**PLANNING BOARD**

  17 Maple Street

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Monday, August 27, 2018

BUSINESS MEETING MINUTES

**Call to Order**

Chairwoman Jessica Larson called the meeting to order at 6:31 p.m.

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

Guests Present: Jody David, Lydia, Les Macmaster, Isabelle Lafforgue, John Watts, Diann Perkins, Tammy Snow (Mr. David’s attorney)

**New Business:**

**(NOTE: There were adjustments to the order of the agenda items. The minutes reflect the order in which items were discussed. )**

1. **Miscellaneous**

Stephanie Smith made a motion to cancel the September 10, 2018 meeting and split the September 17, 2018 meeting as a business/workshop meeting. It was seconded by Emily Ward. Motion carried with all in favor.

1. **Isabelle Lafforgue – U01-013, Art Studio**

Isabelle Lafforgue submitted the deed confirming that she is owner of 110 Maple Street and a proposed map of what she would like to do. She will have an electric kiln and will work with Wes on specifications and requirements regarding the kiln.

Jess Larson confirmed that Ms. Lafforgue is requesting a Change of Use in the Commercial District, which will require a public hearing and abutter notification. Ms. Lafforgue will update the abutters mailing addresses. Ordinance setback requirements have been meet.

The art gallery will be called Dead Lee’s Gallery/Art Studio, in memory of her late father. The studio will be ADA compliant, the driveway continues directly to the barn entrance. She will be open Monday through Sunday from 7:00 am to 10:00 pm for flexibility and hopes to be open and ready for business November 1, 2018.

Mr. Hall asked about lighting after sundown. Ms. Lafforgue stated that she has house lights and would like to keep lights on in one of her windows all night if possible. She will confer with Wes about approved signage.

Stephanie Smith made a motion to schedule a public hearing on September 17, 2018 at 6:30 pm. It was seconded by Emily Ward. Motion carried with all in favor.

1. **Historic District Permit**

Emily Ward stated that a lot of work is being done in the Historic District and there have not been any applications brought before the planning board. She would like to educate the public by either placing an ad in the Your Weekly Shopping Guide or posting something on the website, so that the public knows that there is a process that needs to take place to complete a project in the Historic District. There is a provision in the Ordinance to charge fines for non-compliance.

Stephanie Smith made a motion to defer discussion until the next meeting when the Board can review the Historic District application and that portion of the Ordinances. It was seconded by Eve Bergstrom. Motion carried with 4 in favor, 1 against.

1. **Paul Schumacher – SMPDC Proposal**

Paul Schumacher submitted a proposal from Southern Maine Planning and Development Commission concerning the Land Use Ordinance revisions. The proposal stated that if the contract is agreed upon, the work will be completed within a year, with understanding that the cost is not to exceed $7,000.00, this would be broken down into a monthly bill. The members of SMPDC making the updates will meet with the Board regularly.

Jess Larson stated that there may be $2,000.00 available from the planning board budget. Jess and Emily will attend the next Selectmen’s business meeting to discuss the proposal, the other board members are welcome to attend the meeting as well.

Eve Bergstrom made a motion to contact the Selectmen to discuss the SMPDC proposal. It was seconded by Stephanie Smith. Motion carried with all in favor.

1. **Jodi David – R08-028A, Medical Cannabis Production Facility**

A site walk was held at 4:00 pm today August 27, 2018. The rear setback requirement for Mr. David’s property is 30 feet. The Board measured the distance between the proposed building and the property line while at the site walk, and confirmed that there is 32.7 feet for the required setback.

The Board observed at the site walk that the proposed building site is not visible to any abutters or the street.

TheBoard discussed and read through each portion of **Appendix L: Medical Cannabis Ordinance** of the Land Use Ordinance. The following list reflects an answer or observation about each portion of Appendix L.

(a) Notification was sent by registered mail to 18 abutter’s including the York County Sheriff’s Office (YCSO), Department of Health and Human Services, and Maine Revenue Services.

(b) Documentation of authorization was provided for the Boards review at a previous meeting.

(c) Not applicable.

(d)(1) Not applicable.

(d)(2) At the moment there will only be two registered caregivers, and there will be no more than four if Mr. David decides to expand or open up his facility to someone else.

(d)(3) Not applicable

(d)(4) Not applicable

(d)(5) The bill from the security firm has been reviewed by the Board, and the system will be in place as soon as the building is ready. YCSO has been notified and will be on call 24/7 after installation. Mr. David will also be installing a sprinkler system.

(d)(6) Mr. David stated that there will be no signs advertising this business.

(d)(7) Mr. David will be installing purification devices for air quality and odor control. Every room will be filtered through the air purification system before it reaches the outside air. He will not be burning the stalks or any waste from the productions facility, he will try to sell the stalks to be made into something else or chip them. Mr. David will submit the air purification system plan to be documented in his file.

 (d)(8) The property is located in the Agricultural District, which is an approved location.

The Board further discussed that the setback requirement is correct; the impervious surface coverage is met, and all fees are paid to date. Mr. David confirmed that there will be minimal traffic, roughly 8 to 10 people a week, which is the number of patients they are allowed as caregivers. The Board confirmed that the patients are allowed in the locked area of Mr. David’s property.

Stephanie Smith made a motion to approve the application for a Medical Cannabis Production Facility with the following conditions:

* + - Must be in compliance with State Regulations.
		- The Board requests verification from the YCSO when the security monitoring is in place,
		- State and local ordinances are to be followed.
		- The Board requests documentation on the air purification system.
	+ There can be a maximum of 4 caregivers.
	+ If there are any changes or updates the applicant needs to come back before the planning board.

 It was seconded by Emily Ward. Motion carried with all in favor.

The Board reminded Mr. David that he needs to apply for a current building permit to build his proposed production facility. It was clarified that Mr. David may rent production space to another caregiver without exceeding the maximum of four caregivers for the production facility, but he may not rent living space for this building to anyone unless he comes before the Board again and changes the Conditional Use Permit. The Board also explained that Mr. David will need to register his business with the Town by completing a business application.

1. **Miscellaneous**

Stephanie Smith suggested that the Board needs to spend time in the Land Use Ordinances, to put a plan together to present a list of items to Paul Schumacher from SMPDC. The sooner a list can be complied the sooner the Board can begin to work on these issues if the Selectmen or the Town does not support funding the revisions at this time.

Stephanie Smith made a motion to dedicate the October 15, 2018 workshop meeting with nothing else on the agenda except to examine the existing Land Use Ordinance and begin compiling a list of problems or discrepancies for SMPDC. It was seconded by Emily Ward. Motion carried with all in favor.

The Board also discussed adding MUBEC (Maine Building Code – Energy Code) to the list of items to be approved by the Town.

**Communications Received/Sent:**

1. Jody David (R01-028A) Abutter’s letters 18 sent (8/15/2018)

**Adjournment:**

Emily Ward motioned to adjourn the business meeting at 7:56 p.m. It was seconded by Jess Larson. Motion carried with all in favor.

Respectfully Submitted,



Desirae Bachelder

CPB Secretary