

SANFORD PLANNING BOARD MINUTES
MEETING October 21, 2009 – 7:30 P.M.
Town Hall Annex Third Floor Chambers

MEMBERS PRESENT: Robert Hardison, Chair
Kelly Tarbox, Vice Chair
Joseph Herlihy
Margaret Kleinrock, Secretary
David Mongeau
Gregory Vermette
Gary Morse

MEMBERS ABSENT: None

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

STAFF ABSENT: Barbara Bucklin, Administrative Assistant (w/notice)

I. CALL TO ORDER

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

II. PUBLIC HEARINGS

There were no public hearing items.

III. NEW BUSINESS

There were no new business items.

IV. OLD BUSINESS

- 1. File #13-09-S: Mattson Development, c/o Stephen Bradstreet, PE, Oak Engineers, 400 Commercial Street, Suite 404, Portland, Maine.**

Chair Hardison called for a motion to table the application because material was not submitted to the planning office in time to be reviewed for the meeting.

Staff member Gulnac asked Chair Hardison to have a time frame for submittal included in the motion to table.

Board member Herlihy made a motion to table the application.

Vice Chair Tarbox seconded the motion.

Chair Hardison said the application will be heard at the November 4, 2009 meeting.

A vote was taken, and the motion passed 7-0.

- 2. File #04-09-W: Joseph & Sam Seigny, d/b/a Lincoln House LLC, c/o John Hutchins, Corner Post Land Surveying, Inc., 2 Mill Street, Springvale, Maine.**

Chair Hardison informed the Board that one of the conditions of final contract zone approval was to have the contract approved by the Town Council, and this took place at the council meeting of October 20, 2009. Chair Hardison confirmed with staff member Gulnac that there were no changes in the contract that the Planning Board had previously reviewed.

Chair Hardison called for a motion.

Board member Morse made a motion that the Planning Board has considered the application for a contract zone as presented in a plan prepared by Corner Post Land Surveying, Inc. with a latest revision date of June 5, 2009 and identified as File #04-09-W, Lincoln House and recommend final site plan approval subject to the conditions outlined in the contract and the following:

- a) Payment of all outstanding review fees;
- b) Filing of all appropriate documents with the York County Registry of Deeds; and
- c) No permits are to be issued until the conditions have been satisfied and all codes permits issued.

Board member Vermette seconded the motion.

A vote was taken, and the motion passed 7-0.

3. File #08-09-P: Clayton Todd Bell, 180 Grammar Road, Sanford, Maine.

Chair Hardison called for a representative to present the application.

Clayton Todd Bell, applicant, gave a brief overview of the application.

Chair Hardison asked if staff had any questions for the applicant.

Staff member Gulnac stated he was comfortable with the project.

Chair Hardison asked if staff member Casserly had any comments regarding the engineering memo of October 13, 2009.

Staff member Casserly stated the engineering issues have been worked out, and outlined the items the applicant had provided to the engineering department and the changes that were made to the plan.

Chair Hardison asked if there was any further discussion; there was not.

Chair Hardison called for a motion.

Board member Morse made a motion that the Planning Board confirm the Finding of Facts (see attached) and find that application file #08-09-R, Clayton Bell, Private Way has been prepared in conformance with the land development codes of the Town of Sanford, Section 280-85 and is approved with the following conditions:

- a) The applicant will pay all outstanding application review fees;
- b) Prior to the issuance of any building permits, the applicant will provide one (1) copy of the signed mylar containing proof of filing at the York County Registry of Deeds and six (6) paper copies of same to the Planning Office;
- c) The applicant will pay a \$50.00 map filing fee before any building permits are issued;
- d) Any new construction is subject to any and all code and construction permit requirements.

Board member Vermette seconded the motion.

A vote was taken, and the motion passed 7-0.

V. APPROVAL OF MINUTES

There were no minutes available for approval.

VI. PLANNING DIRECTOR'S REPORT

The Planning Director's report was discussed off record.

VII. ADJOURN

The meeting adjourned at 8:00 PM.

**The Planning Board recessed before hearing the report to sign the mylars for Mr. Bell's private way application.

Non-agenda item: File #11-09-R: Pepin Mineral Extraction

Chair Hardison formally reopened the discussion on this item to determine if the Board would like to schedule a site visit.

Staff member Gulnac feels that a site visit would be in order to determine access, driveway location and traffic flow. Mr. Gulnac also informed the Board that the application has been put on hold because issues have been raised by the state with DEP and an archeological investigation. A phase 1 study was scheduled to be done in the next couple of days.

The Board decided a site visit would take place at 7:30 AM on Wednesday October 28, 2009. Chair Hardison and James Lowery, the applicant's agent worked out the details of where to meet and what the visit would entail. It was also determined that abutters would be notified of the site visit through a mailing.

Attachment to October 21, 2009 Minutes

*Finding of Facts for Old Business Item #1
File #13-09-S: So. ME Commerce Center Amendment*

This application was tabled until the November 4, 2009 meeting.

*Finding of Facts for Old Business Item #2
File #04-09-W: Lincoln House*

- The Planning Board has determined that the proposal is consistent with the goals and objectives of the Town's Comprehensive Plan and authorized the submission of a contract zone.
- The Contract Zone Coordinating Committee has met and reviewed the project.
- The applicant has standing to make the application.
- The application is classified as a major development which requires review by the SPRC prior to submission to the Planning Board.
- The Site Plan Review Committee has reviewed the technical land issues as a major subdivision and forwarded their report as required.
- One of the conditions of the approval for the continued operation of the First Steps Day Care, a program of the Adult Education program, and the separation of the subject parcel as a separate lot was that the boundary between the two properties be clearly identified. The plan submitted shows

a chain link fence along the boundary with the notation “installed by town”. This needs to be clarified and possibly included in the contract zone discussion with the Town of Sanford.

- There should be clarification on the proposed sign in front of the building. As a contract zone, a sign permit issued by the CEO is still required.
- The application indicates two zoning code issues:
 - a. The use as a multi-family unit in a single family zone; and
 - b. The maximum net density (one du per 2300 SF of net lot area)
- The application received preliminary approval from the Planning Board on August 5, 2009.
- The contract and zone amendment was approved by the Town Council on October 20, 2009.

*Finding of Facts for Old Business Item #3
File #08-09-P: Bell Private Way*

- The applicant has provided the necessary documentation establishing ownership of the subject property and has standing to present the application.
- A waiver from providing a survey of the complete lot (lot 26) within which the private way is to be located; the subject lot is large (+/- 80 acres) and would require additional sheets and provide no pertinent information. This waiver was agreed to by the Planning Board.
- The revised plans contain the requested information outlined in the Planning Director’s Updated Project Status Report from the August 5, 2009 meeting.
- Subject to the engineer’s comments, the application appears ready for final consideration by the Planning Board.