

MINUTES
CORNISH PLANNING BOARD
SEPTEMBER 3, 2026

The Cornish Planning Board met on Thursday, September 3, 2026, 7:00 p.m., at the Cornish Town Offices. Members present were Bill Lipfert, Chair, Everett Cass, Jonathan Glass, and Gillian Goodwin; Linda Rice, Alternate; and Dillon Gallagher, Selectman; and Heidi Jaarsma, Secretary.

Also in attendance were Keith Beardslee, Cindy Heath, Robin Kilfeather-Mackey, and Jody Schubert.

Bill Lipfert called the meeting to order at 7:00 p.m.

Approval of minutes 7/16/2026 and 8/6/2026

Gillian Goodwin made a motion to approve the minutes of 7/16/2026. Dillon Gallagher seconded the motion, and the vote of the Board was in the affirmative, 6-0.

Everett Cass made a motion to approve the minutes of 8/6/2026 as amended. Dillon Gallagher seconded the motion, and the vote of the Board was in the affirmative, 5-0.

Master Plan Update

Review of Open Space Conservation Plan (hereinafter “Open Space Plan” or “Plan”): land use regulations, policies, and natural resources protection recommendations

Bill Lipfert opened the discussion by summarizing the Board’s sense that many of the recommendations were more appropriate to a larger town with a paid planning and enforcement staff. Compliance with some of these recommendations would be a daunting task. Hiring of professionals would be required for land use applicants. Mr. Lipfert also expressed concern about legal liability created when the town’s ordinances, regulations, and master plan do not align with the Open Space Conservation Plan.

Mr. Lipfert said that there are some recommendations that provide useful input to the Master Plan and that the Board was keen to discuss these in more detail. Gillian Goodwin said that the Plan has numerous high-resolution maps that will be useful for the Master Plan’s Natural Resources chapter. Heidi Jaarsma noted that the mapping in the Open Space Plan is excellent but noted that the maps are for informational and planning purposes only. No site-specific information can be determined from the course-filter data of the mapping and no decision on land use applications can be made with these maps.

Robin Kilfeather-Mackey said that she viewed the recommendations as a toolkit, not a mandate. The commission will pick three of the thirty-seven recommendations to start with: (1) Master Plan recommendations; (2) Engagement with regional commissions; (3) streamlining procedures to help residents with conservation projects.

Heidi Jaarsma explained that while the Master Plan has no regulatory authority, courts often rely on a master plan to establish the legal foundation for a particular ordinance or regulation that may be the subject of an appeal. Making the Conservation Plan part of the 2009 Master Plan and the upcoming update could be problematic if recommendations are not in alignment.

Ms. Kilfeather-Mackey said that the references to the 2009 plan would be removed. She said that the Conservation Commission is suggesting a five-to-seven-year window to implement the recommendations.

Bill Lipfert asked if it made sense to include recommendations that could not feasibly be implemented, or that show inconsistency with town ordinances, regulations, and the master plan. Representatives of the Conservation Commission suggested establishing a subcommittee to review the recommendations. Mr. Lipfert said that the Planning Board has a full plate between the Master Plan update and regular business. The Board is not in a position to have a subcommittee. Mr. Lipfert added that although numbers 27-37 make eleven recommendations, there are many subsections to each recommendation, which in effect meant there were many more recommendations than eleven.

Jonathan Glass asked if the Plan had been approved. Robin Kilfeather-Mackey said that it had not. Mr. Glass asked if the consultant, Moosewood, had given examples of towns our size that have taken similar recommendations, have they supplied model ordinances, etc. Dillon Gallagher asked regarding the Conservations Commissions 5/27/2026 vote to approve the plan. Ms. Kilfeather-Mackey said the vote to approve had been rescinded at the August meeting; due to a miscommunication, the chair of the commission had not sent the plan for review to the Planning Board.

Cindy Heath stated that she had winnowed the recommendations to focus on six broad objectives. Members of the Planning Board said that they had come prepared to go through all of the specific Plan recommendations concerning land use.

#27: The Board discussed its concerns, above, regarding making the Open Space Plan part of the Master Plan.

#28: Bill Lipfert stated that having the Planning Board perform an audit as described in the recommendations seems infeasible given the resources of the Board. Cindy Heath said that she did not expect the Planning Board to perform a natural resources audit. Bill Lipfert pointed out that all the documents that would be subject to the audit are under the purview of the Planning Board.

#29: Bill Lipfert emphasized the need for model ordinances to accompany many of the recommendations. Everett Cass said that he felt many of the recommendations under this section created an excessive regulatory burden. Heidi Jaarsma gave as an example the recommendation to require naturally vegetated buffers in the overlay conservation district as a regulation that would be difficult for the Select Board to administer. Mr. Lipfert added that the

recommendations for the Natural Resources chapter were all ideas very few would argue with, but he questioned how to connect them to land use. He suggested the key points were important for the Conservation Commission's prioritization. Mr. Lipfert did not feel that including the four major considerations from the plan in the Master Plan's Land Use Strategy was appropriate.

Heidi Jaarsma stated that the Board had explored Innovative Land Use Planning Techniques, and many were not applicable or out of scale with a town the size of Cornish. She added that the town does have open space subdivision in its regulations; however, it is called Cluster Subdivision in the ordinance. Ms. Jaarsma said that including incentives in cluster subdivisions for workforce housing was an interesting idea.

Bill Lipfert said that the Master Plan recommendations are crafted in a way that is largely actionable within the powers of the Planning Board. Many of the recommendations for Water Resources in the Plan are very specific and not within the purview of the Board.

#30: Dillon Gallagher stated that Cornish already protects its water quite well with a 100' buffer zone that exceeds State standards. Regarding the recommendation to provide resources for best management practices in the third bullet point, Bill Lipfert stated that the Planning Board is not an information clearing house and that the Board does not want to be in a position where an applicant considers Board-referenced information as governing the application process. He added that public outreach of this kind would be totally appropriate for the Conservation Commission.

Heidi Jaarsma outlined the difference between the recommendations for the Master Plan (27-29), which is a guiding document, and recommendations for the Zoning Ordinance and land use regulations (30-37). Changes to regulatory documents affect how the residents of the town can and cannot use their property. Ms. Jaarsma said that the recommendation to regulate development around vernal pools would create a regulatory burden and would likely increase the cost of land use applications. Applicants could be required to hire a licensed professional to determine the existence of vernal pools. In addition, enforcement of such a regulation would add to the already stretched administrative capacity of the Select Board.

#31-33: Heidi Jaarsma said that the Board will be working on clarifying language with regard to setbacks.

#34: Heidi Jaarsma said that the Subdivision Regulations apply to everything from a lot line adjustment to a multiple-lot subdivision with interior roads and utilities. She felt that some leeway in the regulations was helpful to the Board in considering the range of potential applications and precludes the Board from granting multiple waivers for every application. The Board will consider some of the recommendations.

#35: Bill Lipfert pointed out that some of the suggested uses to be prohibited were already prohibited in town. Recommending those uses be prohibited in certain zones could create the impression that the uses are allowed in other zones.

#36: Bill Lipfert said that the Master Plan does discuss the possibility of adding a water protection zone in the form of larger minimum lot sizes to reduce the risk of contamination of the Cornish Flat aquifer. The Board discussed the difference between overlay district and zoning district. Heidi Jaarsma said that any decision to bring a new water protection zone, possibly with a larger minimum lot size, before the town must be data driven. Bill Lipfert said that a water quality study in Cornish Flat led by the Conservation Commission would be very helpful.

#37: Everett Cass asked how steep slopes would be defined. Bill Lipfert asked the Commission to think about a building permit application coming in and how the Selectboard could determine whether or not a proposal complied with the ordinance. He added that a model definition and ordinance from a town like Cornish would be helpful.

Mr. Lipfert reiterated that any recommendation for changing the ordinance should be paired with a model ordinance.

Jody Schubert asked about pulling together a committee that involved other entities. The Board felt that it would be more productive to have discussions with the entire Board as opposed to going through a liaison. The Conservation Commission will meet internally to determine suggested next steps, including timing on release of the approved Plan.

Second Reading: Draft Transportation Section

Bill Lipfert reviewed changes to the draft transportation chapter of the Master Plan. It was agreed to remove specific references to potential new Scenic Roads.

Review of proposed revisions to the Cornish Driveway Regulations

Dillon Gallagher introduced the proposed revisions to the driveway permit. The proposal differentiated types of driveway uses. A new application will be generated consistent with the proposed revised regulations, including a section to authorize an agent.

Any other business that may come before the Board

Everett Cass made a motion to adjourn. Linda Rice seconded the motion, and the vote of the Board was in the affirmative, 6-0. The meeting was adjourned at 9:09 p.m.

Respectfully submitted,

Heidi M. Jaarsma