

CITY OF SANFORD

BY-LAWS FOR THE PLANNING BOARD

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SECTION 1. BOARD MEMBERS

1.1 MEMBERSHIP

Per Section 280-5-2 of the City of Sanford Zoning Ordinance and City Charter Article IX. Municipal Development, Section 903 – Planning Board, the Planning Board shall consist of seven (7) members who shall be appointed by the City Council.

1.1.1 Planning Board members are expected to be reasonably knowledgeable about and abide by:

- 1.1.1.1** State laws and regulations guiding the regulation of land use (Title 30-A MRSA Chapters 187 and 191),
- 1.1.1.2** The City's ordinances including Chapter 270: Shoreland Zoning, Chapter 275: Subdivision, and Chapter 280: Zoning, and
- 1.1.1.3** The City's Comprehensive Plan.

1.1.2 Planning Board members also are expected to:

- 1.1.2.1** Review materials provided by the Planning Director prior to the start of the meeting at which the application will be heard,
- 1.1.2.2** Listen to all testimony and review all materials provided at the meeting at which the application is heard, and
- 1.1.2.3** Refrain from using electronic or other devices (e.g., cell phones, web pages, etc.) for purposes other than those related to the application under review. Cell phones and other electronic devices with audible tones shall be turned off or muted and personal cell phone, email, and social media use are not allowed during meetings.
- 1.1.2.4** Comply with the City Council's *City Boards and Committee Code of Conduct*.

1.1.3 Planning Board members are strongly encouraged to attend all Planning Board functions including workshops, sitewalks, and periodic training and/or legal updates to expand their knowledge and understanding of land use regulation.

1.2 OFFICERS

1.2.1 Per Section 280-5-3, a Chair and Vice Chair shall be elected by the Board from its own membership at the first regular meeting of the Board in January of each year and serve for one (1) year or until their successors are

elected. No member of the Planning Board shall be eligible for re-election as Chair or Vice Chair for more than three (3) consecutive one (1)-year terms.

1.2.2 The Chair shall preside at all Planning Board meetings and shall have the authority to rule on questions of evidence and procedure, to maintain order and determine the course of proceedings, and to take other such action as may be necessary and not inconsistent with these by-laws or other law to enable the Planning Board to perform its duties and conduct its affairs. The Chair may speak to points of order in performance to other Planning Board members, and shall decide all questions of order subject to an appeal to the Planning Board by motion regularly seconded, and no other business shall be in order until the question on appeal is decided. The Chair shall declare all votes, but if any member doubts a vote the Chair shall cause a recount of the members voting in the affirmative and in the negative without debate.

1.2.3 The Vice Chair shall serve as acting Chair in case of the Chair's death, resignation, incapacity, or absence. If neither the Chair nor Vice Chair is present, the Board shall elect from its own membership a Chair Protem who shall serve as Chair for that meeting only.

1.2.4 Upon the vacancy of the Chair or Vice Chair, a special election shall be held by the Planning Board to fill the vacancy.

1.2.5 No member speaking shall be interrupted by another, but by a call to order or to correct a mistake.

1.3 ATTENDANCE POLICY

1.3.1 When a member is not able to attend a scheduled Planning Board meeting, notification shall be made to the Planning Department and Chair by an email and/or a phone call, in advance if possible, in order to facilitate the work of the Planning Board at that meeting. If an extended absence is necessary, that member shall discuss it with the Planning Board in advance, if possible. It shall be the responsibility of the member to contact the Planning Director to review discussion of agenda items and the outcome of the Planning Board's meeting.

1.3.2 If a member is absent for three (3) consecutive meetings or is unable to attend on a regular basis, without acceptable reason or prior arrangement, the Chair shall contact the member to determine if that member is able to continue on the Planning Board. If the response is negative, the Chair shall ask the member to provide a written letter of resignation to the City Manager. If the response is positive, that member shall continue to serve on the Planning Board.

1.3.2 If a member fails to attend at least seventy-five percent (75%) of all meetings during the previous twelve (12) months, the Chair shall notify the City Council, which may remove the member for cause under § 280-5.2.3.

1.4 COMMUNICATION WITH THE PLANNING BOARD

1.4.1 The official method of communicating with the Planning Board shall be via email to distribute meeting packets. The Planning Director may also provide updated and/or supplemental written information at the meeting.

SECTION 2. RECORD OF BUSINESS

2.1 MINUTES

The Planning Board shall designate a Secretary, who shall be responsible for keeping the official record of each meeting where official business is conducted. The written record shall include the reasons for the Planning Board's decisions or recommendations and shall be made available to any interested member of the public. Copies shall be

sent to the members of the Planning Board with notices of the agenda of the next meeting. Copies shall also be sent to the City Manager.

2.2 APPROVAL OF MINUTES

The Planning Board shall act to approve or amend available minutes of any meeting at its next regularly scheduled meeting.

2.3 STATUS OF AUDIO RECORD

The written record shall constitute the official proceedings of the Planning Board. Audio recordings, which are made at the discretion of the Planning Director, may assist in the preparation of the written record, but they do not constitute the official proceedings. Audio records which are made shall be kept in the archives of the Planning Department in a manner consistent with 30-A MSRA, Section 2215. Because they are not a part of any official proceeding, audio recordings or copies thereof are not available to the general public except as part of a legal proceeding.

2.4 EX PARTE (OUTSIDE) COMMUNICATIONS

2.4.1 To preserve public confidence in the fairness of Planning Board deliberations, the Planning Board shall ensure that the public and interested parties have the opportunity to know and respond to, all information it considers in making its decisions. The Planning Board shall also ensure that each member has the opportunity to know and consider the information available to other members.

2.4.2 When considering items or issues, the Planning Board deals with parties who are directly affected by the Planning Board's decision (such as the applicant and neighbors of a proposed project). Each of these interested parties need the assurance that other interested parties will not have unfair advantage in presenting their version of the relevant facts or concerns to the Planning Board. In such cases, therefore, Planning Board members shall avoid communicating with applicants or other interested parties about the proposal except at the Planning Board meeting (i.e., an "ex parte communication" at which the proposal is being considered).

2.4.3 Ex parte communications can occur in person via telephone, fax, email, or other method of communication.

2.4.4 A Planning Board member who is approached with an ex parte communication should actively discourage the person from doing so and encourage the person to submit the information to the Planning Board in writing or through oral testimony at a Planning Board meeting. The Planning Board member should explain that, by providing information outside the public meeting, the person may be causing constitutional due process problems with the Planning Board's process and that the Planning Board may not legally be able to consider the information the person is trying to present.

2.4.5 If a Planning Board member receives unsolicited communications about an item or issue, outside of a Planning Board meeting, the member has the duty to reveal the communications during the Planning Board's consideration of the proposal. This ensures that the communicated information will become part of the record and that other Planning Board members and interested parties will have an opportunity to consider and refute the information.

2.4.6 Comprehensive Plan, Zoning, and Subdivision ordinance amendments are legislative determinations to be made by the City Council, and when considering such matters the Planning Board's role is purely advisory. When the Planning Board considers such issues it often finds access to a broad range of public input helpful in making a decision. In such cases, Planning Board members may communicate with interested persons outside of the meetings at which the issue is being considered, but each member has the duty to reveal the general nature and scope of relevant information and opinions gleaned from such communications during the Planning Board's

consideration of the issue. To ensure that each member's decision is based on the full range of information and public opinion available to the Planning Board, members should avoid committing themselves to a position on the issue during any outside communications.

2.4.7 Under no circumstances should Planning Board members meet with someone representing one side of an item or issue outside of a public meeting. Furthermore, Planning Board members should not discuss an application with a Code Enforcement Officer, City Engineer, or other City staff member other than Planning staff outside of a public Planning Board meeting in order to avoid due process problems. If a Planning Board member has questions that involve City staff, other than Planning staff, they shall be directed through Planning staff.

2.4.8 Planning staff shall ensure that any communications between Planning Board members and themselves that constitutes an ex parte communication is revealed to the entire Planning Board at the next available public meeting at which that item is discussed.

SECTION 3. MEETINGS OF THE BOARD

3.1 TIME OF MEETING

3.1.1 The Planning Board shall establish a calendar of meetings at the first regular meeting of the Board in January of each year. Generally, regularly scheduled meetings shall be held on the first and third Wednesday of each month, in the City Council Chambers on the 3rd floor of the City Hall Annex at 6:30 p.m., unless otherwise designated.

3.1.2 In the event that a regular meeting date is cancelled due to inclement weather or other causes, the schedule shall be revised by the Planning Board as needed.

3.2 CONDUCT OF MEETINGS

3.2.1 All meetings are open to the public, with the exception of executive sessions of the Planning Board. See Section 3.2.12. All questions addressed to the Planning Board shall be made through the Chair. All Planning Board members' comments and questions shall be directed through the Chair and the Chair shall recognize members before speaking.

3.2.2 In all cases where Planning Board proceedings are not determined by these By-Laws, "Robert's Rules of Order" may be referred to for guidance to decide the course of proceedings but the Chair and Planning Board shall not be bound by Robert's Rules (www.robertsrules.org). A quorum consists of four (4) members of the Planning Board, but smaller numbers may adjourn a meeting from one (1) time to another. If a member has a conflict of interest, that member shall not be counted by the Planning Board in establishing the quorum for that matter. Notice of the time and place of holding such adjourned meeting shall be given to all members who were not present at the meeting from which adjournment was taken.

3.2.3 Decision making

3.2.3.1 Every member present when a question is put to a vote shall give his/her vote unless the Planning Board excuses him/her because of a conflict of interest.

3.2.3.2 The decisions of the Planning Board on an application shall be based on conformance with applicable legal standards, standards specified in local ordinances, policies specified in the comprehensive plan, state and federal laws, evidence and argument submitted into the record of the meetings, whether in written, oral, or exhibit form, and the Findings of Fact adopted by the Planning Board in each case. The Planning Board may also rely on the knowledge, experience, and observations of its members, and matters of common knowledge.

3.2.3.3 In reviewing an application on any matter, the standards in an applicable local ordinance or state or federal statute shall take precedence over the standards of these bylaws whenever a conflict occurs. In all other instances, the more restrictive rule shall apply.

3.2.3.4 Despite the provisions of § 280-5-3.2, all final decisions of the Planning Board, except those involving procedural questions or extensions of time permitted by Ordinance, shall require at least four (4) affirmative votes for passage after the motion has been made and seconded. The Planning Director is responsible for the recording of all motions and the vote thereon. Procedural questions and requests for extensions of time are to be decided by a majority vote of those present and voting. On any item which requires four (4) affirmative votes and on which less than five (5) members are in attendance, the Chair shall first offer the applicant the opportunity to continue the matter until the next meeting.

3.2.4 "Conflict of interest" means direct or indirect pecuniary interest.

3.2.4.1 Direct pecuniary interest shall mean that the applicant is a member of the Planning Board or an owner of abutting or other property which is the subject of the application or is directly affected by the Planning Board's decision.

3.2.4.2 Indirect pecuniary interest shall mean that the Planning Board member has an interest in the application due to being an officer, director, partner, associate, employee, or stockholder of a corporate applicant or other business entity. It shall also be defined when a Planning Board member is a part of the applicant's immediate family or an employer or employee of the applicant or the applicant's immediate family. Immediate family shall mean spouse, parents, siblings, children, and grandchildren.

3.2.4.3 Pecuniary interest shall also include a situation where the Planning Board member, by reason of his/her interest, is placed in a situation that may be viewed as temptation to serve his/her own personal interest instead of the public's interest.

3.2.4.4 The decision of whether a member shall be disqualified from voting on a particular matter shall be made by a majority vote of the remaining members present. For the Planning Board to decide that pecuniary interest exists, a significant impact on the Planning Board member, his/her family, employee and/or employer must exist.

3.2.4.5 The Planning Board member shall make full disclosure of his/her interest; on the record, prior to any action being taken and shall abstain from voting and from otherwise attempting to influence a decision in his/her capacity as a Planning Board member.

3.2.4.6 If a Planning Board member abstains, he/she has the right to participate as a member of the public.

3.2.5 All actions of the Planning Board shall be determined by a vote. A majority vote of the quorum present is needed to pass any motion. See 3.2.3.4 above. When a motion results in a tie vote, the motion fails.

3.2.6 When a vote is passed, it shall be in order for any member who voted in the majority, or in the negative on a tie vote, to move for reconsideration at the same meeting or at the next regularly scheduled meeting. Once a motion to reconsider has been decided upon, the item shall not be reconsidered. No motion to reconsider a vote passed at a previous meeting shall be in order for reconsideration at the next meeting unless an item to that effect is contained on the agenda for such next meeting or unless five (5) of the Planning Board members consent to such reconsideration.

3.2.7 All decisions shall be based on whether the applicant has provided sufficient evidence to prove that all applicable law and ordinance requirements have been met.

3.2.7.1 Evidence

3.2.7.1.1 Evidence which is relevant and material to the subject matter of the hearing/review of a type commonly relied upon by reasonably prudent individuals in the conduct of their affairs shall be admissible. Evidence which is irrelevant, immaterial, or unduly repetitious shall be excluded.

3.2.7.1.2 The Planning Board may, at any time take notice of judicially recognizable facts, generally recognized facts of common knowledge to the general public, and physical, technical, or scientific facts within the specialized knowledge of the Planning Board.

3.2.7.1.3 All documents, materials, and objects offered as evidence during a hearing/review shall be available for public examination, with due notice, at the Planning Department during normal business hours.

3.2.7.2 Testimony, Questions, Rebuttal, and Submissions

3.2.7.2.1 The applicant shall be given up to twenty (20) minutes to present his/her case without interruption and may introduce documentary, photographic, and real evidence including studies, reports, analyses, and other information compiled by staff or consultants for the purpose of the hearing/review. The Chair shall have the exclusive right to extend this time limit.

3.2.7.2.2 The Planning Board and interested parties may ask questions through the Chair. Interested parties are those persons who request to offer testimony and evidence. Parties may be required to consolidate or join their appearances in part or in whole if their interests or contentions are substantially similar and such consolidation would expedite the hearing. City officers and government agencies shall offer testimony at this time. All interested parties shall be given up to three (3) minutes to refute or rebut statements at the conclusion of testimony. The Chair may limit redundant testimony at his/her discretion.

3.2.7.2.3 The Chair may refuse to permit irrelevant, immaterial, or repetitious questions/comments or other questions/comments which do not advance or serve the purpose of the hearing and shall state the basis for such refusal on the record when requested to do so by the party asking the question.

3.2.8 An applicant may request, in writing, that an item be tabled, provided there is reasonable cause; however, no continuance shall be granted for a time period to exceed ninety (90) days, unless the delay is caused by governmental agencies. All orders for continuances shall specify the time and place at which such hearing shall be reconvened.

3.2.9 If a meeting is continued to a special meeting, the agenda shall be continued from the point at which the meeting adjourned. No new advertising shall be required.

3.2.10 An agenda for each regular meeting shall be prepared by the Planning Director, in consultation with the Chair. Items which make up the agenda are to be: (1) complete Conditional Use Approval applications (2) Site Plan approval applications which have been referred to the Planning Board by the Site Plan Review Committee; (3) complete Subdivision applications which have been reviewed by the Site Plan Review Committee and forwarded to the Planning Board for action; (4) items continued from a previous meeting; (5) unfinished business; (6) items requested to be on the agenda by any member of the Planning Board; (7) items placed on the agenda by the Planning Director. Each member of the Board is to be sent a copy of the agenda at least three (3) days in advance of the meeting.

The Planning Board relies on its staff. Applicants are expected to work with staff to address technical issues. Generally the Planning Board does not want to schedule and review applications with multiple unresolved technical issues.

The order of business is to be substantially as follows:

3.2.10.1 Call to order

3.2.10.2 Opening statement

3.2.10.3 Minutes

3.2.10.4 Hearings and business

3.2.10.4.1 New business – all new applications

3.2.10.4.2 Unfinished business – continued review of applications tabled at prior meetings

3.2.10.5 Other business – non-application items which require formal action including Planning Director’s Report

3.2.10.6 Communications – including but not limited to comments and correspondence from the public and city agencies, requests for workshops, signing mylars, agenda items for upcoming meetings, etc.

3.2.10.7 Adjournment

3.2.11 No item on the agenda may be brought up for discussion after 9:00 p.m. unless otherwise approved by a majority of the Planning Board members present. Items not brought up for discussion because of this 9:00 p.m. deadline shall be placed on the agenda of the next regular meeting or on the agenda of a special meeting held at the convenience of the Planning Board and applicant.

3.2.12 Executive sessions – A motion to go into executive session shall indicate the business to be considered and shall be approved upon a vote of at least three-fifths (3/5) of the members present and voting in accordance with Maine Revised Statutes Title 1, Chapter 13, §405. No other matters shall be considered during that session. No votes shall be taken by the Planning Board except in public meeting. The Planning Board shall not hold executive sessions except for consultation between the Planning Board and its legal counsel concerning litigation or other legal matters where premature general public knowledge would clearly place the City or Planning Board at substantial disadvantage. A motion to go into executive session shall substantially comply with the following language: Move that the Planning Board go into executive session, pursuant to the provisions of 1 MRSA §405(6)(E), to discuss with the City Attorney the Planning Board’s legal rights and duties concerning (include name of litigation or name of pending application).

3.2.13 Workshops/work sessions

3.2.13.1 The Chair or the majority of the Planning Board (4) may call workshops/work sessions for the purpose of discussing the comprehensive plan, regulations, general development review policies and procedures, business which may appear on the agenda for a future regular meeting of the Planning Board, and/or for educational opportunities.

3.2.13.2 Workshops/work sessions may either be a separate meeting or may be part of a regular meeting.

3.2.13.3 All workshops/work sessions shall be open to the public; however, since the purpose of a workshop/work session is for Planning Board discussion, input from the general public generally shall not be permitted. Input from the general public, City staff, boards, and commissions may be permitted at the discretion of the Chair, or upon motion, by majority vote of the Planning Board.

3.2.13.4 No item on a workshop/work session agenda may be brought up for discussion after 9:00 p.m. unless otherwise approved by a majority of the Planning Board members present.

3.2.14 Special Meetings

3.2.14.1 Special meetings may be called by the Chair or acting Chair, or by a majority (4) of members.

3.2.14.2 Notice of special meetings shall be provided at least forty-eight (48) hours prior to such meetings.

3.2.14.3 Whenever possible, notice of a special meeting shall be announced at a prior meeting of the Planning Board.

3.2.14.4 Notice of a special meeting shall be posted in the same manner as a regularly scheduled meeting.

3.2.15 Sitewalks

3.2.15.1 Sitewalks may be scheduled at the discretion of the Planning Board or Planning Director.

3.2.15.2 The purpose of a sitewalk is to collect information related to physical factors of a site under consideration by the Planning Board.

3.2.15.3 The Planning Board shall not make decisions during a sitewalk. Deliberation on the sitewalk may occur at the next meeting for which the application is posted.

3.2.15.4 Members of the public may attend a site walk, but generally are not permitted to provide input or to ask questions unless allowed by the Chair. Such comments and questions shall only be provided through the Chair. All Planning Board members shall remain in line of sight of the Chair throughout the sitewalk.

3.2.15.5 The applicant and his/her agent are expected to attend a sitewalk. In the event that the applicant and/or his/her agent fails to appear at a scheduled sitewalk, the Planning Board may or may not postpone the sitewalk until another time, to be determined by the Chair.

3.3 SITE PLAN REVIEW COMMITTEE

3.3.1 Applications requiring review by the Site Plan Review Committee shall be scheduled for the Tuesday before the regularly scheduled Planning Board meeting, at 9 am in the City Council Chambers on the 3rd floor of the City Hall Annex, unless otherwise designated.

3.3.2 Applications which require Planning Board review after review by the Site Plan Review Committee shall be scheduled for public hearing and/or work session at the next Planning Board meeting, unless otherwise requested by the applicant.

SECTION 4. PUBLIC HEARING

4.1 The Planning Board may hold a public hearing whenever it deems necessary. Such hearings are to be advertised in a newspaper of general circulation in the City based on notice requirements established in City Ordinances.

4.2 FORM OF NOTICE

Notice public hearings shall state the date, time, location and general nature of the question involved.

4.3 CONDUCT OF HEARING

4.3.1 Any persons may appear in person or by agent or attorney at the hearing.

4.3.1.1 Persons wishing to bring to the Planning Board's attention complex data, reports, or arguments are encourage to submit the information in writing seven (7) days in advance of the hearing.

4.3.1.2 Individuals and organizations with comparable positions in support or opposition are encouraged to be brief and not provide duplicative comments.

4.3.2 At the hearing the order of business is to be substantially as follows:

4.3.2.1 The Chair shall give a general statement of the question.

4.3.2.2 The applicant or petitioner is given the opportunity to state his or her case.

4.3.2.3 Testimony in support of the question shall then be heard.

4.3.2.4 Testimony opposed to the question shall then be heard.

4.3.2.5 Testimony neither for nor against the question shall then be heard.

4.3.2.6 Rebuttal shall be allowed after each of the categories of testimony; however, the applicant shall have the final opportunity to reaffirm or rebut any testimony which has been presented.

4.3.2.7 The report of the Planning Department, and the reports of any other municipal department, board, or agency, if any, shall then be heard.

4.3.3 Anyone wishing to present testimony before the Planning Board shall first identify his/herself by giving their full name and address and completing the sign-in sheet. Representatives of organizations such as City Committees, Homeowner's Associations, etc. shall state for the record at the outset of their presentation whether the organization has authorized the substance of what is being presented.

4.3.4 To maintain orderly procedure, each side of the argument shall be allowed to proceed without interruption by the other. Following any testimony, members of the Planning Board shall have the opportunity to question witnesses. Except for the applicant or his/her representatives, each witness shall be limited to five (5) minutes for presentation of testimony, at the discretion of the Chair.

4.3.5 The Planning Board may call its own witnesses, such as the Planning Director, City Engineer, etc.

4.3.6 The hearing is closed after all parties have been heard. If additional time is needed, the hearing may be continued to a later date. All participants shall be notified of the date, time, and place of the continued hearing.

4.3.7 Time Limits

4.3.7.1 The Chair may impose additional time limits on staff reports, applicant's presentation, an individual's public comment, questions from abutters or other interested persons, rebuttal testimony of an interested party and/or an applicant.

4.3.7.2 Once the public hearing is closed and the applicant has concluded its presentation, all further comment by the public and/or the applicant shall only be allowed through the Chair. The Chair may limit further input from the public and/or the applicant to allow the Planning Board adequate time for deliberation on the application.

4.3.8 The Planning Board may waive any of the above rules upon good cause shown.

SECTION 5. MISCELLANEOUS

5.1 WAIVER OF RULES

In the case of extenuating circumstances, the Planning Board may waive any rule by unanimous vote of those in attendance.

5.2 PUBLIC RECORD

These rules are to be filed in the Planning Department and are to be a public record.

5.3 FILING OF DECISIONS

Every decision or determination of the Planning Board shall be filed as a part of the minutes of the meeting.

5.4 MEETING REQUIRED FOR DETERMINATION

No determination of the Planning Board shall be made except in a duly called regular or special meeting of the Planning Board.

5.5 STAFF DELEGATION AND SUBMISSION REQUIREMENTS

Upon written request from the Planning Director, the Planning Board may grant to the Planning Director, under Section 280-16-5.5, the authority to approve land use applications as site plans.

Exhibits and information required for a staff level review under Section 280-16-6.7.7.1 are deemed adequate under the following provisions:

General Comments		
Redirect projects that require a waiver for curb cuts to the Site Plan Review Committee (SPRC) and/or Planning Board (PB). Any project redirected to the SPRC or PB shall require submission requirements under Section 280-14-5. Planning Director is authorized to require submission of information required in minor site plan review/supplemental submissions when relevant to review of the request.		
Redirect projects on sites that have environmentally sensitive features (including but not limited to source water protection, extensive vernal pools, wetlands, flood plains, shoreland areas) to the SPRC and/or PB; Planning Director is authorized to require submission of information required in minor site plan review/supplemental submissions when relevant to review of impacts on those sensitive features. City staff may need to visit the site to verify local conditions if staff or applicant indicate concerns.		
If no proposed changes to traffic and/or stormwater related items, applicant does not have to submit information related to traffic and/or stormwater unless there are existing traffic and/or stormwater problems. If there are existing traffic and/or stormwater problems, applicant needs to address the problems in the application and submit the necessary information to allow review to proceed. City staff may need to visit the site to verify local conditions if staff or applicant indicate concerns.		
Letter from Sanford Water District (SWD) and Sanford Sewer District (SSD) shall be required if applicant proposes to use public systems.		
If site is in a watershed overlay district and close to or exceeds the 35% limit on impervious cover, applicant shall be required to submit appropriate submission elements.		
Applicant shall submit all General Information identified in Section 280-16-6.7.2.1.		
Submission requirements are detailed below for all projects between 500 and 5,000 sf including those that propose: no change/very limited change in structures/sites; only site disturbance; very small structures/site disturbance (around 2,000 sf); structure/site disturbance over 2,000 sf; and/or changes in use that triggers site plan review.		
Citation	Description	Submission Requirement
280-16-6.7.2.1.1-280-16-6.7.2.1.6	<i>General information</i>	Require for all applications
	<i>Existing conditions</i>	
280-16-6.7.2.2.1	Sewer/water	If not proposing any changes, don't require.
280-16-6.7.2.2.2	Streets	If not proposing any changes, require just locations and names.
280-16-6.7.2.2.3	Ground floor elevations	If not proposing any changes to existing structures, require just location and dimensions.
280-16-6.7.2.2.4	Driveways, parking, loading	If not proposing any changes to existing structures, require just locations and dimensions.
280-16-6.7.2.2.5	Intersecting roads/driveways	Don't require.
280-16-6.7.2.2.6	Drainage courses, natural features	Require general locations only, based on City's GIS information, including State data, except define "specimen trees" to be retained. Not necessary to be of survey quality; applicant may use GIS aerial as long as the submission is legible.
280-16-6.7.2.2.7	Phase 1 and/or Phase 2 environmental assessments	Require, if they have been prepared.
280-16-6.7.2.2.8	Direction of surface water	Require.

Citation	Description	Submission Requirement
280-16-6.7.2.2.9	Existing Signs	Require locations only.
280-16-6.7.2.2.10	Existing easements/deed restrictions	Require locations only, redirect to the SPRC/PB if appropriate.
280-16-6.7.2.2.11	Nearest fire hydrant	Do not require.
	<i>Proposed development activity</i>	
280-16-6.7.2.3.1	Water/wastewater	Require letters from SWD/SSD. If not proposing any changes, don't require other information.
280-16-6.7.2.3.2	Direction surface water	Require direction only, unless proposing infrastructure, in which case, require rest of required information.
280-16-6.7.2.3.3	Solid waste	If not proposing any changes, do not require.
280-16-6.7.2.3.4	New structures	Require locations/dimensions. Do not require ground floor elevation unless near sensitive areas including but not limited to water features, steep/eroded slopes.
280-16-6.7.2.3.5	Driveways, parking, loading	Require locations/dimensions only unless proposing changes.
280-16-6.7.2.3.6	Signs	All information required if proposing changes or if property is in a Design Review District (DRD).
280-16-6.7.2.3.7	Exterior lighting	All information required if proposing changes or if property is in a DRD.
280-16-6.7.2.3.8	Landscaping plan	All information required if proposing changes or if property is in a DRD.
280-16-6.7.2.3.9	Utilities, including fire protection	If not proposing any changes, do not require. <i>Notice:</i> changes in use may require required fire information.
280-16-6.7.2.3.10	Draft easement language	All required if proposing changes.
280-16-6.7.2.3.11	FAA	All required if proposing changes.
	<i>Supplemental information</i>	
280-16-6.7.2.4.1	Traffic flow, safety, environment	Redirect project to the SPRC/PB.
280-16-6.7.2.4.2	Boundary survey	If not proposing significant changes, do not require; however, if professional prepared plan, require survey to be on or adjusted to Maine State Plane coordinates to work with City's GIS.

5.6 CAMERAS AND ELECTRONIC DEVICES

Regulation of certain devices – television cameras, still cameras, motion picture cameras or microphones for the purpose of recording the proceedings may be regulated by the Chair so as to avoid interference with the orderly conduct of the meeting.

SECTION 6. AMENDMENT PROCEDURE

These bylaws may be amended by an affirmative vote of at least four (4) members at any regular or special meeting of the Planning Board. The bylaws cannot be in violation of the charter.

Adopted by the Sanford Planning Board


Jennifer Georgius, Chair

Date October 16, 2019