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Cornish Planning Board
Minutes of May 3, 1989

The meeting was called to order at 7:08 PM.

Present were Marilyn Melulloch, Judy Matheson, Verial Pendexter, Walter Stickney, CEO Bruce Smith, and Warren Neal.

M.M. went over the agenda. The dues were not prepared to come tonight.

Mrs. B. Conover and S. Cohen presented a revised plan of Kilden Acres which appears to meet the requirements. In regards to Submission 1, the selectmen were not receptive to signing an agreement with the developers as per section 12.6 of the Subdivision Regulations. In lieu of that, Mrs. Conover presented a sample letter from Maine National Bank for a Construction Escrow Account. She stated that they were asking approval of the final plan conditional to receiving a letter of credit as Maine National wants to see an approved final plan before issuing an irrevocable letter of credit. M.M. stated that the selectmen would need to review the letter as the town would still have to enter into a contract with the developers. Submission 8.2 has been met. A receipt for a completed application will be issued, and a public hearing for Kilden Acres was scheduled for May 17 at 7:15 PM.

Mr. Steve Smith was issued a conditional use permit to operate a gravel pit on Oct. 5, 1988. One of the conditions of the permit was that the trees and bushes were to remain to act as a buffer. Mr. Smith said that the trees and bushes were left along Route 25, as

There was no mention on the CUP where the trees to be saved were located. He also said that all the land would be scraped and seeded when he has removed the roll, or when the permit expires. W. S. stated that the intent of the board was to have the trees and bushes at the base of the slope remain, though no wording to that effect was found in the minutes. Also V. P. said the board did not intend to have any of the pits operations located in the field, but no wording to that effect was found, either. Therefore, there is no apparent violation of the C.U.P.

CEO Bruce Smith asked for some advice on how to proceed with the Smithy-Rose situation. They applied for a C.U.P. for a resource center, mail order business, and a graphic arts studio, all as home occupations. It was determined at that time that a C.U.P. was not needed for a home occupation. M.M. sent a letter on August 22, 1988, which defined a home occupation according to our ordinance and also sent a copy of the performance standard 8.8, which further defines and clarifies a home occupation. The major complaint has been an increase in traffic and parking along the street which has at times made for a very hazardous situation. The problem seems to be more related to classes which they are offering. W. S. said that what they were doing did not appear to fit in the classification of a home occupation. Warren Neal said that it is the position of the

selections that all of the town's ordinances will be enforced. After further discussion, it was decided that M.M. should call Madge Baker at SMRPC to discuss the legalities.

The CEO also brought up Video Ventures. There is a lack of parking available at the present time. There is some room at the rear of the building where parking might be located, but the CEO does not think that there is sufficient access along the sides of the building. Also, he thought that a parking area in the rear would be of little use since there is no access to the store from the rear. He is going to write a letter to the owner explaining his concerns and asking the owner how he plans to rectify the situation.

Deonn Perkins arrived at 8:20 PM.

A great amount of time was spent discussing the proposed sign ordinance. Several new suggestions were added. M.M. will type a rough draft and bring it to the May 17 meeting for further consideration. The CEO expressed his feeling that if temporary signs were to require a permit from him, a fee should be assessed. He was asked to submit a list of the duties he performs presently for which he receives no compensation so that the planning board could work with the selectmen to determine an appropriate fee schedule and submit it as an article for inclusion in the warrant for the next available town meeting.

In other business, Karen Neal stated that the selectmen have received a petition from Nancy and Stanley Clark requesting a zoning change from residential to business commercial for the property on which the Fiscars Hall is located. There was some discussion about the legality of a person/s initiating a zoning change for property in which they have no apparent vested interest. The town ordinance does not specify that the person/s initiating the change needs to be the owner or his agent. M.M. said she would discuss this with SMRPC, and a public hearing was scheduled for June 17, 1989, as required.

Patten Corp. has requested that they be put on the agenda. They would be scheduled for May 17.

Sinda Carvel has asked the planning board to schedule a site walk for her property on Hessian Hill. To satisfy the provisions of the pre-application stage of the sub. regulations a site walk was scheduled for May 31 at 6:00 PM.

There will be an important meeting of all members of the Comprehensive Plan committee on May 24 at 7:00 PM.

M.M. stated that she has received several calls about the Chaslec property on Route 5. It appears that the property may be divided by three zoning boundaries. The feeling of the board was that the owners of the property need to determine the exact zoning boundaries if that is their desire, and that it is incumbent on the planning board to do so. The expressed interest of the owners is to build a congregate care facility.

M.M. stated that she has received the information from the selectmen which the planning board had requested regarding the town's contract with MERC. The contract calls for a minimum tonnage of 300 tons/year and a maximum of 540 tons/year, for which the town will be charged \$9.70 / ton. If the tonnage is exceeded as it was with 605 tons in 1988, MERC has the option of charging \$35.40 for each extra ton. The figures and contract will be discussed ~~in~~ in more detail at a later date.

Meeting adjourned at 11:22 PM.

Respectfully submitted,

Halter Stickney, Secretary.