

MINUTES OF SELECTMEN'S MEETING JULY 20, 1987

Present: W. Neal, B. Ouellette, R. Othuse.
Beverly & Ezmund Day; Donald Jack; N. Watson; M. McCulloch;
D. Perkins; J. Hoyt; M. Ouellette; B. Runyon, D.
Birchfield; Chris Vaniotis

1) Motion made to employ Chris Vaniotis as Counsel for the Town of Cornish. Seconded. VOTE 2-1 (Bonnie abstaining).

2) Re: Hoyt/Ouellette subdivision. This is an informal proceeding. The zoning ordinance states that in a subdivision the lots need to be 2 acres in size. This subdivision does not meet this code. J: Stated that they would like to do what is in the 1975 subdivision. The only thing that they are looking for from the Town is to be treated fairly and equally. This is the first time that they have been notified by the Town.

M: In 1975 he purchased a piece of land on Route 25, adjacent to the approved subdivision. He was contacted in 1980 by the owner of the property, it was up for sale and asked if he was interested in purchasing the property. In 1987 YCHDC notified him that they wanted to sell the entire parcel and Pattern Associates were assessing the property. In January 21, Pattern Assoc. put a price on the property as an improved subdivision. I asked if it were an approved subdivision and was told yes. He had also checked with D. Birchfield. They closed on 6-6-87 and had hired David and Charles Whitney to stump it out. At this time he and John discussed purchasing the additional 4 acres to add to the three back lots. Called Marilyn and took a copy to the Planning Board; was on the Agenda for the next meeting to discuss the additional 4 acres. (7-6-87) Planning Board meeting) CODE issued permits over the phone.

Bud: Expressed his Fairness theory - and quoted Art. 2 2.6 of the zoning ordinance and 4 4.2. Stating the Stacey Development must be in violation of the zoning ordinance, and permits issued should be revoked and the buildings removed.

Chris: This is not a formal hearing. CODE and Zoning. Discussion made by the CODE, this goes to the Board of Appeals, after the Board of Appeals is Superior Court.

This is a zoning question - no question that this was approved in 1975 and was approved as a sub-division. After the zoning ordinance was changed is that the problem is. Sections 2.6 and 4.2 were established to allow anyone to combine lots to come the larger size and conform to the new Ordinance - giving them a year to do so. He suggested that the property owners file an application for a building permit, then the CODE can say yes or not. Then it is binding. If the CODE says they (the lots) are too small, they can then ask for a variance.

Enforcement of the Ordinance is up to Code Enforcement Officer; He does not report to the Planning Board, but to the Selectmen. Must avoid verbal consent, the Court says they are not binding.

Marilyn: the CODE is to enforce the Ordinance, not interpret.

C: My opinion is the intent of the provision was to give 1 year after that lots must be put together to make a lot of size of new zoning ordinance.

J: A permit was issued and one house built. Jenness lots 1 & 2 were conveyed in 1978. (C) these were under separate conveyances 6-10-87 Jenness lot was not conveyed.

J: What do we do? W: This will be discussed at the next meeting, and we will let you know.

OVER

5 MINUTE RECESS

3) Beverly and Ezmund Day Property: Beverly asked what do you consider where we should clean up. Police have a different story each time they come. This is not trash - the trash has been removed to dump. Next Court date is 8/12/87 at 9 a.m. in Spingvale District Court. Redigan will review the property and if he feels you have made an effort to remove the trash, then he will hold the date. Bonnie stated there are tires, rabbits the zoning ordinance states you can only keep them as pets. Several neighbors have complained about large numbers of rabbits, stench and rats. This constitutes a public nuisance and must be cleaned up. ~~By~~ Before August 12, we will supply manpower and clean off porch, is that agreeable? 8/3/87 is next regular selectmen's meeting, can they look at it?

Water Company dug up driveway and they want it repaired, were told to contact the Cornish Water District.

4) Richard Taylor decision to be made at 5 today by the County Commissioners. Warren to call them re decision.

5) Copies of Deeds of Water Company etc., are in Town Office.

Mr. O'Donal has called re map changes.

MOTION MADE -

7) Changes in zones 8/3/80 R2-60, 60A, 61, 62 to General purpose VOTE.

8) Gordon Hall - purchased Eva Lord property. No permit to be issued until he has deed.

9) Article to accept Deed from Eva Lord conveyed to Town. Also Tax Liens on Eva Lord property to be cleared.

10) Town Meeting, Thursday, August 13th at 7:30 P.M.

11) Next regular meeting of Planning Board, 8/11/87

12) Dump. Transfer Station - 3 sites: Chalasco lot on Route 5, 56 acres, won't break up, \$3,000 a lot. S. D. Warren offered a lot on 160 in E. Parsonsfield; Delbert Gilpatrick lot opposite So. Hiram School, by State shed.

13) Meeting of SRCC for reconsideration 7/29/87. Ronnie feels it is a dead issue. Don agrees.

14) Kathy Johnson sworn in as dog officer on 7/ /87.

Meeting adjourned.

Respectfully submitted,

Joan
Joan L. Bettencourt, Secretary

Warren O'Neal
Bonita Ouellet
Ronald O'Huse