

**SANFORD PLANNING BOARD MINUTES
MEETING – April 1, 2015 – 7:00 P.M.
City Hall Annex Third Floor Chambers**

MEMBERS PRESENT: John McAdam, Chair
Lenny Horr, Vice Chair
Kelly Tarbox
Richard Bergeron
Lucas Lanigan

MEMBERS ABSENT: Lela Harrison, Secretary (w/notice)
Dianne Connolly (w/notice)

STAFF PRESENT: James Q. Gulnac, AICP, Planning & Development Director
Matthew Hill, City Engineer
Michael Casserly, Asst. City Engineer

STAFF ABSENT: None

I. CALL TO ORDER

Chair McAdam called the meeting to order at 7:00 PM.

II. PUBLIC HEARING

There were no public hearing items.

III. NEW BUSINESS

There were no new business items.

IV. OLD BUSINESS

There were no old business items.

V. APPROVAL OF MINUTES – March 18, 2015

Board member Tarbox informed the Board she has read the minutes and they are fine.

Board member Tarbox made a motion to approve the minutes as written.

Board member Lanigan seconded the motion.

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

VI. PLANNING DIRECTOR'S REPORT

James Gulnac, Planning Director told the Board the following were requests from the Planning Director and if the Board felt they needed more information, they could request more information and hear the request at another meeting. Staff member Gulnac stated he was presenting these requests this way because he felt they were minor in nature. He further stated that the Planning Department, over the last few years, has attempted to streamline the process in order to save time for both the applicant and the Planning Board, and money, for the applicant.

1. Request for site plan review authority: 21 Witham Street.

Staff member Gulnac stated this request is the reconstruction of a residence due to a fire. The applicant has been working for a year, which the ordinance allows up to a year to rebuild a nonconforming structure in the same location with Planning Board approval.

Mr. Gulnac said the applicant is building a smaller house with a new foundation. Mr. Gulnac suggested to the applicant, Steve Legere, about keeping the front of the building in the same location to keep unity in the neighborhood; Mr. Legere was going to put it further back than the original location.

Board member Tarbox confirmed with staff member Gulnac that the house is smaller than the original. Mr. Gulnac also stated the garage on the property is unaffected.

Staff member Gulnac then reminded the Board that giving authority to the Planning Director includes confirmation that the city engineer and code enforcement approve the site plan/request.

Board member Lanigan asked if the footprint of the new house is smaller than the old house. Mr. Gulnac stated it was. Mr. Lanigan asked if the home owner would be doing re-vegetation. Mr. Gulnac said this is only a required step in a shoreland zone approval.

Chair McAdam called for a motion.

Board member Tarbox made a motion that the Planning Board by consensus has determined that the reconstruction request from Steve Legere owner of tax map K18 lot 15 is in compliance with the setback requirements to the greatest practical extent possible as required in Section 280-25 (C)-1 and authorizes the Planning Director under Section 272-1-5-D to review and authorize the site plan request from Steve Legere to reconstruct a residential unit on a nonconforming lot.

Board member Bergeron seconded the motion.

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

2. Request for site plan review authority: 12 Smada Drive.

Staff member Gulnac said the previous use was at this location was a restaurant-type business and all kitchen equipment has been removed. Ty Pombriant is requesting to open a repair and refitting of camper trailers.

During discussion with Mr. Pombriant, staff member Gulnac suggested he request everything that he is planning on doing now or in the future. Mr. Pombriant is now requesting to open a repair facility, an area to sell up to ten (10) campers that have been repaired, and a designated area for fenced-in storage. Mr. Gulnac said where there were no major site improvements being proposed, he felt this request could be considered for review authority by the Planning Board.

Board member Tarbox asked about the number of trailers being requested for sale. Staff member Gulnac stated the applicant was asking for ten (10), but he reduced it to eight (8) because he (Mr. Gulnac) didn't feel the area could support ten campers. Discussion followed.

The Board asked Mike Casserly, Assistant City Engineer if he was satisfied with the proposal. Staff member Casserly wanted clarification on the number of campers onsite at

one time. Staff member Gulnac stated if Mr. Pombriant wanted more than what was requested in the proposal tonight, Mr. Pombriant would have to come back before the Board for discussion at the very least.

Chair McAdam called for a motion.

Board member Tarbox made a motion that the Planning Board by consensus authorize the Planning Director under Section 272-1-5-D to review and approve the attached site plan request from Ty Pombriant tax map R19 lot 204 subject to the following conditions:

1. Should he decide to expand the scope of his business that he would obtain any and all required permits.
2. Outside storage of vehicles/recreational trailers is limited to the area identified on the plan.
3. There is a limit of 5 trailers waiting for or receiving repairs parked outside the building in the area identified on the site plan.
4. There is a limit of 8 trailers parked in the area designated for new trailer sales.
5. Any changes to the site plan identified in this report will require review by the Planning Director who will determine the level of further review.
6. That the applicant will comply with any and all building and fire safety regulations.
7. This approval does not include any signage.
8. For these purposes, trailer means tow-behind type of trailer, not a stand-alone recreational vehicle.

Board member Bergeron seconded the motion.

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

3. Introduction of Watershed Overlay.

This item was discussed after the non-agenda item (see below).

Planning Director Gulnac showed the Planning Board a map showing the different watersheds throughout the city. He would like to create watershed overlay zones on the city's GIS website and updated the Board on what has been done so far to attain this goal.

VII. ADJOURN

The meeting adjourned at 7:48 P.M. to go into work session.

****Non-agenda Item: Review authority for OTB move to Mid-Town Mall.**

This item was discussed before Planning Director's Report item #3.

Staff member Gulnac informed the Board that the lease for the current location housing Sanford Off-Track Betting (OTB) is up approximately at the end of the month. The operators of OTB have been looking for a new location and were able to make an arrangement with Mr. Ray, owner of one of the buildings located in the Mid-Town Mall.

Mr. Gulnac then explained the steps the owners of OTB needed to go through in order to move to a new location:

- Liquor license review
- State review for betting
- Parking review with the city

- Level of city review needed

All of these have taken place over the last couple of weeks. Mr. Gulnac has also met with the property subcommittee for the mall parking area for overall demand of parking. The outcome of this meeting it did not need full council review and the committee informed Mr. Gulnac to proceed with Planning Board review.

Board member Bergeron asked Mr. Gulnac what he meant by his reference to 'minimal' in his overview. Mr. Gulnac stated there was adequate parking if people parked where they were supposed to. He said the applicant bases parking on demand by traffic whereas codes and fire base parking on demand by occupancy load.

Chair McAdam asked how the 374 parking spaces in the Mid-Town Mall area are divided up among businesses. Mr. Gulnac replied the shared parking concept is used in this area. Discussion took place on parking in the downtown area.

Vice Chair Horr asked Mr. Gulnac if Mr. Ray has tried to secure parking in St. Ignatius's parking lot located off St. Ignatius Street. Mr. Gulnac responded that he doesn't know if Mr. Ray has made any attempts to work out parking with St. Ignatius.

Board member Tarbox asked what the size of the new building is compared to the current location of OTB on Renaissance Way. Mr. Gulnac replied he did not know. Board member Tarbox then asked if a restaurant was going into the new location and the response was there was no restaurant going in with OTB.

Board member Tarbox asked if there was any history of disturbances that took place at OTB; Mr. Gulnac replied he was not aware of any. He then passed out additional information supplied by Mr. Barbarino, owner of OTB.

Chair McAdam asked staff member Casserly his thoughts on the request. Mr. Casserly agreed with staff member Gulnac's response of the parking impact being minimal.

Board member Lanigan asked if the Planning Board could set precedence by requiring OTB employees to park on the St. Ignatius Street side of the parking lot. The feeling was this would be up to the council to implement not the Planning Board.

Board member Bergeron said he noticed there was 2-Hour parking signs located in the parking lot but did not know if this was enforced; discussion took place.

Board member Tarbox asked staff member Casserly if he had any concerns. He stated that during the subcommittee meeting, it was decided that shared parking was acceptable.

Board member Lanigan asked if the Planning Board could regulate the filtering of cigarette smoke since OTB shows a smoking room in their floor plan. It was determined that if the Planning Board wanted to get into specific restrictions or regulations, the request would need to go before the Planning Board for their review and approval instead of giving review authority to the Planning Director and city staff.

Chair McAdam called for a vote.

Board member Tarbox made a motion that the Planning Board has considered the request from Donald Barbarino OTB for site plan approval to open and operate the Sanford Off-Track Betting at 890 Main Street and has reviewed the parking findings as determined by the council property subcommittee and find under the shared-parking concept there will be adequate parking available and by consensus authorize the

Planning Director under Section 272-1-5-D to review and authorize the site plan subject to any and all local and State of Maine code and license requirements.

Board member Lanigan seconded the motion.

A vote was taken and the motion passed 4-0-1. (Board member Bergeron abstained from the vote because he does not feel gambling should be allowed in the City of Sanford).