 **PLANNING BOARD**

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Monday, November 18, 2019

WORKSHOP MEETING MINUTES

**Call to Order**

Chairwoman Jessica Larson called the meeting to order at 6:30 p.m.

Present: Jessica Larson, Eve Bergstrom, Angel Eastman, Ken Hall, Nancy Perkins, Code Enforcement Officer Wes Sunderland, Recorder Desirae Lyle.

Absent: Sandra Watts

Guests Present: Andrew Parker

**New Business:**

1. **Miscellaneous – Pre-Application Meeting**

Andrew Parker is here for a pre- application meeting, he lives at 65 Old Pike Rd, Map R01, Lot 17C, he is in the Agricultural District, but there is some question on if he is in the Residential District. The Board introduced themselves to Mr. Parker.

Mr. Parker explained that he is a truck driver; he hauls loads for companies and returns home each night. Wes Sunderland explained that Mr. Parker’s lot is in Agricultural District. Jess will contact John O’Donnell & Associates about the distinguishing the districts better and verify that Mr. Parker is in the Agricultural District.

Angel Eastman asked if Mr. Parker would have an office on site. Mr. Parker explained that his office is at his mother’s house. He will not have any stock piles or storage on site. Mr. Parker has two trucks that he, his father and brother drive. Mr. Parker explained that his father is on the Planning Board in Buxton and he advised Mr. Parker to come before this Board to help appease his neighbors, and to inform the Board of what he is doing so that if there are any complaints the Board will know what is going on and be able to answer questions.

The Board reviewed the definitions. *Distribution Terminal-Trucking: Any building or group of buildings used primarily to receive goods and materials and re-transport these goods and materials primarily by truck to other locations.* Mr. Parker explained that even if he were to build a garage it would be to work on the trucks not to store goods.

Jess reminded the Board that Heidi Cates’ husband used to park his truck at his home across the street. Eve Bergstrom voiced concerns about the closeness of the Resource Protection area and how close Mr. Parker is his trucks to that area. Mr. Parker stated that he is over 200 yards from the river. Wes clarified that Mr. Parker is looking for approval from a Town official that it is okay for him to park his truck on his property overnight. Jess asked Mr. Parker about running his truck engine long hours to keep the trucks from freezing. Mr. Parker cannot guarantee that he won’t have to run the trucks, but mentioned that his diesel pickup is louder than his 18 wheelers.

Angel asked about the weight of the truck and that Old Pike Road usually is posted for winter maintenance. Erica Craig voiced concerns about making sure that Mr. Parker is in the Residential or Agricultural District. Jess feels that the definition refers more to a logging company like McLucas not an independent contractor. Mr. Parker has no way to unload his truck at his property so if he has a loaded truck it would stay on the truck and be delivered the next day. Jess advised Mr. Parker and Wes to talk to Road Commissioner, Robert Sturgeon about the posted weight limit and access to Mr. Parker’s property. The Board discussed a Conditional Use Permit for Mr. Parker. He would still need to verify with Robert Sturgeon that he would be able to travel the posted road. Wes will draft a letter of approval for Mr. Parker after talking to Mr. Sturgeon and bring it back to the Board for review at the December 2, 2019 business meeting.

The Board also discussed how many trucks would make up a trucking business. The Board discussed again making sure Mr. Parker’s property is in the Agricultural District not in the Residential District.

1. **Correspondence**

Jess revisited the proposed Smoke Shop that was intended to be in Call’s Plaza beside the Post Office. She reminded the Board that after hearing that the applicant would be selling glass pipes, they had reviewed the Headshop Ordinance which states that it cannot be within 1,000 feet of a park, church or school and the ball fields.

The plazas, Call’s, Stoneridge and Cornish Place all have blanket or open ended Conditional Use Permits, which means that retail sales and professional office buildings are allowed in the plazas, but each business needs to meet the Land Use standards. When this was presented to Wes he should have reviewed all of the ordinances before the Board looked at it. The proposal should also have been on a pre-application worksheet. Jess relayed to the Board that the applicant had aborted the project since he hadn’t made firm plans or a down payment on a lease. Paul Howe of Cote & Howe contacted Jess to ask where in the ordinances it stated that headshops need to be 1,000 feet away from a park, church or school. Jess explained to Mr. Howe that it hadn’t been added to the Land Use Ordinance book yet but had been approved at a Town Meeting. Jess gave Mr. Howe copies of the approved ordinance. Mr. Howe searched the building on Google Maps and determined that the building was less than 400 feet from the soccer fields behind Call’s plaza. Jess noted that Mark Call has called her, but she didn’t return his call, if he has questions he needs to come before the Board. Jess gave Mr. Howe copies of the ordinance and Mr. Howe relayed the information to Mr. Call.

Jess explained that the headshop ordinance was written when the town didn’t have anything in place to prohibit smoke shops from operating in the center of town. The Head Shop ordinance was written to regulate where they could operate because there was no way to prevent head shops from opening in town. With the many recent law changes Jess will be reaching out to MMA (Maine Municipal Association) with questions about Title 17A, Chapter 45, 1111-A: Use of Drug Paraphernalia, and if drug paraphernalia can be sold legally outside of a medical marijuana storefront or adult-use recreational store. The State has included adult use recreational and medical marijuana storefronts together in Title 17A. Jess is also going to ask how this affects the town since the Town of Cornish had not “opted” in for medial marijuana or adult use recreational marijuana storefronts even though there is a Headshop Ordinance.

1. **Southern Maine Planning and Development Commission – Abby Sherwin**

Abby Sherwin was not in attendance at tonight’s meeting due to the weather. Ms. Sherwin will be at the December 2, 2019 business meeting.

The Board discussed the Ordinances and how to make sure that any errors are caught before the updated ordinance goes before the citizens to be approved.

1. **Budget Discussion**

Jess Larson updated the Board on the budget for Southern Maine Planning and Development Commission. Out of the original $7,000.00, $1,502.00 is remaining. The Board discussed asking for an additional $2,000.00 as a budget item for the 2020 Fiscal Year, to complete the updates on the Land Use Ordinance, with any unexpended funds to be returned to the general fund.

Jess is also looking into updating the Cornish Zoning Maps and the cost involved. The Board discussed having the different zones shaded or patterned. This could also be added to the 2020 fiscal year budget.

1. **Miscellaneous**

The Board briefly discussed Solar Farms. Jess will be researching other town’s ordinances on solar farming. Jess would like the Board to keep in mind public health and safety and how a solar farm would affect the aquifer protection zone. Jess also mentioned the aesthetic and historic values of the town that need to be considered.

Eve Bergstrom noted that the Planning Board email has been receiving many political emails lately.

**Adjournment:**

Eve Bergstrom made a motion to adjourn the workshop meeting at 7:45 p.m. It was seconded by Ken Hall. Motion carried with all in favor.

Respectfully Submitted,



Desirae Lyle

CPB Secretary