

**SANFORD PLANNING BOARD MINUTES**  
**MEETING December 15, 2010 – 7:30 P.M.**  
**Town Hall Annex Third Floor Chambers**

**MEMBERS PRESENT:** Kelly Tarbox, Chair  
Robert Hardison, Vice Chair  
Gary Morse, Secretary  
John McAdam  
David Mongeau  
Gregory Vermette

**MEMBERS ABSENT:** Joseph Herlihy, w/notice

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

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

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**I. CALL TO ORDER**

Chair Tarbox called the meeting to order at 7:30 P.M.

**II. PUBLIC HEARINGS**

**1. File #999-10-T(6): Town of Sanford, Amend Chapter 280 Zoning of the Town Municipal Code, Article II Section 280-5 Definitions, Article XIV Conditional Uses and Table of Land Uses for Fine Arts School.**

Chair Tarbox asked for a representative to present the project.

James Gulnac, Town of Sanford Director of Planning & Community Development, explained to the Board that he was requesting to add a definition to the ordinance by following the North American Industry Classification System (NAICS), as had been done in the past for other ordinance change recommendations. He then described the differences between what our ordinance says and what the NAICS has for a definition for Fine Arts School, and told the Board what he would like to do (i.e. parking, lighting, type of business classification, allowed zones, and review process).

Chair Tarbox said the Board would like to hear Shirley Sheesley's questions and concerns.

Shirley Sheesley, Codes Enforcement Officer, said she reviewed the zoning ordinance to see what the current definition says and reviewed the NAICS classification to see what the definition is in that book so she could do a comparison. She gave a handout to the Board showing the differences between the two books. Ms. Sheesley then went on to explain which zones commercial schools were allowed, and what type of classes were identified as commercial school in our ordinance. Ms. Sheesley pointed out that there were three classes listed in the NAICS definition that were already identified in the current commercial school definition; she was concerned that there would be confusion if the Fine Arts School definition from the NAICS book was added without first modifying the current ordinance definition.

Staff member Gulnac suggested removing items that are covered under Fine Arts and leave commercial schools as a broader definition and explained why. Discussion took place.

Chair Tarbox asked if anyone present wanted to speak in favor of this proposal.

Chris Roux said that he had approached Mr. Gulnac about expanding an established business in town that has outgrown its current location. He would like to keep the business in town, and feels this change would be a great asset in town. He said he had looked at other commercial sites, but they were unattainable. He said the properties that they were looking at were in the RMU zones.

Staff member Gulnac told the Board where the property in question was located on Route 4. He noted that he has had a number of inquiries from business owners near the Route 4/109 intersection who said they were interested in expanding the commercial zones. Mr. Gulnac said he knew the Board was hesitant on doing a complete zone change in this area, so he felt that making a more specific request was the better way to allow business in this area without allowing a strip commercial expansion.

Chair Tarbox asked if anyone present wanted to speak against this proposal; there was no one.

Chair Tarbox closed the public hearing.

Chair Tarbox said that this proposal would be moved to the work session for further discussion.

After the work session discussion, it was decided that the ordinance would move forward with amendments. Staff members Gulnac and Sheesley will work together to make the changes discussed, and will forward the amended ordinance proposal back to the Planning Board for their review.

### **III. NEW BUSINESS**

#### **1. File #19-10-P: Daniel P. Angers, c/o Carl Beal, PE, Civil Consultants, PO Box 100 South Berwick, Maine.**

Chair Tarbox asked the other Board members if they were comfortable with discussing this application, which was an amendment to an approved private way, without work session discussion. She felt the proposal was straightforward; the other Board members agreed.

Chair Tarbox asked staff member Michael Casserly, Assistant Town Engineer, if he had any concerns.

Staff member Casserly said the amendment was all set. He asked Carl Beal, PE, representing the applicant to submit and autocad file of the proposal with the revised metes and bounds.

Chair Tarbox called for a motion.

Board member Morse made a motion that the Planning Board find that application File #19-10-R, Jalens Way, making minor changes to the metes and bounds description has been prepared according to the guidelines in Article V of the Town of Sanford Subdivision of Land Ordinance and Section 280-85 of the Zoning Ordinance and subject to the conditions listed below grant approval:

- All other conditions of the original approval granted for File #28-08-S apply.
- The applicant has 30 days to file the approved amended plan in the York County Registry of Deeds and provide the Planning Department with a verified copy of the mylar.
- That any and all fees have been paid.

Board member Vermette seconded the motion.

A vote was taken and the motion passed 6-0.

#### **IV. OLD BUSINESS**

There were no old business items.

#### **V. APPROVAL OF MINUTES – October 20, 2010; November 3, 2010; November 17, 2010; and December 1, 2010.**

There were no sets of minutes ready for approval.

#### **VI. PLANNING DIRECTOR'S REPORT**

##### **1. 2011 Calendar**

Chair Tarbox moved most of the Planning Director's report to the end of the meeting, but did take action on the 2011 Planning Board calendar.

Vice Chair Hardison made a motion to approve the 2011 Planning Board calendar.

Board member McAdam seconded the motion.

A vote was taken and the motion passed 6-0.

##### **2. Planning Board By-laws**

Staff member Gulnac asked the Board to postpone this vote. Most of the by-laws have procedure items in this – timelines, etc. – until the Board becomes more comfortable with the changes they have approved over the years. Discussion followed.

It was decided that the Board would postpone the vote on approving their by-laws until a later date.

##### **3. Membership**

Staff member Gulnac informed the Board that terms are up for three Planning Board members. Only one person has been replaced at this time. It has been determined that the current members of the Board sit until an appointment is made.

Chair Tarbox wanted to thank both Greg and Gary for their many years of service – they will be greatly missed.

Board member Vermette wanted to say thank you and that he appreciated the level of commitment from the Board and the professionalism of the staff – the town was very lucky to have everyone.

##### **4. File #999-09-T(3): Site Plan Ordinance**

Staff member Gulnac informed the Board of the changes being made to the ordinance. He provided a copy of the draft ordinance on disc to the Board members. He would like to set aside the second Wednesday in January 2011 for discussion of this proposal only.

Chair Tarbox said they would tentatively reserve this day for this review.

**5. Contract zone application process**

Staff member Gulnac said that, during the contract zone process that is currently going through review, some discrepancies were found. Because of this, Mr. Gulnac has drafted a revision.

**VII. ADJOURN**

A motion was made to adjourn the meeting at 7:45 PM. A work session immediately followed. The meeting opened again at 9:00 with a decision on the public hearing item. The meeting adjourned at 9:05 PM.