

CORNISH PLANNING BOARD
Minutes of April 19, 1989

Meeting called to order at 7:06 PM.

Present at the meeting were Marilyn McCulloch, Judy Matheson, Dianne Perkins, Walter Stickney, GEO Bruce Smith, and Selectman Warren Neal.

Selectman Neal was asked and explained the town's position with regard to the meeting of April 27 concerning the Sawyer Mountain affair.

Mr. Steve Smith and Mrs. Barbara Conover came to the board to discuss his Conditional Use Permit for his car wash/convenience store. There has been complaints to some board members that the fuel tanks were not installed according to the plan, that they were not the type required, and that they were installed too close to the property line. Mr. Smith brought the board the shipping invoices stating the tanks were of double-walled design as required, and a letter from the Maine DEP acknowledging a completed registration of materials and permission to install same beginning on April 3, 1989. With regards to installing the tanks, Mr. Smith stated that when the installer arrived, the installer suggested moving the tanks to the westerly side of the building so that the car wash and gas pump facilities would not be blocked off during the filling of the tanks. Mr. Smith thought that was a good idea and told the installer to keep the tanks at least 20 feet off the property line, thinking that that was the correct set back. It was determined that performance standard 7.4 Explosive Materials requires a 40 foot set back. Mr. Smith asked for a waiver of the 40 foot requirement. After some discussion, it was determined that the waiver could not be granted because it is part of the town's ordinance, and a change from that would require a variance from the appeals board. Mr. Smith then asked if the board would approve a change in the plan moving the tanks from the area shown on the original plan to a spot on the westerly side of the building 40 feet off the property line. M.M. stated that SMRPC attorney Madge Baker has stated to her that it is proper for a board to make changes when it is deemed appropriate. The following motion was made: The board accepts a change to move the tanks to the westerly side of the building with a minimum set back of forty feet from the property lines and conforming to all other town, state, and federal regulations. Motion passed 4-0.

Mr. Smith also presented a rough site plan showing the location of a diesel pump that had not been shown on the original plan. A motion was made as follows: The board accepts the diesel pump located eighty feet +/- ten feet from the front property line and a minimum of twenty feet from the side line, providing that the location meets all existing local, state, and federal regulations. Motion passed 4-0.

Also mentioned was Mr. Smith's gravel permit, limiting the cutting of trees which act as a buffer. The matter was referred to the CEO.

Mrs. Conover, also representing Killdeer Acres, presented a letter from herself dated April 19, 1989, in response to a planning board letter to her dated

April 8, 1989, stating that a revised plan was submitted with some changes in the wording of the notes required. Also, that the developers agree that the deeds for lots 5 and 8 will reflect the same language as for lots 6 and 7 as requested by the board. Also, the letter offered a suggestion to satisfy Submission L of the regulations.

Also presented was a letter from Hans C. Hansen, Inc., a well driller, to satisfy Submission 6.2 E-2.

Also presented was a plan that reflects the correct location of the road, and the changes and notes requested by the board in it's April 8 letter. On the plan it was noted that the ditch cross section did not accurately conform to the ditch design determined necessary in the Stormwater Management and Erosion Control Plan. Also, the initials "DEP" were left out of note C. It was determined that : 1. the words "including DEP" would be added to note C. 2.. That the ditch x-section would accurately reflect that in the SW/MiaECP or its equivalent in design certified by a Reg. Professional Engineer, and 3. That the words "FINAL PLAN" would be put on the plan.

Deed Covenant Section 12 was again brought up. No opinion has yet been received with regards to the wording of the section. Mrs. Conover asked that the board make a decision. After some discussion a motion was made to accept the section with the words "and shall be reviewed by the appropriate reviewing authority" added to it. The motion passed 3-1, D.P. against.

Submission L is addressed in Mrs. Conover's letter. It provides for a binding agreement with the Town of Cornish. The matter was turned over to the Selectmen for their consideration.

W.S. wants the record to show that lots #4 and #5 do not have 200 feet of frontage. The Town ordinance does not specifically require frontage, but rather width, and there is no definition of width in the ordinance.

Other business: 1. there is the possibility of a group coming before the board to discuss the possibilities of building a 28 unit elderly housing unit on 55 acres of land on Route 5, Northeast of the village. 2. the matter of a traffic problem because of the business being conducted at the Ernest Rose residence on High Road was referred to the CEO.

Election of Officers as per the by-laws:

Marilyn McCulloch - Chairperson
Dianne Perkins - Vice- Chairperson
Walter Stickney - Secretary

Meeting adjourned 11:35 PM