

SANFORD PLANNING BOARD MINUTES
MEETING July 25, 2007 – 7:30 P.M.
Town Hall Annex Third Floor Chambers

MEMBERS PRESENT: Robert Hardison, Chairperson
Kelly Tarbox, Vice Chairperson
Margaret Kleinrock, Secretary
Gregory Vermette
Gary Morse

MEMBERS ABSENT: Joseph Herlihy (w/notice)

STAFF PRESENT: James Q. Gulnac, AICP, Planning & Development Director
Charles Andreson, P.E., AICP, Town Engineer
Michael Casserly, Assistant Engineer
Barbara Bucklin, Administrative Assistant

STAFF ABSENT: None

I. CALL TO ORDER

Chairman Hardison called the meeting to order at 7:30 P.M.

II. PUBLIC HEARING – None

III. NEW BUSINESS

- 1. File #20-07-P: Norman White, Inc., c/o Dana Libby, PLS, Corner Post Land Surveying, Inc., 2 Mill Street, Springvale, Maine.**

Chairperson Hardison called for a representative to present the project.

John Hutchins, Corner Post Land Surveying, Inc., representing the applicant, briefly reviewed the proposal. Mr. Hutchins also stated that the concerns mentioned at the work session have been resolved.

Chairperson Hardison asked Mr. Gulnac if Mr. Gulnac had any other comments.

Staff member Gulnac informed the Board that the suggested motion included reference to providing certification that the detention pond, as well as the road, has been constructed according to plan.

Chairperson Hardison asked staff member Casserly if Mr. Casserly had any other comments.

Staff member Casserly stated his additional comments were the same as Mr. Gulnac's.

Chairperson Hardison asked if Board members had any questions. No one did.

Chairperson Hardison called for a motion.

Board member Kleinrock made a motion that the Planning Board accept the findings of fact (see attached) and find that application file #20-07-P to construct a private way on property owned by the applicant and located on Mount Hope Road has been prepared in accordance with

Section 15.13 of the Sanford Zoning Ordinance. The property is further identified as tax map R11, lot 34 and is located in the RR zone. This approval is subject to the following conditions:

- a. The applicant will provide two (2) mylars of the approved private way plan for signature by the Planning Board.
- b. The applicant will file the approved private way plan in the County Registry of Deeds within 30 days of this approval. Failure to file the plan could result in the approval being declared null and void.
- c. The applicant will provide a copy of the signed mylar with proof of filing plus six (6) paper copies of same to the Planning Department.
- d. The applicant will pay \$50.0 for a map filing fee.
- e. Prior to the issuance of any occupancy permits, the applicant must provide a certification from a State of Maine certified engineer that the road and detention pond have been constructed in accordance with the approved plan.

Board member Morse seconded the motion.

A vote was taken, and the motion passed 5-0.

2. File #999-07-T(1): Traffic Impact Fee Ordinance.

Chairperson Hardison stated this item will be discussed as a work session item instead of a voting meeting item.

IV. OLD BUSINESS – None

V. APPROVAL OF MINUTES: May 16, 2007 and June 20, 2007

Chairperson Hardison called for approval of the minutes.

May 16, 2007

Chairperson Hardison asked Board member Kleinrock if the minutes were ready for approval.

Board member Kleinrock stated a change needed to be made on page 2.

Board member Vermette made a motion to approve the minutes with the change.

Board member Morse seconded the motion.

A vote was taken, and the motion to approve the minutes as amended passed 5-0.

June 20, 2007

Chairperson Hardison called for a motion to accept and approve the minutes.

Board member Vermette made a motion to accept the minutes as written.

Board member Morse seconded the motion.

A vote was taken, and the motion to approve the minutes as written passed 5-0.

VI. PLANNING DIRECTOR'S REPORT

Staff member Gulnac brought two building permit applications to the Board that were forwarded by the CEO. Both applications were setback violations, one located on Sunset Road and the other on Kennebunk Road. The Sunset Road application was dealing with a burnt down barn, while the

Kennebunk Road application was a single family residence with storm damage.

Mr. Gulnac explained the Sunset Road application. The applicant would like to place a new structure on the foundation, but the applicant owns a lot of land and the new structure could be relocated to comply with the required setback.

Chairperson Hardison asked Mr. Gulnac if both applicants were planning on building in the same footprint as the previous buildings, which would not make the new structures more nonconforming. Mr. Gulnac said it was his belief the applicants were building in the same footprint.

Chairperson Hardison asked Board members if they wished to review the applications, or if the Board would allow staff to proceed with the review.

Board member Vermette said he was fine with staff review only.

Staff member Andreson pointed out that the building on Sunset Road could be replaced with a different style building than what was previously there.

Discussion took place on what style the replaced buildings would be.

Staff member Gulnac asked for separate motions on the two requests.

Kennebunk Road (R23/11A)

Staff member Gulnac read the description on the permit application.

Chairperson Hardison asked the Board if they would like to review this application or leave it at staff level.

Vice Chairperson Tarbox stated she would like the Board to be consistent in this type of review.

Discussion took place on this application versus other similar applications.

Staff member Gulnac stated this particular property is restricted on placement due to the proximity of the septic system and other buildings already existing on the property.

Discussion took place on how the Board felt on processing this application.

The Board decided that this application could be reviewed at staff level.

Vice Chairperson Tarbox motioned for allowing staff to review this application.

Board member Kleinrock seconded the motion.

A vote was taken, and the motion passed 5-0.

Sunset Road

Chairperson Hardison asked what the size of the previous barn was.

Staff member Gulnac stated it was large and constructed with wood. He then explained to the Board what the nonconformity was, which was the existing foundation was too close to the road.

Discussion took place on where the new building could be placed, and the design of the new structure.

The Board decided they would invite the applicant to the August work session and allow the applicant to present his information to the Board. The Board also decided that they would like to inform the abutters of this meeting and allow the abutters to listen to the proposal and ask any questions of the applicant if needed.

VII. ADJOURN

The meeting adjourned at 7:55 PM, and a work session for the traffic impact fee followed.

Attachment to July 25, 2007 Minutes

*Findings of Fact for New Business Item #1
File #20-07-P: Halo Drive Private Way*

- The applicant has provided evidence of ownership of the subject property and has standing to present the application.
- An application for a private way only does not require review by the SPRC.
- Staff reviewed the first submission and the applicant made revisions based upon staff comments.
- The plan for the private way has been prepared in accordance with the conditions outlined in Section 15.13 of the Sanford Zoning Ordinance.
- A question has been raised concerning naming a private way with only a single residence. Per the E911 procedures, in such a case the existing resident address remains on Mount Hope Road and the private way remains nameless.
- The applicant appeared at the July 11, 2007 Planning Board work session and the Board by consensus of those present indicated that the application was ready for voting as a “private way” only.