

**SANFORD PLANNING BOARD MINUTES**  
**MEETING – January 21, 2015 – 7:00 P.M.**  
**City Hall Annex Third Floor Chambers**

Amended

**Amended with Corrections**

**MEMBERS PRESENT:** John McAdam, Chair  
Lenny Horr, Vice Chair  
Lela Harrison, Secretary  
Richard Bergeron  
Dianne Connolly  
Lucas Lanigan

**MEMBERS ABSENT:** Kelly Tarbox (w/notice)

**STAFF PRESENT:** Matthew Hill, City Engineer  
Michael Casserly, Asst. City Engineer

**STAFF ABSENT:** James Q. Gulnac, AICP, Planning & Development Director  
(w/notice)

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**I. CALL TO ORDER**

Chair McAdam called the meeting to order at 7:00 PM.

**II. PUBLIC HEARING**

There were no public hearing items.

**III. NEW BUSINESS**

There were no new business items.

**IV. OLD BUSINESS**

1. **File #17-14-S: Adam Blaikie & Assoc., LLC, c/o John Hutchins**, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

Chair McAdam called for a representative to present the project.

John Hutchins, Corner Post Land Surveying, representing the applicant briefly explained what the applicant was proposing in this request. This request would be taking the existing large vacant lot created in the original Central Acres subdivision and creating three new lots, two that would become single-family house lots and the third would be combined with the owner's abutting lot. Mr. Hutchins then explained how the existing right-of-way was created. He added that most of the issues outlined in staff member Casserly's memo were addressed.

Chair McAdam asked Mr. Hutchins if the abutter had signed off on the maintenance agreement. Mr. Hutchins replied the abutter said he wanted no part of the agreement.

Chair McAdam asked if the applicant has combined the proposed vacant lot with the owner's abutting lot. Mr. Hutchins replied it has not been completed yet and explained why. Mr. Casserly, Assistant City Engineer said he just recently found out

about the intent to combine the lots. He said there is no note referencing this intent on the plan he reviewed. Discussion followed.

Chair McAdam asked about the performance guarantee.

Mr. Hutchins said Mark Patterson, applicant would like to submit the performance guarantee once a lot is under contract and explained why.

Mr. Casserly said the applicant's plan sounds reasonable but the ordinance states the performance guarantee shall be submitted with the final plan and it sounds like the applicant is asking for something different. Mr. Casserly said once a plan is recorded at the registry of deeds, those lots now exist and can be sold. He then explained the reason for the wording in the ordinance. Mr. Hutchins pointed out the lots are being created as a revision to an existing subdivision and the private way is a separate request. He added that the subdivision ordinance is where the performance guarantee requirement is found, not within the private way section of the ordinance, which is the reason the applicant is requesting to submit a performance guarantee once a lot is under contract.

During discussion, Mr. Casserly pointed out that in staff member Gulnac's report it states that the applicant will submit a performance guarantee at a pre-construction meeting. Mr. Gulnac, Planning Director, was absent and could not verify his intent on this comment.

Chair McAdam noted he was uncomfortable with the performance guarantee issue and the fact there was no note on the plan regarding combining the vacant lot with the owner's abutting lot. He asked Mr. Hutchins if this note could be added.

Mr. Hutchins replied he was not aware of the need for this plan note but, since it didn't sound like approval would be granted tonight due to the performance guarantee issue, he could add the note to the plan for the next meeting.

Mr. Casserly stated the only remaining issues outlined in his 1/16/15 memo that have not been addressed were the two discussed tonight. Other than these, he was satisfied with everything else. He reminded the Board there was a waiver being requested regarding the centerline of the private way.

Board member Bergeron asked what the dollar value of the performance guarantee would be. Mr. Casserly stated the applicant is also supposed to provide a reasonable cost estimate for work that needs to be completed.

Board member Lanigan asked if the applicant would be able to sell the lots if the property was landlocked.

Staff member Casserly replied the lots would be difficult to sell and explained why.

Chair McAdam asked Mr. Hutchins what he would like to do.

Mr. Hutchins replied he would like to have the lot-combining issue and the acceptance of the applicant's request of providing a performance guarantee once the new lots sell made conditions of approval. Discussion followed.

Board member Harrison said she was not comfortable in setting precedence by accepting the applicant's request of the delay of submitting a performance guarantee.

Mr. Hutchins asked if this rule was followed before the recently approved subdivision, Wood Haven Estates. Mr. Casserly replied the Board had allowed the performance guarantee to be submitted at a later date in the past (2008) and issues arose. Because of this, the Planning Board decided this would no longer be allowed and; Wood Haven Estates happened to be the first subdivision submitted for review since this decision was made.

After discussion, the Chair told the applicant the request would be tabled until the next meeting so clarification on the comments from the Planning Director could be attained.

**V. APPROVAL OF MINUTES – December 17, 2014 and January 7, 2015**

Board member Harrison said she has reviewed both sets of minutes.

December 17, 2014

Board member Harrison made a motion to approve the minutes as written.

(It is unknown who seconded the motion.)

A vote was taken and the motion passed 4-0. (Board members Lanigan and Connolly were not Board members at this time.)

January 7, 2015

Board member Harrison made a motion to approve the minutes as written.

(It is unknown who seconded the motion.)

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

**VI. PLANNING DIRECTOR'S REPORT**

Staff member Gulnac asked the Board to discuss his report in work session. The Board agreed.

**VII. ADJOURN**

The meeting adjourned at 7:28 P.M. and went into work session.

\*Amended: incorrectly stated vote was 7-0; Board member Tarbox was absent.