**PLANNING BOARD**

 17 Maple Street

Cornish, Maine 04020

Telephone: 207.625.4324 Fax: 207.625.4416 E-mail: planningboard@cornishme.com

Monday, May 7, 2018

BUSINESS MEETING MINUTES

**Call to Order**

Chairwoman Jessica Larson called the meeting to order at 6:34 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: Diann Perkins, Janet and Tom Carper, John Morrissey, Karen Hoxie, Lisa Fulginiti, Joyce Rodriguez, Diane and Brent Day +1, John Watts

**Old Business:**

**New Business:**

1. Approve minutes from April 16, 2018

Emily Ward motioned to approve the April 16, 2018 Business meeting minutes as corrected. It was seconded by Ken Hall. Motion carried with all in favor. Norm Harding abstained because he was not at the business meeting.

1. Jess Larson read aloud the Conditional Use Permit approval letter addressed to Brent Anderson; the Board then signed the letter.
2. Jess Larson read aloud the Conditional Use Permit approval letter address to Billy & Chris Anastasiadis owners of Fairgrounds pizza & Pub; the Board then signed the letter
3. Jess Larson read aloud the Conditional Use Permit approval letter addressed to Yassur Alsudany owner of Cornish Variety; the Board then signed the letter.
4. Diane & Brent Day - Bay Haven,

The Board thanked the Days for coming to the meeting. Jess Larson passed out packets with information on the Bay Haven building from the Town’s assessing software, Vision Appraisal.

Diane Day confirmed for the Board that bay Haven’s seating capacity is 125 people, which is what is permitted by the State of Maine Health Inspector.

Brent Day confirmed that there are 71 parking spaces freshly painted, which covers the 41 spaces needed for the seating capacity the spaces needed for the takeout window and spaces for employee parking. Brent invited the Board to visit the site any time.

The Day’s have not purchased any more property and are making the lot less non-conforming than it was. They would also like to make some more renovations to the building, extend the roof line by the takeout window and add an enclosed hallway for the waitresses so that they don’t have to go through the whole dining room to get to the kitchen.

The Board determined that the Day’s would not need to come back before the Board, but would need to put up bumpers at the takeout window to protect customers.

1. Other - MMA response (4/18/18) PB zero setbacks/variances

Regarding Land Use Ordinance Article II, Section 5, Dimensional Requirements: Table 2.

The response from Maine Municipal Association was that the Planning Board has no authority to grant setbacks. Only a Board of Appeals can grant a variance. MMA recommended that the Land Use Ordinance be amended and that authority be struck

1. Public Comment

Diann Perkins stated to the Board that 22 Main Street has a broken window and has not replaced the glass, but has put up a board and painted a mural on it. She feels that because the building is in the Historic District that the mural is not allowed and the glass needs to be replaced. Diann also stated that the owner was contemplating painting a mural on the side of the building.

Jess Larson stated that it was her understanding that the glass will be replaced within 10 days. Concerning the mural on the side of the building because the building is in the Historic District, the owners would need to come before the Board for permission.

A gentleman that refused to identify himself stated that requiring the property owners to come before the Board for the mural would be in violation of their first amendment right, freedom of expression.

Ken Hall stated that it is in the regulations.

(At this time the Board asked the gentleman to identify himself, for the record, which he refused. He did later identify himself as a tax payer.)

Nancy Perkins stated that the Board has a protocol that they follow, and that the building in question is in the Historic District, therefore the rules and regulations for the Historic District need to be followed.

1. Jerry Day - guidance on opening a small engine repair garage.

Jerry Day was unable to attend the meeting. This will be place on the next agenda for review.

The Board briefly discussed the property that Jerry Day might purchase, located on Map U-001, Lot 016. Jerry Day is the owner of Spanky’s Small Engines; he would like to know if the property would work for him. The property is zoned commercially but the lot itself is non-conforming, in that it does not meet the required 40,000 square feet for a minimum lot in the Commercial District. It was determined that Jerry will need to come before the Board to discuss the non-conformity, and how he would like to proceed.

1. Karen Remington – CUP Application

The Board discussed the Home Occupation Permit and what was allowed previously by the Board. Karen Hoxie stated that the Remington’s website advertises Therapeutic horseback riding and much more than what the Board has allowed. Mrs. Remington did speak to CEO Wes Sunderland about her plan moving forward. She has submitted a Conditional use Permit Application. Jess Larson stated that she reached out to Mrs. Remington to inform her that she would be on this meeting agenda.

Karen Hoxie informed the Board that a woman had stop at the end of the road in between her house and Joyce Rodriguez’s house to take pictures of the property which at the time Mrs. Hoxie’s son was outside playing soccer. Mrs. Hoxie confronted the woman about the pictures, and the woman informed her that they were for advertising renting tents on the Remington’s property, and that the 20 foot strip of land between Mrs. Hoxie and Mrs. Rodriguez’s properties would be advertised as an access route to the Remington’s property.

The Board discussed the proper procedure for placing a new driveway onto a State versus Town road.

The Board asked Wes if a Conditional Use Permit application has been submitted. He confirmed that one had, but he did not have it with him.

Diann Perkins reminded the Board that there are many springs on the Remington’s property that need to be taken into consideration.

Karen Remington gave the Board copies of her Conditional Use Permit Application.

Jess Larson stated that she was considering the Application incomplete due to the fact that there are portions of the application missing. Also because Mrs. Remington’s property is located in 3 different zones each zone will need a separate plan. The application will be tabled for review at the next workshop meeting on May 21, 2018.

Mr. and Mrs. Remington stated that they will sometimes be utilizing the property between Hoxie and Rodriguez as a driveway.

The Board explained to the Remington’s that they should look into the traffic impact for all of the businesses that they would like to have at their home. The Board also directed her to the Land Use Ordinance for allowable uses in the different zones, and the zoning maps for to confirm which zones their property is in.

**Communications Received/Sent:**

1. MMA response (4/18/18) PB zero setbacks/variances

**Adjournment:**

Norm Harding motioned to adjourn the business meeting at 8:26 p.m. It was seconded by Emily Ward. Motion carried with all in favor.

Respectfully Submitted,



Desirae Bachelder

CPB Secretary