



# Sanford Town Council

Town Council Meeting Minutes – December 4, 2007

The Sanford Town Council met at 7:00 p.m. in the Chambers of the Sanford Town Hall Annex on Tuesday, December 4, 2007. Those present were: **COUNCILORS:** Chairperson Anne-Marie Mastraccio, Vice-Chair Joseph Hanslip, Councilor Maura Herlihy, Councilor Gordon N. Paul, Councilor Bradford J. Littlefield, Councilor Kevin J. Chabot, and Councilor Alan Walsh. **TOWN MANAGER:** Mark Green. **TOWN STAFF:** Director of Public Works & Town Engineer Charlie Andreson, Director of Planning Jim Gulnac and Director of Economic Development Les Stevens.

Chairperson Mastraccio called the meeting to order at 7:04pm.

The session began with the Pledge of Allegiance followed by a moment of silence.

**Roll Call:** Chairperson Mastraccio performs the Council Roll Call: Councilor Walsh, present; Councilor Chabot, present; Council Littlefield, present; Councilor Paul, present; Councilor Herlihy, present; Vice-Chair Hanslip, present; Chairperson Mastraccio, present; Town Manager, Green, present; Executive Assistant, Sherry Lord, present.

## Minutes

None

## Chairman's Reports/Town Council Sub-Committee Reports

- Chairperson Mastraccio talked about the committee openings that are available and listed them. She reminded everyone that the deadline for applications will be extended through Monday December 10th. There will not be a Council meeting on December 11<sup>th</sup>. The Charter Advisory Committee will be holding a Public Forum at 7:00pm in the Council Chambers. This meeting will not be televised. On December 18<sup>th</sup> the Council will have a workshop on Impact Fees starting at 6:00pm. Immediately following the workshop the Council will have their regular meeting.
- Councilor Littlefield talked about the Traffic Impact Fees; there is a hearing tonight, after tonight this item will go back to the Sub-Committee for review then back to the Council on the 18<sup>th</sup>.

## Town Manager's Report

- Town Manager Green reported that with the first snow storm of the season he was pleased that all went well with the parking ban and appreciated everyone working together.

## **Communications**

- Robert Hardison – Mainers Presentation; Mr. Hardison addressed the Council. He explained and listed the accomplishments of the Sanford Mainers this past season. They are donating \$25,000 as seed money for the park. He also thanked everyone that is involved for making this program a success for Sanford.

## **Public Hearings**

The Town Council will hold a public hearing to receive comment on the following:

- 1) An application for new liquor license for Village Slice, 481 Main Street, Springvale, ME. Chairperson Mastraccio declared the public hearing open at 7:14pm. There was no one to speak for or against. The public hearing was declared closed at 7:14pm.
- 2) An application for liquor license renewal for the Lafayette Social Club, 48 Winter Street, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 7:15pm. There was no one to speak for or against. The public hearing was declared closed at 7:15pm.
- 3) An application for liquor license renewal for the VFW Post #9935, 1 Hutchinson Street, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 7:15pm. There was no one to speak for or against. The public hearing was declared closed at 7:15pm.
- 4) An application for three blanket letters for licenses to operate games of chance (Gin Tournaments, 2 Sealed Ticket Games, 5 Video Poker Games) for the Wolves Social Club 40 High Street, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 7:15pm. There was no one to speak for or against. The public hearing was declared closed at 7:15pm.
- 5) An application for liquor license renewal for the Sanford Lodge of Elks #1470, 7 Elm Street, Sanford, ME. Chairperson Mastraccio declared the public hearing open at 7:16pm. There was no one to speak for or against. The public hearing was declared closed at 7:16pm.
- 6) An application for blanket letter for license to operate games of chance (2 Sealed Ticket Games) for the American Legion Post #19, 656 Main Street, Springvale, ME. Chairperson Mastraccio declared the public hearing open at 7:16pm. There was no one to speak for or against. The public hearing was declared closed at 7:16pm.
- 7) The proposed Traffic Impact Fee Ordinance. Chairperson Mastraccio declared the public hearing open at 7:16pm. Robert Hardison opened the discussion with the recommendation from the Planning Board. Charlie Andreson, Director of Public Works gave a detailed presentation to the Council. Chairperson Mastraccio declared the public hearing closed at 7:37pm.
- 8) The proposed changes to the Town of Sanford General Assistance Ordinance. Chairperson Mastraccio declared the public hearing open at 7:37pm. Town Manager Green explained the changes. There was no one to speak for or against. The public hearing was declared closed at 7:39pm.
- 9) The proposed changes to the Zoning Ordinance for the Town of Sanford, last revised

December 19, 2006:

- a. To add the following under section 2.2 – Definitions: Drive-up window, drive-up, or drive-through: a portion of a business or a structure which allows the distribution of a product (s) through an access point to serve client(s) in motor vehicle(s).
- b. To amend section 11.15 – Table of Land Uses Subsection VI.5a.: add SB, UB, & DB as zones which allow “financial institutions with a drive-through as a use permitted only with the issuance of a conditional use (CU) permit.
- c. To add the following to Section 15.4.2 – Curb Cut Limitations: Drive-up window, drive-up, or drive-through when permitted as a use/or conditional use will be designed such that there will be no direct access (either entrance or exit) to streets listed in Section 15.3(note that Section 15.3 lists Routes 4, 109, 202, 11A, and 224).

Chairperson Mastraccio declared the public hearing open at 7:40pm. Town Planner Jim Gulnac explained the recommendation from the Planning Board. Councilor Herlihy discussed her concerns; the recommendations that the Sub-Committee suggested did not reflect in the recommendation from the Planning Board. Councilor Chabot asked for clarification of the changes. Town Manager Green explained that he did not put the memo from the sub committee in the packet. He will do so when this item comes back on the 18<sup>th</sup>. Chairperson Mastraccio recommended that the sub-committee meet before the Council meeting on the 18<sup>th</sup>. There was no one else to speak for or against. The public hearing was declared closed at 7:56pm.

- 10) To receive public comments on the designation of the Villa Café Tax Increment Financing District and the adoption of the associated Development Program for said Municipal Development and Tax Increment Financing District pursuant to the provisions of Chapter 206 of Title 30-A of The Maine Revised Statutes as amended. Chairperson Mastraccio declared the public hearing open at 7:57pm. Director of Economic Affairs, Les Stevens described the property and explained his presentation. He also invited Lionel Sevigny, owner of the Villa Café to speak to the Council. Mr. Sevigny addressed the Council. There was no one else to speak for or against. The public hearing was declared closed at 8:07pm.
- 11) To receive public comments on the designation of the Sanford Institution for Savings (SIS) Tax Increment Financing District and the adoption of the associated Development Program for said Municipal Development and Tax Increment Financing District pursuant to the provisions of Chapter 206 of Title 30-A of The Maine Revised Statutes as amended. Chairperson Mastraccio declared the public hearing open at 8:07pm. Director of Economic Affairs, Les Stevens introduced the SIS TIF. He explained the property and also introduced the President of SIS, Mark Mickeritz. There was no one else to speak for or against. The public hearing was declared closed at 8:16pm.

### **Public Participation**

None

## **Old Business**

- 07-169.05 The Town Council of the Town of Sanford hereby Ordains amendments to the Sanford Traffic Ordinance section § 245-116.5 Toll Booth Fundraisers. This item must be read on two separate days. This is the second reading. Councilor Herlihy moved to approve, seconded by Councilor Chabot. The Town Council voted 6-1 to approve (Councilor Walsh opposed).

## **New Business**

- 07-172.01 Ordered, to accept with regret the resignation of Becky Brink from the Housing Authority Board of Commissioners. Councilor Herlihy moved to accept with regret the resignation of Becky Brink from the Housing Authority Board of Commissioners, seconded by Councilor Littlefield. The Town Council voted 7-0 to accept.
- 07-173.02 The Town Council hereby ordains amendments to the proposed changes to the Town of Sanford General Assistance Ordinance. (This item must be read on two separate days, this is the first reading).
- 07-174.03 Ordered, to authorize the Town Manager to sign a letter of Agreement transferring \$90,000 in CDBG Funds to the Downtown Legacy with Conditions. Town Manager Green explained this request. Councilor Chabot clarified that this is not tax payer's money; it is money that comes from CDBG funds. Councilor Walsh moved to approve, seconded by Councilor Herlihy. The Town Council voted 7-0 to approve.
- 07-175.04 Ordered, to adopt the resolution entitled Resolve to Designate the Villa Café Municipal Development Tax Increment Financing District and to adopt a Development Program for Said District. Councilor Littlefield moved to approve, seconded by Councilor Herlihy. The Town Council voted 7-0 to approve.
- 07-176.05 Ordered, to adopt the resolution entitled Resolve to Designate Sanford Institution for Savings Municipal Development Tax Increment Financing District and to adopt a Development Program for Said District. Councilor Herlihy moved to approve, seconded by Vice-Chair Hanslip. The Town Council voted 7-0 to approve.
- 07-177.06 The Town Council hereby ordains amendments to the proposed Traffic Impact Fee Ordinance. (This item must be read on two separate days, this is the first reading).
- 07-178.07 The Town Council hereby ordains amendments to the proposed changes to the Zoning Ordinance for the Town of Sanford, last revised December 19, 2006: (This item must be read on two separate days, this is the first reading).
- a. To add the following under section 2.2 – Definitions: Drive-up window, drive-up, or drive- through: a portion of a business or a structure which allows the distribution of a product (s) through an access point to serve client(s) in motor vehicle(s).
  - b. To amend section 11.15 – Table of Land Uses Subsection VI.5a.: add SB, UB, & DB as zones which allow “financial institutions with a drive-through as a use permitted only with the issuance of a conditional use (CU) permit.

- c. To add the following to Section 15.4.2 – Curb Cut Limitations: Drive-up window, drive-up, or drive-through when permitted as a use/or conditional use will be designed such that there will be no direct access (either entrance or exit) to streets listed in Section 15.3(note that Section 15.3 lists Routes 4, 109, 202, 11A, and 224).
- 07-179.08 Ordered, to authorize the Town Manager to sign an agreement between the Town of Sanford and the Town of Old Orchard Beach for Assessing Services. Town Manager Green discussed the agreement. Councilor Herlihy moved to approve, seconded by Councilor Chabot. The Town Council voted 7-0 to approve.
- 07-180.09 Ordered, to approve the following license requests: Councilor Littlefield moved to combine all applications (except application D), seconded by Councilor Herlihy. The Town Council voted 7-0 to combine. Councilor Herlihy moved to approve applications A-C, E & F, seconded by Councilor Littlefield. The Town Council voted 7-0 to approve applications A-C, E & F. Councilor Herlihy moved to divide application D, seconded by Councilor Paul. The Town Council voted 7-0 to divide. Councilor Herlihy moved to approve Gin Tournaments & Sealed ticket games, seconded by Councilor Paul. The Town Council voted 7-0 to approve gin tournaments & sealed ticket games. Councilor Littlefield moved to approve 5 video poker games, seconded by Chairperson Mastraccio. The Town Council voted 3-4 motion failed. (Councilors Walsh, Chabot, Paul & Herlihy opposed).
- a) An application for new liquor license for Village Slice, 481 Main Street, Springvale, ME.
  - b) An application for liquor license renewal for the Lafayette Social Club, 48 Winter Street, Sanford, ME.
  - c) An application for liquor license renewal for the VFW Post #9935, 1 Hutchinson Street, Sanford, ME.
  - d) An application for three blanket letters for licenses to operate games of chance (Gin Tournaments, 2 Sealed Ticket Games, 5 Video Poker Games) for the Wolves Social Club 40 High Street, Sanford, ME.
  - e) An application for liquor license renewal for the Sanford Lodge of Elks #1470, 7 Elm Street, Sanford, ME.
  - f) An application for blanket letter for license to operate games of chance (2 Sealed Ticket Games) for the American Legion Post #19, 656 Main Street, Springvale, ME.
- 07-181.10 Ordered, to act on a bid for the sale of Hawthorne School located at the intersection of Routes 4 & 109. Town Manager Green explained the bid that was received. The bid was for \$40 thousand; the sub committee met and decided to hold onto the building. Councilor Walsh moved to send this back to the sub committee indefinitely, seconded by Councilor Herlihy. The Town Council voted 7-0 to send to the sub committee indefinitely.

- 07-182.11 Ordered, to accept a bid from Sugarloaf Ambulance/Rescue Vehicles of Carrabassett Valley, ME for the purchase of an Ambulance in the amount of \$134,842.00 with trade-in. Vice-Chair Hanslip moved to approve, seconded by Councilor Chabot. The Town Council voted 7-0 to approve.
- 07-183.12 The Town Council of the Town of Sanford hereby ordains an emergency ordinance entitled "Emergency Moratorium Ordinance Regarding Methadone Clinic" in conformance with section 213.1 of the Sanford Town Charter. (Adoption of this ordinance amendment requires five affirmative votes). Vice Chair Hanslip moved to approve seconded by Councilor Herlihy. Councilor Littlefield voiced his opinion against a methadone clinic in Sanford. Councilor Walsh stated that this Moratorium is good for 90 days, where do we go after that? Vice-Chair Hanslip explained that these 90 days gives the Town until March 3, 2008. In the mean time we will start a process. We can not just say no. This is a process that needs to be thought through. Councilor Paul voiced his opinion against the Clinic. Rick Stanley, President of the Chamber of Commerce spoke with the Board of Directors of the Chamber and they are against this coming to downtown Sanford. He introduced Jennifer Escato a citizen who is opposed to the clinic. Lionel Sevigny a resident of Springvale doesn't feel that a methadone clinic is appropriate for Sanford. Councilor Chabot suggested that the community get involved. Bob Carr voiced his opposition to the clinic. After discussion the Town Council voted 7-0 to approve the motion to ordain an emergency ordinance regarding Methadone Clinics.

### **Council Member Comments**

Councilor Walsh: No Comment

Councilor Chabot: Welcomed Councilor Walsh

Councilor Littlefield: Congratulated Councilor Walsh on his appointment to the Council

Councilor Paul: Welcomed Councilor Walsh. He commented that he was on the DEA web-site and read that Methadone was the fastest growing drug.

Councilor Herlihy: No comment

Vice-Chairperson Hanslip: Welcomed Councilor Walsh

Chairperson Mastraccio: No Comment

### **Future Agenda Items**

None

### **Adjournment**

Councilor Littlefield moved to adjourn at 9:00 pm.

Respectfully Submitted,  
Sherry Lord  
Executive Assistant to the Town Manager