to go to the selectmen, not to us.

KL - Basically the situation, the way it's set up now, is that the planning board is asking that the wording of the letter of credit is such that if the road is not constructed within a certain time period, if the letter of credit is going to lapse, the town be given 30 days notice and it will exercise the option on the letter of credit.

BL - OK.

JM - Then he would have to stop, right?

KL - Well, the performance guarantee or the letter of credit is sufficient to cover the cost of completing that road so that if for some reason it is going to be allowed to lapse the town is protected in terms of having that work done.

BL - The road doesn't bother me, we can do most of it ourselves.

JM - Did they give you all the stuff about that?

BL - Yeh, I've got it.

KL - The only other concern that I have about that is there are new zoning ordinances and we have road construction standards that may not necessarily correlate to what was in effect on this plat plan.

JM - I know, but I don't know if we can ask him to change what was passed at that time if he buys the package. I don't think you'll want him to cause it's well laid out and pretty strict.

BL - No, I don't think you'll want to change it either. It's very hard and -- (unintelligible)--When was that approved?

JM - 1989 I think. We worked on that probably 3 years.

CW - I think it would be as approved.

JM - I think so, too.

Discussion.

KL - Rights to nonconforming use cannot arise by the mere filing of a notice of intent to build, an application for building or use permit or application for required state permits and approvals. Such rights arise when actual construction has begun. Now, I suppose some actual construction has been done on that but I don't know that it's enough.

BL - It's been destumped and gutted out.

Discussion

KL - As far as to instituting the changes in regards to ownership would we need to re-sign the plat plan?

JM - I don't think we would have to but we would have to have a new deed. That's the only thing I can think of.

KL - I don't see us having any problem with approval.

JM - It just has to go on record someplace.

BR - If it's already been approved is there a time frame on when they were to start building on that or anything. They approved subdivision and they're going to sell it to Bob. The plan was originally by Patten but--

The new deed would make reference to the plan made for Patten. And that plan's on record.

KL - I don't think we need a new plat plan. Eventually everyone of these lots will be sold. We won't need a new plan everytime a lot is sold and a new deed is given. Have you been to DEP?

BL - Yes, I guess we're all set.

JM - They approved everything before.

BL - All we've got to do for DEP is get the name changed from Patten to me. And all I've got to prove is that I'm financially able to finish the project. We've sent them all the financial statements and all that stuff. Just waiting for them to get back to me and you know how that is, it could be a month or more. The closing date right now is 2/27.

KL - He has to have his line of credit in place before he can sell any of the lots.

JM - Or start the road.

KL - Right. He's not going to be allowed to have a building permit to do that until this moratorium is over. We wouldn't need a letter of credit any earlier than that.

BL - How about cutting wood down there?

KL - There's nothing that says you can't cut wood.

Meeting adjourned.

Notes by Lillian Bell, Secretary.