

**Town of Cornish
Planning Board Meeting Minutes
Meeting of 07/11/05**

CPB Members in Attendance: Dan Sherman, Brad Perkins, Sheena Randall, Les MacMaster

Dan Sherman called the meeting to order at approximately 6:45PM.

Agenda Item #1 – Howland Homes, represented by Scott Howland

Continuation of an application concerning a proposed two lot subdivision located on High Road – Map R2 Lot 6

BP was to attend the Selectmen's meeting regarding a question he had concerning the validity of the consent agreement the Selectmen entered into with Linda Griffith.

As BP has not arrived yet, Mr. Howland was willing to table the discussion until later in the meeting.

While we waited for BP, Mr. Howland addressed the following items:

There was some confusion as to when the last Selectmen's meeting was. Scott Howland said he arrived at Town Hall on the date he was given, but there was no meeting.

Mr. Howland has talked with Kenny Gardner (his soils man) about the impact of his plan on the aquifer as suggested by SR. Gardner suggested Mr. Howland talk with a soil hydrologist. Mr. Howland then talked with Dick Steen (SP?) of Falmouth. The plot map indicates that the lot in question is approximately 2500 to 3000 feet from the aquifer. Steen said there would be no impact and not to perform an impact study unless the CPB asks for one.

Mr. Howland introduced a portion of a document that would indicate the further subdivision of lots can occur within an approved subdivision after 5 years have passed on the creation of the original subdivision.

There was a great deal of conversation about the date of the last Selectmen's meeting to try and pin down when the meeting was held.

BP has been doing some research with attorneys at Maine Municipal regarding the agreement between Selectmen and Linda Griffith. The MMA attorney directed BP to their website for a specific regulation regarding Linda Griffith's actions.

There was then quite a bit of discussion regarding the consent agreement between Linda Griffith and the Selectmen.

There was then quite a discussion regarding prior knowledge of Linda Griffith's activity. Mr. Howland acknowledged he was the person that discovered the problem with Linda Griffith's titles.

Mr. Howland appealed to the board to make a determination based on his application, not Linda Griffith's Consent Agreement.

Mr. Rooney (abutter) voiced an opinion that the consent agreement was invalid as it was never voted on by the town, nor was there any finding of fact or guidelines for the attorney in a public forum. There was then quite a discussion about who created the consent agreement. Rob Millard stated that the Town's attorney, Durwood Parkinson of Kennebunk, created the document. The discussion then went on for some time about the contents of the consent agreement.

BP asked Mr. Howland if he was involved in any collusion regarding the prior illegal split. Mr. Howland responded that this was the second time BP had slandered him this evening and BP should be careful.

Mr. Howland then asked that his application be tabled until the August meeting so the board can do it's review.

Agenda Item #2 –Massabesic Physical Therapy

Applicant is proposing to open and operate a business that will offer professional physical therapy outpatient services – Map U6 Lot 5

The Chair provided a quick overview of the application process.

The applicant has notified the abutters. The applicant will provide a copy of the abutter letter to the board.

DOT curb cut permit is in process, but DOT does not anticipate any issues since the application is a simple change of use. DOT will not allow separate entry and exit, but will allow a single entry/exit which presently exists.

Applicant provided plot plan and parking schedule (based on use as a tavern from prior owner).

SR made a couple of comments regarding signage and lighting, applicants will check with Rob for specific ordinance requirements.

Septic system was designed for a tavern and is huge. Jerry Anderson will be coming out this week to take a look.

Must have DOT approval in hand before board can act on application.

Agenda Item #3 – Stephen & Chris DiBaiso

Applicant interested in starting the process for a three lot subdivision located on Pease Hill Road - Map R3 Lot 24

There will be a \$30 application fee plus per lot fees to be paid in the future.

The applicant provided an overview of the project.

Agenda Item #4 – Nancy Rogers

Applicant is requesting a conditional use permit as required by the Land Use and Development Ordinance to construct a building within the AP District – Map R2 Lot 72C

Second meeting on application. \$30 application fee still outstanding.

Ms. Rogers did not have a plan, but she is thinking of building a single family three bedroom residential home of approximately 1600 – 1700 sq. ft.

SR contacted DHS – Drinking Water Division. State said that the builders should use good common sense, board should think of every possible way applicant can go in, keep septic systems as far away as possible. Ordinance does allow applicant to build within Aquifer Protection Area.

Gravel road will be a condition of the permit. Chairman said no blacktop whatsoever.

Would like to see type of septic system and design/location. This will also be a condition of the permit. Must be outside 300 feet of wellhead.

Another condition will be that lot will not be used for access to other lots.