

SANFORD PLANNING BOARD MINUTES
MEETING – June 17, 2015 – 7:00 P.M.
City Hall Annex Third Floor Chambers

MEMBERS PRESENT: John McAdam, Chair
Lenny Horr, Vice Chair
Lela Harrison, Secretary
Kelly Tarbox
Richard Bergeron
Lucas Lanigan
Dianne Connolly

MEMBERS ABSENT: None

STAFF PRESENT: James Q. Gulnac, AICP, Planning & Development Director
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

1. **File #999-15-T(3): The Planning Director** is recommending changes to the city's land use ordinances.

Chair McAdam asked if anyone present wished to speak against the proposal; there was no one.

Chair McAdam asked if anyone present wished to speak for the proposal.

James Gulnac, Planning Director wanted to add a brief background to this proposal. Mr. Gulnac went over the Planning Board's functions, which are the development of a comprehensive plan and forwarding the recommendations to the city council and review applications to ensure compliance with local, state, and federal ordinances. Mr. Gulnac then outlined changes that have been made to the local ordinances to make the city more business-friendly. Next, Mr. Gulnac explained the latest change that was done to help applicants obtain approval for minor changes and allowances that require Planning Board approval but don't require a lot of changes to the site. This process, outlined as staff review, gives authority for staff members to review a project and approve it with consensus approval by the Planning Board. He felt formalizing staff review would protect the city in the event of a challenge.

Mr. Gulnac explained tonight's request to the Board and the reason for formalizing the staff review process and went over the new application and waiver checklist.

Board member Tarbox asked which of the following actions the Board should take if the Board felt more information was needed – deny the waiver request or the staff review. Mr. Gulnac suggested the Board deny the applicant's request for staff review and determine which level the Board wanted to review a request, such as have the applicant come in and answer questions or require a regular site plan submittal and explained the reason behind his suggestion.

Chair McAdam confirmed with staff member Gulnac that this would just be updating the application form so if the applicant wants a waiver there would be a specific line-item for each request. It was then discussed if each line-item would need to be voted on individually.

Chair McAdam asked if there were any questions.

Board member Connolly asked Mr. Gulnac if anyone has checked the legality of this application, referencing his comment regarding he hoped the new application and checklist would cover the finding of facts.

Mr. Gulnac replied the Board could request legal opinion, but it was his professional opinion this process does. Discussion took place.

Chair McAdam confirmed with Mr. Gulnac that if the Board approves this recommendation tonight, it would then be forwarded to the council for their review and approval process. Mr. Gulnac responded this was correct and further explained what is being voted on tonight is the recommended ordinance language change; the application form remains under Planning Board control and any changes are made under Planning Board procedures. Discussion followed.

Mike Casserly, assistant city engineer asked when engineering staff would give their input: before the meeting or at the meeting when the Planning Board reviews a request following the new application process. Mr. Gulnac stated engineering review will come during the pre-application meeting, which is covered under a different section of the ordinance, as well as the fire marshal's and CEO's comments.

Board member Tarbox asked if the application form should include written statements from the engineer. Discussion followed and it was determined the Board would like to add the city engineer to Support Documents Section E. City Engineer. Comments from the CEO are covered under A. in the same location.

Board member Lanigan confirmed with Mr. Gulnac that waivers could not be granted under the Support Documents section of the application.

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

Chair McAdam called for a motion.

Board member Tarbox made a motion that the Planning Board recommend the following changes to Chapter 272 Site Plan to the city council:

- a) Amend Section 272-1-7E. by adding the following paragraph:
(2) Applications for review as authorized in Section 272-1-5-D Staff review.
- b) Amend Section 272-1-5-D by adding the following: 'The applicant shall utilize the specific form called Section 272-1-5-D Application Form available from the Planning Department. The non-refundable fee for this application shall be \$50.00.'

Board member Lanigan seconded the amended motion.

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

Staff member Gulnac recommended the Board take action, under Planning Board procedure, to add to E. City Engineer under the Support Documents section of the new staff review application.

Board member Tarbox made a motion that under Support Documents Section E. the Planning Board adds requirements for written comments from the city engineer, Michael Casserly, 324-9108, ext. 4.

Board member Connolly seconded the motion.

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

Chair McAdam closed the public hearing.

III. NEW BUSINESS

There were no new business items.

IV. OLD BUSINESS

There were no old business items.

V. APPROVAL OF MINUTES – June 3, 2015

The minutes were not available.

VI. PLANNING DIRECTOR'S REPORT

James Gulnac, Planning Director had two items to discuss.

1. Dana Goldberg runs a gravel pit on the border of the North Berwick line off Route 4. He is interested in reusing the reclaimed portion of his gravel pit. A couple months ago, Mr. Gulnac presented the Board with adaptive reuses of gravel pits. Tonight, Mr. Goldberg has presented a list of ideas for the Board to discuss. About a year ago, Mr. Goldberg had presented a use to the Board but it required a zone change. The Board, at the time, did not think the use was appropriate to require a zone change. Mr. Goldberg decided not to pursue anything at that time.

Mr. Gulnac feels that a plan for adaptive reuse of gravel pits is a great idea. There is a section in the ordinance that deals with reclamation of gravel pits and the Board could update the ordinance requirements for reclamation to allow the reuse.

Board member Tarbox asked if Mr. Goldberg's proposal, which was a private rally car club, was an allowed use in his zone. Mr. Gulnac replied it was not so Board member Tarbox said she would probably want Mr. Goldberg to do a full presentation. Mr. Gulnac asked if the Board would like to speak to Mr. Goldberg at a future meeting to discuss his proposal.

Board member Bergeron asked if Mr. Goldberg may turn his proposal into a racetrack and Board member Connolly asked if Mr. Goldberg was going to limit the total of members to 24.

Vice Chair Horr asked if the Board had the authority to make the proposal an allowed use. Mr. Gulnac replied they couldn't change it but the Board could institute a zone change on their own if they feel the change of use is a benefit to the community. Board member Tarbox responded that the applicant could introduce a zone change request as well. Mr. Gulnac agreed, but said the process is more difficult for an applicant and explained why. Discussion took

place on how the Board wanted to proceed with Mr. Goldberg's request. It was decided to have Mr. Goldberg come before the Board at the second meeting in July.

2. Request from Toni Bennett

Staff member Gulnac introduced a request from Toni Bennett to operate a small counseling office located at 1051 Main Street. Ms. Bennett would add an office that would have one client at time.

Chair McAdam asked if there would still be an apartment upstairs. Mr. Gulnac replied the apartment would remain, and it would be a mixed-use property, which is allowed. Mr. Gulnac also said there would be no site improvements and parking would be in the existing paved parking area. Discussion followed.

Chair McAdam asked if there were any questions; there were not.

Chair McAdam called for a motion.

Board member Tarbox made a motion that the Planning Board accept the information in the Planning Director's memo dated July 15, 2015, with attachments, as a Finding of Facts and under the authority of Section 272-1-5-D of the site plan ordinance waives the specific requirements for a minor site plan and authorizes the Planning Director to approve the site plan for tax map K34, lot 38, Toni Bennett. The approval is subject to any and all permit requirements and fire safety requirements.

Board member Bergeron seconded the motion.

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

Mr. Gulnac then outlined what would take place over the next few months:

- July 1 meeting – work session on the transportation update
- July 15 meeting – 2 gravel pits, Dana Goldberg's request, a conditional use application for medicinal marijuana grow facility
- There are 2 major applications that are almost ready for submittal: the new Cumberland Farms project and the new Sanford High School project
- Other future projects: Rob Reinken's School Street property, the contract zone request for a property on Hanson's Ridge Road, Beaver Hill Estates
- Renewed interest in the former Rockwood Estates Phase II

Mr. Gulnac updated the Board on Gateway Park. The plan is by the end of the month the park will fall under the city's authority and the city will be able to continue to do planned improvements such as lighting and landscaping.

VII. ADJOURN

Before adjourning, Board member Tarbox thanked Lela Harrison for her service on the Board. The meeting adjourned at 7:57 P.M.