

SANFORD PLANNING BOARD MINUTES
MEETING June 20, 2007 – 7:30 P.M.
Town Hall Annex Third Floor Chambers

MEMBERS PRESENT: Robert Hardison, Chairperson
Gregory Vermette
Gary Morse
Kelly Tarbox

MEMBERS ABSENT: Joseph Herlihy (w/notice)
Margaret Kleinrock (w/notice)

STAFF PRESENT: James Q. Gulnac, AICP, Planning & Development Director
Charles Andreson, P.E., AICP, Town Engineer
Michael Casserly, Assistant Engineer
Barbara Bucklin, Administrative Assistant

STAFF ABSENT: None

I. CALL TO ORDER

Chairman Hardison called the meeting to order at 7:30 P.M.

II. PUBLIC HEARING

1. **File #09-07-S: Norman Bangs, d/b/a Ocean Air Investments, Inc., c/o Paul P. Gadbois,**
PO Box 327, Saco, Maine.

Chairperson Hardison called for a representative to present the project.

Chris Belanger, Paul Gadbois Engineering, representing the applicant, briefly reviewed the proposal.

Chairperson Hardison asked if staff had any comments.

Staff member Casserly informed the Board that he met with one of the abutters, who attended the previous meeting, and the abutter appeared to be satisfied with the layout of the land regarding stormwater drainage, and the remaining engineering issues have been satisfied.

Chairperson Hardison stated there was a request for a waiver of the traffic study which the Board had granted, and the Board requested that the concerned abutter from the work session meeting meet with the engineer on site, which Mr. Casserly has stated the meeting took place and the abutter appeared satisfied.

Chairperson Hardison asked if Board members had any questions. No one did.

Chairperson Hardison asked if anyone present wished to speak in favor of the application; there was no one. Chairperson Hardison asked if anyone present wished to speak against the application. Again, there was no one.

Chairperson Hardison closed the public hearing.

Chairperson Hardison asked if Board or staff members had any further discussion. Nobody had anything further to discuss.

Chairperson Hardison called for a motion.

Board member Vermette made a motion that the Planning Board accept the findings of fact (see attached) and find an application requesting an amendment to an approved subdivision, known as Old Colony Village, to add two additional lots on property purchased by the applicant and is adjacent to the existing subdivision located on Commodore Drive off New Dam Road in Sanford (tax map R13F, lot 1, Rural Mixed Use zone) has been prepared in compliance with the Town of Sanford Subdivision ordinance and the State Subdivision law, found in Title 30-A M.R.S.A. Section 4401 et seq., and subject to the conditions listed below grant approval:

- a. The applicant will provide two (2) mylars for signature by the Planning Board;
- b. The applicant will file the approved subdivision plan in the County Registry of Deeds within 90 days of this approval. Failure to file the plan could result in the approval being declared null and void;
- c. The applicant will provide a copy of the signed mylar with proof of filing plus six (6) copies of same to the Planning Department;
- d. The applicant will pay \$100.00 (2 lots x \$50.00 per lot) for the map filing fee;
- e. No construction permits will be issued until all the conditions outlined above have been completed.

Board member Morse seconded the motion.

Chairperson Hardison asked the applicant if they had reviewed the staff report. Mr. Gulnac stated it was sent to Mr. Gadbois. Chairperson Hardison informed the applicant that the findings of fact contained the request for waiver and other items.

A vote was taken, and the motion passed 4-0.

2. **File #19-07-T: Adam Blaikie & Assoc., LLC, c/o John Caramihalis, 1293 Main Street, Sanford, Maine.**

Chairperson Hardison informed everyone the applicant has requested to table the application to a later date.

Staff member Gulnac stated the notice did not meet statute requirements. Abutter noticing was supposed to be for 500', and only a 250' abutter notice was sent.

Chairperson Hardison granted the applicant's request to table the application.

3. **For the purpose of informing the public** and receiving comments about the submission of a Phase II Community Development Block Grant, Central Tire.

Chairperson Hardison asked staff member Gulnac to state what the grant was for.

Staff member Gulnac told the Board the staff at the state level of CDBG requested the Board take action on the grant awarded to Central Tire.

Chairperson Hardison asked if Board members had any questions; no one did.

Chairperson Hardison asked if anyone present wished to speak in favor of the application; there was no one. Chairperson Hardison asked if anyone present wished to speak against the application. Again, there was no one.

Chairperson Hardison called for a motion.

Board member Morse made a motion that the Planning Board accept the findings of fact (see attached) and, after consideration of the public comments and those of the staff, find that the project of Central Tire to construct a 25,000 square foot new facility and to utilize a CBDG grant of \$150,000.00 to purchase equipment is consistent with the Town's Comprehensive Plan and the goals and objectives of the town's growth plan.

Board member Vermette seconded the motion.

A vote was taken, and the motion passed 4-0.

4. For the purpose of informing the public and receiving comments about the submission of a Phase II Downtown Grant application.

Chairperson Hardison asked staff member Gulnac to inform the Board what the proposal is about.

Staff member Gulnac informed the Board this was the \$500,000 redevelopment grant involving the construction of a road, trails around the Mousam River, a community garden, etc.

Chairperson Hardison asked if the Board had any questions of staff on this.

Board member Tarbox asked Mr. Gulnac what would happen if something was found during the environmental testing that the State didn't like.

Mr. Gulnac stated there would be some remediation, but all the property involved in this grant is already involved in a brownfield program, so he is comfortable that the study will be fine.

Chairperson Hardison asked if anyone present wished to speak in favor of the application; there was no one. Chairperson Hardison asked if anyone present wished to speak against the application. Again, there was no one.

Chairperson Hardison called for a motion.

Board member Tarbox made a motion that the Planning Board accept the findings of fact (see attached) and, after consideration of the public comments and those of the staff, find that the proposed downtown redevelopment project is consistent with the goals and objectives of the Town's comprehensive plan and town ordinances.

Board member Vermette seconded the motion.

A vote was taken, and the motion passed 4-0.

III. NEW BUSINESS

Chairperson Hardison announced that Bill Noon has resigned from the Planning Board after 21 years of service. The Town Council accepted Mr. Noon's resignation on June 19, 2007.

Chairperson Hardison stated that the Board has been asked to adopt a resolution expressing thanks from the Planning Board for Mr. Noon's service to the Board and as chairman to the Board for his many years of leadership he provided to the Town and the Board for his work. Once a resolution has been made, the Town Council will then formally publicly recognize Mr. Noon for his work.

A consensus on a resolution was made, and Chairperson Hardison will draft a letter to the Town Council.

The Town Council has asked the Board if they would assist in electing a new Board member, and asked if anyone knew someone who would be interested in serving on the Board.

Chairperson Hardison then said the Vice Chair position is now vacant. He asked the members present if they wanted to vote tonight, or wait until all six members were present. It was decided to vote tonight.

Chairperson Hardison called for a nomination for Vice Chair.

Board member Vermette nominated Kelly Tarbox.

Board member Morse seconded the nomination.

Board member Tarbox is the new Vice Chairperson.

IV. OLD BUSINESS – None

V. APPROVAL OF MINUTES: May 16, 2007

The minutes were not available for tonight's meeting.

VI. PLANNING DIRECTOR'S REPORT – None

VII. ADJOURN

The meeting adjourned at 7:55 PM.

Not on formal agenda:

1) Mr. Gulnac asked Chairperson Hardison about the memo from Shirley Sheesley, CEO regarding 3 Cobb Cove Way.

The owner of 3 Cobb Cove Way would like to clear additional land to build a garage. She is willing to revegetate other areas of her property to compensate. The property requires a shoreland permit from the Planning Board.

Staff member Gulnac explained the circumstances and what Ms. Sheesley is requesting from the Board in her memo. The Board has previously granted the shoreland permit for this property. The owner is requesting to revise the areas that were cleared, but keep the overall vegetated coverage the same.

The Board granted staff to review and approve the minor changes; the owner does not need to present her case in front of the Planning Board.

2) Some discussion took place on confirming when the joint meeting with the Town Council was going to be for reviewing the traffic impact fee ordinance.

Attachment to June 20, 2007 Minutes

Findings of Fact for Public Hearing Item #1
File #09-07-S: Old Colony Village Amendment

- The original plan was reviewed as a major application under the guidelines in Articles 7 & 8 as well as Sections 16.5 – Manufactured Housing and 17.0 – Site Plan. In determining the process for revisions, Article 9 – Revisions to Approved Plans in the Subdivision Ordinance states: “If the application involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed.” Based upon this, the application procedure that will be followed is as a preliminary major subdivision. I have waived the necessity of an Article 5 review and the requirement to go to the SPRC.
- The applicant has provided proof of ownership of the subject property and has standing to submit the application.
- The term “manufactured” homes is the correct term to be used. It replaces references to “mobile” and “modular”.
- The septic system was designed for 21 bedrooms. With the addition of the two lots and four (4) bedrooms and the sixteen (16) existing bedrooms, they are still below the maximum permitted.
- The applicant requested a waiver from providing a traffic study. It was agreed that a waiver would be granted.
- The applicant needs to provide additional information concerning the stormwater management plan. The project is in the watershed of a great pond.
- An abutter raised concerns about water runoff. The applicant has coordinated with the town engineer on this issue.
- The application was considered at the May 2, 2007 Planning Board work session and found to be acceptable with minor exceptions concerning a drainage issue and the use of the term “manufactured” when referencing the proposed residential units proposed.
- Ocean Air Investments has purchased the rights and privileges associated with Coastal Builders, LLC concerning the subject property.
- The applicant has presented revised and corrected plans which have been reviewed by staff and found to meet all the requirements of the ordinance and the recommendations of the Planning Board at their May 2, 2007 work shop.

Findings of Fact for Public Hearing Item #3
Central Tire Community Development Block Grant

- The applicant has demonstrated that they have standing to make the application.
- The project is classified as a minor project and per Section 17.3 of the Sanford Zoning Ordinance, the SPRC is authorized to review and approve, disapprove or approve with conditions the application.
- The applicant has also applied for and received an economic development business assistance grant through the state of Maine Community Development Block Grant program.
- The applicant has submitted a properly prepared application and paid the required fees and review escrows.
- The project site is located in the Sanford Industrial Park of the Sanford Industrial Commission.
- The proposed stormwater management program is consistent with the previously approved plan for the industrial park.
- Staff has reviewed the plans and is satisfied that they are in compliance with the ordinance.
- The Site Plan Review Committee has approved the plan.
- The applicant has requested a grant from the Maine State Community Development program to consider a Phase II application to the State of Maine Office of Community Development,

Business Assistance Grant Program for a \$150,000 award plus local match to Central Tire, Inc. The purpose of this grant is to provide for the acquisition of equipment necessary to support the expansion of the business at a new location to be built in the Sanford Industrial Park.

*Findings of Fact for Public Hearing Item #4
Phase II Downtown Grant Application*

- The Town of Sanford has received an award from the State of Maine Office of Community Development Downtown Redevelopment Grant in the amount of \$500,000.00.
- The Town of Sanford has, by warrant article of the Town Meeting, pledged the necessary local cash match of \$125,000.00 in addition to funds to complete the whole project estimated at just over \$2million.
- The total project consists of the construction of a roadway through the downtown mill complex, the development of a trail system along the Mousam River between Elm Street and the bridge in the mill area and a community garden complex.
- The Town is required to complete a Phase II application with the CDBG office and that process requires confirmation from the Planning Board that the proposed project is in conformance with the goals and objectives of the Town's comprehensive plan.