 **PLANNING BOARD**

 17 Maple Street

 Cornish, Maine 04020

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Monday, April 2, 2018

BUSINESS MEETING MINUTES

**Call to Order**

Chairwoman Jessica Larson called the meeting to order at 6:29 p.m.

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

Guest Present: Chris Calnan, Diann Perkins, John Watts.

**New Business:**

**(Recorder’s Note: The minutes reflect the order in which the agenda items were discussed.)**

1. Vote to split 4/16/18 meeting business/workshop,

Emily Ward motioned for a split business and workshop meeting on Monday, April 16, 2018. It was seconded by Norm Harding. Motion carried with all in favor.

1. PB Bylaws review/Maine Municipal Association (MMA) response

The Planning Board By-laws Article III, Section 1 states: “The board shall elect a chairperson and a vice chairperson from among its members. The board may either elect a secretary from among its members or hire a non-board member to serve as secretary.” Article III, Section 2 states: **“**The election of officers shall be held at the first regular planning board meeting following the annual town meeting.”

The Town adopted an ordinance at Town Meeting in 2009 that states that the chairperson and a vice chairperson are to be elected every two years. Per MMA’s response this adopted ordinance overrules the By-laws. Therefore the Board will need to follow what is in the ordinances until the By-laws can be updated to reflect the information in the ordinances.

1. Terms of office/Vote for chair/co-chair

According to what was discussed about the Planning Board By-laws in agenda item 8. the Board does not need to elect a chairperson or vice chairperson. The current terms will expire in 2019 and will need to be voted on at the first business meeting after the Annual Town Meeting in March 2019.

4. Approve minutes of the March 26, 2018 Workshop Meeting

There were no minutes to approve.

1. Cornish Inn grant request PB approval/signatures.

This request was discussed at the previous workshop meeting on March 26, 2018. Jess Larson stated that there is nothing he will be doing to the building that is outside of the parameters of the Comprehensive Plan.

Norm Harding motioned to approve the letter for Rick Rowland concerning the grant for Cornish Inn. It was seconded by Emily Ward. Motion carried with all in favor.

1. Karen Remington – Spirit Flow Pathways

The Board asked Karen Remington at the previous workshop meeting on March 26, 2018, to send a formal request with a list of items she wished to sell as part of her Home Occupation. Karen did send a formal request dated April 1, 2018.

Jess Larson stated that she had reached out to John E. O’Donnell and Associates for their input on what districts Mrs. Remington’s property is located in. The property is in the Agricultural District, the Rural Residential District and the Historic District. This means that Mrs. Remington will have to address each district if she decides to establish more businesses there.

Jess Larson brought the Boards attention to Article II, Section 3 (B) “When a lot is divided by a land use district boundary other than the boundary to an overlay zone, the following rules shall apply: 1. On lots 80,000 square feet or less in area, the lot shall be used as if the entire lot were in the district which comprises the larger portion. 2. On lots larger than 80,000 square feet, the district regulations shall be followed in each portion.”

Eve Bergstrom stated her concern about the selling of the items requested, expanding to more than what a Home Occupation would allow. Emily Ward agreed and stated the items listed should only be sold on the premises and only during scheduled class times.

Wes Sunderland stated that he had spoken to Mrs. Remington about a Home Occupation versus a retail business. Mrs. Remington will be coming before the Planning Board in the future to discuss her plans.

Emily Ward motioned to approve that the items listed: Essential Oils, Crystals, Yoga Mats/Props, and a few Yoga shirts and leggings can be sold during scheduled class hours only, and only on the premises of the Home Occupation. If there are any changes to the Home Occupation or the items listed Mrs. Remington will need to come before the Planning Board with a new plan. It was seconded by Norm Harding. Motion carried with all in favor.

**Old Business:**

1. Revisit Fairgrounds application review.

The new eating area (pavilion) is 800 square feet, approximately. According to Appendix B. Cornish Fee Schedule, page 112, the fee for a site plan would be $400.00, since the site plan is less than 1,000 square feet. Mr. Anastasiadis has already paid $150.00, therefore $400.00 minus the $150.00 already paid for a total of $250.00 due prior to the Boards approval of the Site Plan.

Emily Ward moved that the Board charge the $250.00 for the Site Plan. Norm Harding motioned to charge the $250.00 for the Site Plan. It was seconded by Eve Bergstrom. Motion carried with all in favor.

The Board discussed that a correct site plan needs to be submitted before the plan will be approved. The Board also discussed requesting that the fence around the pavilion be 4 feet in height, although it cannot be a requirement.

1. Revisit Brent Anderson – Anderson Septic Sand Pit –review & drafted letter?

The letter that the Board originally drafted to be sent to Mr. Anderson was never sent, but he did comply with every request that was in the letter once the property was purchased.

The sand pit is in the Agricultural District and the Rural Residential District. Jess Larson asked that it be noted in the minutes that Mr. Anderson is using the pit as a private enterprise for the private use of his company; it is not to be used as a commercial enterprise, unless Mr. Anderson submits the proper paperwork.

1. Cornish Variety - Yasser Alsudany and Amanda Smith

There was nothing further for the Board to discuss on this matter.

Jess Larson reminded the Board that there are three site walks scheduled for Friday, April 13, 2018. The first is scheduled for 2:30 p.m. at Cornish Variety, the second 3:00 p.m. at Fairgrounds, and the third 4:00 p.m. at Anderson’s sand pit.

**Public Comment:**

Chris Calnan stated that he would like to work with the Board on more Ordinances concerning Public Safety. Emily Ward suggested placing this on a workshop agenda, and work towards creating a committee comprised of Firemen, Planning Board members and private citizens. Jess Larson motioned to defer and place on a workshop agenda in May.

Chris would like to see locks boxes throughout town. Chris would also like to see job description for Planning Board, Appeals Board, and Selectmen so that each member of the board knows what they are allowed to do, or what their responsibilities are.

Jess Larson stated that Land Use Ordinance Article IV, Sections A, B & C state the responsibilities of the Code Enforcement Officer, the Planning Board and the Board of Appeals. Emily suggested going to the Maine Municipal Association website to see what they have for Selectmen responsibilities.

1. Vote for Executive Session Pursuant to Title 1 §405 (6) (A) to Discuss a Personnel Matter.

Norm Harding motioned to enter Executive Session at 7:30 p.m. It was seconded by Emily Ward. Motion carried with all in favor. (At this point the members of the Public left the meeting.)

The Board came out of Executive session at 7:51 p.m.

Norm Harding motioned to draft a letter to the Selectmen, to discuss irregularities, issues of continuity and address areas of concern regarding Code Enforcement Officer, J. Wesley Sunderland. It was seconded by Norm Harding. Motion carried with all in favor.

1. Other:

Emily Ward motioned to pay the Secretary on a monthly basis instead of the normal biannual check. It was seconded by Jess Larson. Motion carried with all in favor. Jess will contact Town Clerk Kaye Blake and let her know of the change.

**Communications Received/Sent:**

1. Maine Municipal Association: PB By-Law request town meeting adoption 03-16-2009 (e-mail).
2. Karen Remington – Request to sell items at Home Occupation 4/1/2018 (email)
3. Cornish Inn grant request 3/26/2018 (e-mail)
4. Anderson Septic Sand Pit 5 Abutter’s Letters Sent 3/30/2018
5. Cornish Market & Variety 22 Abutter’s Letters Sent 3/30/2018
6. Fairgrounds Pizza & Pub 16 Abutter’s Letters Sent 3/30/2018

**Agenda Items for Next Meeting: Business Meeting – Monday, April 16, 2018 @ 6:30 PM**

1. Cornish Variety Site Plan Review
2. Fairgrounds Restaurant Site Plan Review
3. Anderson Septic Site Plan Review

**Agenda Items for Next Meeting: Workshop Meeting – Monday, April 16, 2018**

1. Approve minutes of the March 26, 2018 Workshop Meeting
2. Approve minutes of the April 2, 2018 Business Meeting.

**Adjournment:**

Norm Harding motioned to adjourn at 8:02 p.m. It was seconded by Emily Ward. Motion carried with all in favor.

Respectfully Submitted,



Desirae Bachelder

CPB Secretary