

SANFORD PLANNING BOARD MINUTES
MEETING October 3, 2012 – 7:00 P.M.
Town Hall Annex Third Floor Chambers

MEMBERS PRESENT: Kelly Tarbox, Chair
Lela Harrison, Vice Chair
Robert Hardison
John McAdam
Matthew Treadwell

MEMBERS ABSENT: Joseph Herlihy (w/notice)
David Mongeau, Secretary (w/notice)

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

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

I. CALL TO ORDER

Chair Tarbox called the meeting to order at 7:02 P.M.

II. PUBLIC HEARINGS

1. **File #11-12-R: Rockwell Investment Group, LLC, c/o John Hutchins**, Corner Post Land Surveying, Inc., 2 Mill Street, Springvale, Maine.

Chair Tarbox called for a representative to present the application.

John Hutchins, Corner Post Land Surveying, Inc., representing the applicant introduced the applicant, described the location and size of the property, stated that the applicant would like to construct 17 units within two buildings, and explained what the buildings would look like and what is proposed for landscaping and other site plan features.

Chair Tarbox asked if there were any questions from Board members.

Board member McAdam asked if there was only one access, more specifically one door, to each apartment. Mr. Hutchins confirmed that there was only one door access but egress windows would be put into each unit. Mr. Hutchins also said that each building is fully sprinkled. He also said that the walking lane alongside the road would be removed due to safety issues brought up at the site plan meeting but some other walkway would be added.

Chair Tarbox asked for a brief presentation on the drainage issues for the project.

Steve Stearns, Pinkham & Greer, designed the stormwater management system and the site grading. Mr. Stearns said that the system had to be designed to accommodate the runoff from abutting property as well as the increased volume of runoff on the subject property due to the development. Mr. Stearns then explained the design and functions of the system.

Chair Tarbox asked if there were any other questions from Board members before taking public comment; there were none.

Chair Tarbox asked if anyone present wanted to speak in favor of the application; there was no one.

Chair Tarbox asked if anyone present wanted to speak against the application.

Brian Samia, 47 Payne Street, said he is not against the development of the property. His only concern is if you review the General Residential (GR) zone density standards the property is large enough to accommodate the number of units proposed, but the design standards for the zone states (in part): *'Any proposal involving the expansion of the gross floor area of an existing residential building or the construction of a new residential building in which the net residential density of the site shall be greater than eight dwelling units per net acre shall be found by the Planning Board to conform to the following standards:*

- a) *The size of the proposed building is comparable to the size of residential structures on abutting lots;'*

Mr. Samia said the abutting lots as defined by the town average about 1136 square feet and he believes his interpretation of the ordinance would allow no more than 10-11 units on the property.

Roland Cote, 5 Goodwin Street, said he is concerned about a number of issues, as follows:

- Traffic – accidents, traffic flow, safety with the number of kids in area
- Total units – would not object to 12 (twelve) units
- How will area be maintained

Mr. Cote is also concerned with the number of rentals that are already available in the town and questions the need for 17 (seventeen) more units, especially with Sanford Mill under construction in the downtown area that will have more rental space available in the near future.

Mr. Cote did admit that David Parent, superintendent of the Sanford Water District, did not find any issues with the water supply for the project and the applicant was very cooperative.

Mr. Cote concluded by saying that he hopes an extensive survey as to how many rents are needed in town is done and that the Board iron out some of the concerns discussed by the applicant, such as stormwater management, before the project gets approved instead of allowing the applicant to make changes as the project gets constructed.

Melanie Emmons read a letter from Lena Snyder (49 Payne Street) who was not able to be at the meeting tonight. The letter states: *'Dear sir or madam, I am the homeowner of 49 Payne Street Springvale Maine and I am not able to physically attend this meeting. I am not in favor of this apartment complex site to be approved. I feel it will increase the traffic in the area and what it will do to the property value of my home. Sincerely yours, Lena Snyder.'*

Melanie Emmons, 52 Payne Street, added her own comments. She said that there are a lot of cars, too many to count, that do not stop at any of the stop signs at the intersection. She said the neighborhood is a quiet, single-family neighborhood. She went on to say that she does not want the traffic, the noise, and the police coming to break up fights that usually follow a large apartment complex such as this one. She feels that building more apartments in a town that is already decaying and falling apart that has no jobs and more apartments than people is ridiculous.

Richard Cloutier, 51 Payne Street, is concerned with water. Mr. Cloutier said there used to be a spring where people would go to get water. He also said that a lot of water flows under the manhole cover from March through June. He also has concerns about traffic and agreed with

the others that spoke about the vehicles not stopping at the stop signs. Safety is also one of his main concerns.

Carl Beaulieu, 52 Mill Street, stated that he has a few concerns – traffic being one of them. He echoed the comments about the cars that do not stop at the intersection and he worries about the safety of not only his kids but of the kids that could live in the new development. Mr. Beaulieu also questioned how the project would affect snow removal, parking, plowing, and runoff. He wondered if underground propane tanks were going to be used for heating and if there was going to be a place for kids to play. He feels that the project is a great idea but it is being proposed in the wrong place.

Chair Tarbox asked if there were any others that wanted to comment about the project.

Staff member Gulnac asked if he could update the Board on what was discussed at the site plan meeting held earlier in the day. Mr. Gulnac said there was a lengthy discussion and the recommendation at the meeting was to request that the Planning Board hold the public hearing tonight so the abutters' concerns could be heard and hold off on the vote to allow the design review committee time to review the project and make their recommendations to the Board (a design review meeting is being held tomorrow, Thursday). This would allow all parties involved time to review the project and make their recommendations to the Board so the Board will be better prepared and informed to make a decision.

Mr. Gulnac then informed the public that the Board does not take into consideration property values, any terms of assessment, or impact on the neighborhood; but the Board does have the ability to make sure the developer has the financial capacity to complete the project. Staff member Gulnac then explained the review process to the abutters to let them know what the Board uses to determine if a project is approved or not.

Aaron Wiswell, Rockwell Investment Group, LLC, who resides in Lebanon, addressed the abutters. He told them he understood all their concerns. Mr. Wiswell agreed with the comments referring to the number of rentals available in the Sanford area; however he feels that most of what is available is not quality housing and some residents are settling for what is out there because of the lack of nice housing. He said that there are also good aspects to the project: create jobs to develop and build the project, provide nice housing for those that are needing, and upgrading the stormwater system in the area which will make the water problem in the area better.

Mr. Wiswell then asked the abutters to keep an open mind about the project and to come to him with any concerns so they can work on the issues together.

Chair Tarbox asked Board member McAdam if he had anything to add about the design review; he did not.

Chair Tarbox mentioned that a performance bond would be discussed at a later time to assure that the infrastructure of whichever version of the project approved is completed.

Chair Tarbox asked if any other Board members had any questions.

Board member Hardison wanted to know if the issues, since there were a number of them raised at the SPRC meeting and in the engineer's report, would be addressed and incorporated into the plan before the application comes back to the Board for review.

Mr. Hutchins responded that the changes would be made to the plan as the issues are worked through before being brought back to the Board for approval.

An abutter asked if another notice would go out for the abutters. Chair Tarbox said that since the public hearing is being recessed and not closed, no further notice would be mailed out. Staff member Gulnac said that a specific date should be set so people at this meeting will know when the continuance will be.

The public hearing continuation is scheduled for two weeks from tonight, October 17, 2012.

Chair Tarbox called for a motion to recess the public hearing.

Board member Hardison made a motion that the Planning Board put the project in recess until the October 17 meeting assuming that all items that are under discussion and consideration have been resolved to the satisfaction of all parties and the only items that have not been resolved are the only ones brought back before the Board.

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

2. File #14-12-R: George Proach, c/o John Toothaker, Tooth & Associates, LLC, 347 Main Street, Unit 1B, Gorham, Maine.

Staff member Gulnac informed the Board that this application was heard at the SPRC meeting earlier in the day. The SPRC members tabled the application and did not forward the project to the Planning Board. The reason for this is that the committee members felt there were issues with the preparation of the application and deemed incomplete.

Mr. Gulnac went on to say that the applicant is present at the meeting tonight and it was up to the Chair to determine how to proceed because the Board has no jurisdiction on the application at this time.

Board member Hardison said he noticed that the application is labeled a reapplication and would like to know more about the time from of the original application.

In response, staff member Gulnac said the property in question has been designated as a mobile home park for over ten (10) years and was reaffirmed by the ZBA (Zoning Board of Appeals) a few years ago with the condition that any improvements were subject to site plan review and approval.

Mr. Gulnac said he went over the site plan process and requirements with the applicant but the applicant chose to submit the application with submission waiver requests. Mr. Gulnac told the Board there is no site plan on file for the original mobile home park. The plan that was presented to the site plan committee was not prepared by a surveyor, was not properly prepared for review, and the applicant was asking for setback waivers which the Planning Board cannot grant. Discussion took place.

Chair Tarbox asked if there was any further comment from Board members.

Board member Hardison commented that he believes the applicant knows what needs to be done in order to get back into the review process. He also suggests that until those issues are resolved before it comes back before the Board. If the issues can't be resolved then it will be up to the Board to help both staff and the applicant resolve the outstanding issues.

Chair Tarbox reminded the Board that an applicant is allowed to bring anything to the Board whether it is with or against the advice of the Planning Director, but it is a good idea to listen to the planner because he knows what the Board needs in order to properly review the application.

No action was taken on the application. It will be rescheduled when a complete application is submitted.

III. NEW BUSINESS

Since neither application was complete, there were no new business items for review.

IV. OLD BUSINESS

There were no old business items.

V. APPROVAL OF MINUTES

There were no minutes ready for approval

VI. PLANNING DIRECTOR'S REPORT

Staff member Gulnac suggested that instead of reviewing ordinance definitions, he thought that a different direction may be better. He presented each Board member with Chapters 5, 6, & 7 of the Comprehensive Plan. Mr. Gulnac believes the comprehensive plan still reflects the goals and objectives of the town, but what needs to be worked on is a better implementation plan – which is comprised of zoning and ordinances. He then went on to explain the process.

It was decided that the Board would take time to review chapter 5 before making comments instead of reviewing the chapter tonight.

VII. ADJOURN

The meeting adjourned at 8:23 PM.