

PLANNING BOARD MEETING MINUTES

Sept. 8, 2003

Members Present: Daniel Sherman, Bradley Perkins, Sheena Randall, Carlton Candage, Dan Vaillancourt

Members Not Present: Darryl Watson, Peter Simard

Agenda Items:

- 1 Lisa Miniutti – 2nd meeting to review application for opening of home business located at 28 Cumberland St. Sale of antiques, collectibles, cold/hot drinks, candy. sketch for parking & 536 sq. feet for sales area. She notified abutters. Concern that no person would have to back out onto roadway. Will crush rock the front and have built brick ramp for parking area & turnaround. Concern to carry thru and complete parking area before opening. Ms. Miniutti will contact planning board member to check this out when parking area is completed. Signs for parking. Septic. Identify property lines. No concerns from abutters. Application approved. Planning Board will send Ms. Miniutti letter outlining conditions of discussion. Fee \$30. due Planning Board. Paid next day at Town Office.
- 2 Saco Woods – Phase 2. Culvert concern.
- 3 Michael Humphrey – Review application concerning property that would include renting the house & operating an embroidery business out of the barn. Prepared a checklist of items required in the application process and answered any question. concerning the list for Mr. Humphrey. Will set up time at next meeting to discuss the business. Located in Commercial District so use is permissible – only reason to refuse would be not following guidelines on checklist. Business will not be treated as home occupation because owners not residing there. Items to be addressed – parking (1 space for every 150' sq. ft. of retail space required), entrance to shop, disposal of oil used on machines, etc. Most important is notification, by certified mail, of abutters, within 500' radius of property lines (even across the street), of the application and their right to voice their concerns. Issue of need for certified letter vs. certificate of mailing was discussed. This issue will be decided before notification to abutters is sent. First action toward this application can be taken at next meeting - Oct. 6, 2003 @ 7pm. Commercial driveway? Second driveway? DOT requirements? Trafton St.?
- 4 Mr. & Mrs. McIntyre – 2nd meeting to review application concerning the opening & operation of retail quilting & sewing supply/fabric shop at 3 Old School St. Notification of the abutters completed. Reviewed checklist items – copies of deeds, pictures, view of tax map w/dimensions, plot plan, parking lot w/6 spaces, 500 sq. ft. of retail space, signs. Backing out onto Old School St.-very low traffic area. Hours of operation Wed-Sat 1-5pm. No abutters appeared. Application approved; letter will be sent in a couple of weeks concerning approval and hours of business. Need for sign permit. Fees?

- 5 Cornish Fire Dept. w/Mr. John Cleveland - Review the pending application concerning the construction of a new facility to house firefighting equipment to be located on School St. Notification of abutters sent w/receipts. At last month's meeting discussed preliminary review.

Have made some changes since then –

- (a) 1-placing tailings in ditch around the corner to slow water up as it flowed thru culvert under roadway 2- per Bobby Sturgeon placed a manhole at the center of 120' pipe for cleanout 3- added perforated pipe along side building and into manhole to stop flow of groundwater 4- water running off roof will run into drain 5- added energy dissipater (sump) to hold water from woods will be held back awhile before running into pipe underneath driveway.

Discussion:

Abutters' questions: 120' from corner to drive? Yes. Trees & natural vegetation will not be touched. Practice facility using hoses w/amount of drainoff that is significant? No problem seen. Impervious area w/gravel, paving & building is 8/10 acre. Total sight of corner lot is 2.27 acres. Building 8800 sq. ft. Dimensions 68'x130'. Test pits & sight evaluations not done, awaiting results of Planning Board meeting. Concern about putting in manhole & underdrain in middle of driveway because of concern of wet area (due to Mr. Sturgeon's suggestion). 2 dug wells in area. Concern of dangerous corner – has cleared trees for visibility. Signs signifying Fire Station. Sight approval process – sight was voted at Town Meeting. Reviewed 5 lots; narrowed it down by services available, town lot, etc. Reviewed building plans. Public Safety included in building? Building to be also used as EMS, etc. Similar to building being built in Waterboro. Concern of no mention of any particular sight in Town Meeting Warrant. Location was brought up at town meeting and voted on. Special Public Bonding meeting Tues., Sept. 9, 7pm for vote. No matter where built, testing must be done. Suggestion for tree line to be moved to save as many trees as they can. Cost to do preliminary work & sight plan \$5,000. Concerns for clearing Thompson St. for better visibility. Building does not include any space for municipal offices. Firehouse location is geographically located in the center of the community and facilitates fast response time because of the location of the volunteer firemen's residences. Concern for winter road maintenance of Thompson Street coming up the hill alongside the elementary school. Land by Forest Service building – reason for unsuitable location of Firehouse is lack of water. What's more important 'Central to population or central geographically?' Fire Volunteers offer mutual aid to and from other towns. Looking for facility to take us into the next 30+ years, where we have vast tracks of land waiting to be developed. Concern that in future will have to take down additional trees after purchase of larger firetruck. Concern that the new facility may not be planned to fit the increase in size of future

trucks, i.e. ladder trucks. Concern for increase in size of road to accommodate firetrucks, additional street lights need to be added, increase in traffic flow and speed, etc. Special Town Meeting's purpose is to air concerns and approve bond spending; not to approve location of facility?

Discussion as site was not listed in Annual Town Report; however Fire Dept. did have an Open House for that purpose. Planning Board (for legal procedure is the only board authorized according to Land Use Ordinance to do sight plan review) must vote to approve location, according to Land for Firehouse before approval of bond issue. The town can have a public hearing for input of location of the building. Whether or not you take a public vote on the location of the firehouse is completely up to the town. The Planning Board must approval all sight plans. Bond Council will not sign off on this project until the town has followed all legal procedures adopted by town & the Planning Board has taken their vote. Also need specified sight to tell contractors because of costs involved in sight preparation & ground work/earthwork/concrete work required for construction in estimate. If approval is not given by Planning Board by September 10th for sight location of the firehouse, the Bond Council at their next meeting (1st week in October) will deny bond; their next meeting April 2004. Big change is interest rates will increase from the present 5%; that could make a big increase in payments. Discussion was that location was not required to be posted in the warrant for it to be decided on at the Annual Town Meeting. It's up to the citizen how informed they need to be on each article of discussion. Special town meeting's purpose is strictly related to the bond approval. Decision for sight location is not decided at special town meeting. Does the Planning Board have to decide on the issue of location tonight, or a night after the Special Town Meeting tomorrow night? Can render a decision at a latter date. Schedule of Planning Board meeting was to fit into regular scheduled meeting; Special Town Meeting was scheduled to have the opportunity to prepare to give it to the board to vote on & one thing they need is Bond Council statement. The Planning Board knew of the tight schedule of the Bond issue and chose not to hold a special meeting to move this approval along. Discussion of sight location at Annual Town meeting was addressed; everything at issue tonight was also discussed at that meeting and the project was approved. Special Town Meeting is only related to the Bond Amount Issue. Planning Board vote is not sight specific; only that everything is done legally on that sight and up to Planning Board stipulations. The Fire Dept. has done everything legally on this plan; however the location is sight specific to the plan. Personal opinion of where to locate the Firehouse is not the issue for the Planning Board; the Planning Board must vote whether the plan put before them is in accordance with the Local Land Use and Development Ordinance. Once the Special Town Meeting has approved the Bond Issue; the Selectmen must act on a series of documents in a meeting directly after the Special Public Town meeting: a loan agreement & other kinds of legal indebtedness documents. These documents were publicized as sight specific (lot on the corner of School & Thompson Sts.) and, if not approved as such, notices could be challenged by any bond holder because proper notice wasn't given because building was constructed on

a different lot. Bond Council's purpose is to make sure that there is nothing amiss in the bond process so nothing could ever be challenged and those bondholders will get paid their money; thus they are very careful about the process and the language to the notice. The notice given is based upon the expectation that the Firehouse is going to be built on the lot specified. The Bond Council will not approve this bond if the location is not approved by the deadline- September 10th. Sight review was done entirely within the Fire Department personnel. As far as the Planning Board's concerns the Fire Dept. construction process has fulfilled all the legal requirements put forth by the Town of Cornish, ME's Land Use and Development Ordinance for approval. Motion for approval of application for construction of Fire Department is made by Mr. Bradley Perkins; seconded by Mr. Dan Vaillancourt; vote was unanimous for approval by Planning Board members. Mr. Cleveland requires minutes of Planning Board meeting dated September 8, 2003.

Minutes prepared by Diane Harrington, Town Clerk