

Board members present: Marilyn McCulloch, Walter Stickney,
Diann Perkins, Judy Matheson, Ken Leavitt (arrived at 7:18pm)
Code Enforcement Officer Bruce Smith, Selectman Tom Carper.

Meeting was called to order at 7:05pm by Chairman Marilyn McCulloch.

The minutes of the June 5, 1990 meeting were read and accepted.
The combined meeting of the Selectmen, Cornish Water District, and
the Planning Board will be July 10, 1990 at 7:15pm..

On Friday, June 29th there will be a workshop meeting on Groundwater
issues and Comprehensive Planning, held at the University of Southern
Maine, Portland. Marilyn McCulloch, Diann Perkins, and Judy Matheson
plan to attend.

Mrs. Barbara Conover, Esq. was present representing Killdeer Acres.
She presented a copy of a letter she sent, dated 5/24/90, to the
attorney for the Morse's, who own Lot #1 of the current subdivision.
(copy of the letter attached) There has been no response. Mrs. C. also
presented a plan of the proposed revised subdivision.
(Ken Leavitt arrived at 7:18pm) Marilyn McCulloch asked if there were
any questions. Judy Matheson thought that the wording about seeding on
the plan should read "by subdividers". Walter Stickney thought that it
would be better to put it as a condition of plan approval. The question
of a public hearing was discussed. Madge Baker (SMRPC attorney) stated
to M.M. that it may be more prudent to hold a public hearing, although
not required. Mrs. Conover stated that the delay would serve little
purpose and be a hardship to the developers. Also, the only people
affected (Morse) had an ample opportunity to reply and have not. Diann
Perkins moved to hold a public hearing, Judy Matheson seconded. Discussio
Walter Stickney stated that the public hearing would not serve any purpose
The Morse's have had ample time to reply to the developer's letter. J.M.
wanted to make sure that the road and seeding is done. Ken Leavitt said
that the new plan will have less impact than the plan which already has
had a public hearing, and we should concentrate on what is before us
before us tonight, and not what may happen down the road. Marilyn
McCulloch said that the Morses have, in effect, created their own problem.
Also, anyone who buys the land and wishes to subdivide the land will
have to come before the Board and follow the regulations in place at that
time. Vote on motion to hold a public hearing on the revision plan
for Killdeer Acres, reducing the subdivision from eight (8) lots to two (2)
1 (Judy Matheson) in favor, 4 opposed.

As condition of approval, the developers need to build an access road
conforming to the town ordinance requirements as set forth in 7.1A, as
noted on the Plan as note #6. Also, the developers must reseed the
disturbed areas which presently exist. Also, it is the responsibility of
the developers to notify the CEO when the road is done and the seeding
is established. No land will be sold until written approval by the CEO
is issued stating that the road and seeding is complete. Also, note that
approval and recording in the York County Registry of Deeds in Alfred
of this revised plan negates and replaces the previous approval of
Killdeer Acres as recorded in Y.C.R.D, in Alfred Plan Book 181, page 33.
All work shall commence as soon as possible and be completed no later
than thirty (30) days from the approval date.

minutes of June 19, 1990 Board meeting

The Killdeer Acres Escrow letter was discussed. The Planning Board needs to recommend to the Selectmen how to handle the letter. Mrs. Conover stated that because the land cannot be sold until the road and seeding is completed, the escrow letter would serve no purpose and suggested that the money needed to build the road and to finish the seeding be set aside, possibly in a joint account with the selectmen. J.M. thought the escrow letter should remain in place. K.L. thought that an account could be set up. D.P. thinks the letter should remain. W.S. thought the letter should be released when proof is provided that the new plan has been recorded. K.L. moved the escrow letter be released when the revised plan is recorded. W.S. seconded. Vote: 2 in favor (W.S. and K.L.), 3 opposed. Moved by M.M. that the Escrow letter be released upon CEO approval of the road and seeding. Seconded by D.P. Discussion. It was questioned whether this approach was legal. J.M. thought we should recommend this approach to the Selectmen and let them decide whether it is legal or not. W.S. said he didn't think we should recommend something that is probably inherently illegal, and said he wouldn't feel comfortable telling the Selectmen that they can release the letter.

W.S. moved to amend the motion to read that the Escrow letter be released upon CEO approval of the road and seeding, or when the Selectmen receive some assurance that the money to complete the necessary work on the revised plan is available. J.M. seconded. Vote on the amendment 5-0 in favor of the amendment. Vote on motion as amended: 5-0 in favor.

W.S. moved to approve the plan as presented with the conditions as stated in the minutes with regard to the road, seeding, CEO approval, and Escrow letter. D.P. seconded. Vote 5-0 in favor.

As Wayne Gillette, who has applied for a conditional use permit for establishing an apartment in his home, is going to be away during the first two weeks of July, the public hearing on this request will be held on July 17th if he gets all the necessary materials to the Board Chairman.

Chairman McCulloch said she needs to communicate with Mr. Robert Libby what the Board will require to complete his application to establish a 5 acre gravel pit. The Board feels they should have a formal application from him before they do anything. W.S. also would like to know what rights his right-of-way conveys to him. (Question: what rights do a "right-of-way convey?") Marilyn McCulloch will check with Madge Baker (the attorney the Board uses) for a legal opinion.

Meeting ajourned.

Sincerely,

Walter Stickney, Secretary

*F.B. approved 6/19 from 8-2.
Is it recorded?*

*Morse is one & rest is
the other.*

*We release escrow letter when CEO approves road done
& seeding done. (See highlight above.)*