

**SANFORD PLANNING BOARD MINUTES**  
**MEETING June 19, 2013 – 7:00 P.M.**  
**City Hall Annex Third Floor Chambers**

**MEMBERS PRESENT:** Robert Hardison, Chair  
John McAdam, Vice Chair  
Richard Bergeron  
Joshua Howe  
Lela Harrison  
Matthew Treadwell  
Kelly Tarbox, Secretary

**MEMBERS ABSENT:** None

**STAFF PRESENT:** James Q. Gulnac, AICP, Planning & Development Director  
Charles Andreson, P.E., AICP, City Engineer  
Michael Casserly, P.E., Assistant Engineer  
Shirley Sheesley, Codes Enforcement Officer

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Chair Hardison called the meeting to order at 7:00 P.M.

**II. PUBLIC HEARINGS**

- 1. File #999-13-T(1): The Planning Director is requesting** that the Planning Board continue their review and update of the comprehensive plan; the specific topic is the presentation of the City of Sanford Land Stewardship Zoning Plan.

Staff member Gulnac explained to the Board the two different ways a zoning ordinance can be updated: do zoning changes or a comprehensive plan update, which is updating the zoning ordinance so that it is consistent with implementing the goals and objectives of the comprehensive plan. He gave some examples as to why our current ordinance is not working (such as the overuse of contract zoning). Mr. Gulnac also briefed the Board on:

- Preserving the character of Sanford and Springvale
- Flexibility of uses on property
- Simplify the zone map
- Maintain importance of the airport development and industrial zones while preserving farmland within the community
- Changes to the Table of Land Use in the ordinance
- North American Industry Classification System (NAICS)

Staff member Gulnac said the purpose of the change is to improve the vitality of Sanford, revitalize the downtown areas, adopt design standards for commercial and industrial development, and enhance the quality of the environment. He also said that compliance with the design guidelines within the downtown areas of Sanford and Springvale should become mandatory based on the review of a few recent applications, and the design guidelines would be extended along the Main Street corridor.

There was discussion on how to read and understand the classification codes in the NAICS book and there was concern on the uses this system allows in the proposed designated zoning change.

Chair Hardison asked if anyone would like to speak in favor of this proposal; there was no one.

Chair Hardison asked if anyone would like to speak in opposition of this proposal; again there was no one.

Chair Hardison closed the public hearing.

### **III. NEW BUSINESS**

- 1. File #18-07-S: Dana Libby, PLS, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.**

Chair Hardison called the proposal to order for discussion. He stated that all members should have received information regarding the request then asked staff member Gulnac if there was any other information to add. Mr. Gulnac replied there was not.

Mike Casserly, assistant city engineer reminded the Board that the applicant would need to come back to the city before starting the second phase and comply with the conditions in the original proposal, and the applicant will still need to comply with the Maine DEP permit as well.

Chair Hardison said the Board could do one of two things: approve the extension request or table to request more information. Chair Hardison asked Mr. Casserly if he wanted to add conditions to the approval. Mr. Casserly replied there were no new conditions, but it was determined that the applicant still needed to comply with the conditions placed on the original approval.

Board member Tarbox asked what the referenced Articles 10 & 11 were. Staff member Gulnac said this application was reviewed under the old ordinance so these article numbers were used; the new ordinance has the same requirements but the reference articles have different numbers. A discussion was held on the conditions to be placed on the approval, when construction permits would be issued, and the sunset clause on subdivisions.

Chair Hardison called for a motion.

Board member Tarbox made a motion that the Planning Board accept the Finding of Facts (see attached) and find the request for a five (5) year extension for final major subdivision approval to create a 13-lot residential subdivision, to be known as Cedar Woods, with a proposed road to be called Wilderness Way, file #18-07-S is in accordance with Chapter 275-24 F. and all standards in Title 30-A MRSA Section 4404 subject to the conditions below be approved:

- 1) The applicant must record the Record of Action Taken at the York County Registry of Deeds within ninety (90) days of the date on the record of approval.
- 2) The applicant agrees to the provisions of Articles 10 & 11.
- 3) The applicant will provide the planning office with a copy of the recorded approval of extension.
- 4) The applicant will provide a performance guarantee for the unfinished development as agreed to by the city engineer.
- 5) No construction permits are to be issued until the conditions of this approval are satisfied.

- 6) The applicant must update and comply with Maine DEP stormwater permit requirements.

Vice Chair McAdam seconded the motion.

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

**Non-Agenda Item: File #03-12-R: Veterans Center Expansion**

Chair Hardison said they received information regarding the request to expand the parking lot at the Veterans Center in Springvale. The request would be considered a minor change to an approved site plan but since the expansion encroaches into the shoreland zone the Planning Board needs to be involved. The DEP has already granted the Permit by Rule so all that is needed is Planning Board action. He went on to say that the Planning Board has two options tonight: the Board can instruct the planning director to act on the request as appropriate or request a complete site plan submittal from the applicant. Discussion took place on the following:

- The proposed increase in development
- Conditions regarding plantings as a buffer
- The site plan that was approved by DEP in their Permit by Rule

Chair Hardison asked if there were any other questions or discussion. Board member Tarbox said she would be comfortable with letting staff member Gulnac review as long as there was written confirmation about the plantings as buffering; the Board concurred.

Chair Hardison called for a motion.

Board member Tarbox made a motion that the Planning Board authorize James Gulnac to act on behalf of the Board to review the request as a minor change to an approve site plan.

Vice Chair McAdam seconded the motion.

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

**IV. OLD BUSINESS**

There were no old business items.

**V. APPROVAL OF MINUTES – December 5, 2012; January 2, 2013; and January 16, 2013**

Chair Hardison called for a motion on the minutes.

Board member Tarbox made a motion to approve all sets of minutes as written.

Board member Treadwell seconded the motion.

A vote was taken and the motion passed 5-0 (Board members Bergeron and Howe were not on the Board at this time).

**VI. PLANNING DIRECTOR'S REPORT**

There was no planning director's report.

**VII. ADJOURN**

The meeting adjourned at 7:54 PM to go into a work session meeting.

**Attachment to June 19, 2013 Minutes**

*No action was taken on Public Hearing Item #1*

*Finding of Facts for New Business Item #1  
File #18-07-S: Cedar Woods Subdivision Extension Approval*

- The subdivision was approved as a two (2) phase development with five (5) lots on Bernier Road in Phase 1 and eight (8) lots on a road to be built for Phase 2.
- The developer has been able to sell four (4) of the lots on Bernier Road but none in Phase 2. Additionally none of the infrastructure in Phase 2 has been constructed.
- The applicant has requested in writing that the Planning Board consider an extension of the approval.
- The reason indicated is the current economic conditions.
- This request is reviewed under Chapter 275-24 F. which states "... unless the applicant has requested in writing and received an extension".
- In addition to the conditions included in the first approval the applicant must also agree to provide for the continuation of any performance guarantees.

*There was no Finding of Facts for Non-Agenda New Business Item  
File #03-12-R: Veterans Center Expansion*

*There were no Old Business Items*