

MINUTES
CORNISH PLANNING BOARD
FEBRUARY 5, 2015

The Cornish Planning Board met on Thursday February 5, 2015, at 7pm in the Cornish Town Office. Members present were Bill Lipfert, Chair, Mary Mancuso, Gail McKenzie, Jay Young; David Haseman, Alternate; Scott Baker, Selectman; and Heidi Jaarsma, Secretary.

Also in attendance were Tim Schad, Lynn Schad, Wells Chandler, Tom Dombroski, Bill Gallagher, Sandra Redlands

Bill Lipfert called the meeting to order at 7:04 pm.

Approval of 1/15/2015 Minutes.

Scott Baker made a motion to accept the minutes with minor edits. Mary Mancuso seconded the motion. Tom Dombroski said that Patrick Dombroski had told him that he had not indicated that the percolation test had been witnessed. The wording of the line in question was amended to read 'The Board understood from Patrick Dombroski that the dig had been witness by a Selectboard member.' Scott Baker and Mary Mancuso accepted the amendment, and the vote of the Board was in the affirmative.

Reconsideration of Approved Subdivision

voting members: Bill Lipfert, Chair, Scott Baker, Gwyn Gallagher, Heidi Jaarsma, Mary Mancuso, and David Haseman for Jay Young.

Bill Lipfert said that he had met with the Selectboard on an unrelated matter, and Mr. Baker told him that he had asked the Board if the Schad percolation test had been witnessed. No Board member had witnessed the percolation test. Mr. Lipfert reviewed the requirement for witnessing of percolation tests. The Board requires that all proposed lots meet the requirements of a residential building permit. Wells Chandler stated that the percolation test is not a requirement of subdivision. Sandra Redlands asked if the requirement were in place so that a prospective buyer would know that the lot is buildable. Mr. Lipfert stated that the witnessing of the dig is part of the process. Mr. Lipfert had consulted with Ms. Jaarsma, who consulted the local government center. The Board was advised that a subdivision approval could be reconsidered within 30 days of approval if new information arose. Bill Lipfert stated that he did not feel comfortable with that important piece of information coming to light after the meeting.

Ms. Redlands asked regarding the wetlands on the property. The pond on her property removes water from the proposed drive. She is concerned that there are wetlands along the drive. Ms. Redlands indicated on the map a berm on her property which contains a culvert. She indicated that the land is too wet for vehicles. She was concerned that a driveway could cause water to back up on her driveway. Tom Dombroski, surveyor, agreed that the wetlands were where Ms. Redlands stated.

Mr. Lipfert asked Mr. Baker where the Selectboard stood with regard to the test holes. Mr. Baker stated that Selectman Hammond had witnessed the test pit. Ms. Redlands questioned the

ability of Mr. Hammond to witness the test pit with the current snow cover. Mr. Hammond had stated to Mr. Baker that there was no ice from standing water. The Selectboard had spoken with the excavator operator who said that the holes were dry. Mr. Lipfert reviewed the process of the test pit witness, and suggested that a Selectboard member witnesses the actual percolation rate. The plat gave percolation rates. Wells Chandler stated that Mr. Dombroski is a certified septic designer. Mr. Schad stated that plan shows that there is a location on the 44 acres that would accept a septic system. Neither test pit was witnessed at the time of the dig.

Gwyn Gallagher said that he had moved to find the map complete at the 1/15/2015 hearing. He now feels that he based his decision on inaccurate information at the January hearing. Gwyn Gallagher made a motion to reconsider the subdivision approval. David Haseman asked if the Board could waive the requirement for witness of the test pit. Heidi Jaarsma asked if the Selectboard considered the test pits witnessed. Mr. Baker said that Selectman Hammond was satisfied. Ms. Redlands said that she was concerned about the test pit on the other side of the road. Wells Chandler stated that there is no authority in the subdivision regulations requiring that test pits should be witnessed. Tim Schad stated that the witness was only required for an actual septic system.

Gwyn Gallagher stated that he wanted to reconsider because at the time of approval, he thought that the test pit had been witnessed. Sandra Redlands stated that she thought she had been told that the land across the road was not buildable. Mr. Lipfert said that the application on 12/18/14 contained overlays of non-buildable areas. The new plat did not contain the conservation areas. Mr. Schad described the reasons that the conservation easement was removed from the plan. Gwyn Gallagher read from the 10/16/2014 minutes and the 11/20/2014 minutes and the 12/18/2014 minutes.

Sandra Redlands asked regarding the legal force of a note on a plan restricting building on land. Wells Chandler stated that John Hammond was satisfied with the septic dig. Sandra Redlands stated that she thought the 9 +/- acre parcel was restricted to building. Heidi Jaarsma stated that unless the Board were to appeal the Selectboard decision that the test pit witness had been met, it should be taken at face value. Ms. Jaarsma asked Ms. Redlands if Mr. Schad had spoken with her regarding the removal of the proposed conservation areas from the plan after the 12/18/2015 meeting. She said that she had spoken with Mr. Schad after the 12/18/2015 meeting.

Mr. Lipfert called a vote on the motion on the floor. The vote of the Board was 2-3 against reconsideration of the approval. With Gwyn Gallagher and Mary Mancuso voting in favor, and Scott Baker, David Haseman, and Heidi Jaarsma voting against. The motion did not carry.

Other Business

Bill Lipfert mentioned Rick Kendall's communication regarding proposed road work on Saint Gaudens Road.

Heidi Jaarsma reviewed the upcoming agenda.

Gwyn Gallagher discussed a driveway permit application on Parsonage Road. The Board planned a site visit for Saturday 2/21/2015 at 10am.

Mary Mancuso made a motion to adjourn. Jay Young seconded the motion, and the vote of the Board was in the affirmative.

Respectfully submitted,
Heidi M. Jaarsma

DRAFT