

**SANFORD PLANNING BOARD MINUTES
MEETING – March 6, 2019 – 6:30 P.M.
City Hall Annex Third Floor Chambers**

MEMBERS PRESENT: Lenny Horr, Vice Chair
Jace Clarke, Secretary
Dianne Connolly
Elizabeth Kilkenny

MEMBERS ABSENT: Jennifer Georgius, Chair (w/notice)
John McAdam (w/notice)
Thomas Morgan (w/notice)

STAFF PRESENT: Elizabeth Della Valle, AICP, Director of Planning & Development
Joseph Scala, Planner
Matthew Hill, P.E., City Engineer/Director of Public Works
Barbara Bucklin, Admin. Asst., Planning Department

STAFF ABSENT: Michael Casserly, Asst. City Engineer (w/notice)

I. CALL TO ORDER

Vice Chair Horr called the meeting to order at 6:40 PM.

II. OPENING STATEMENT

Vice Chair Horr overviewed meeting procedures.

III. MINUTES – November 16, 2016, February 6, 2019, and February 19, 2019

November 16, 2016

Board member Connolly made a motion to accept the minutes as written.

Vice Chair Horr seconded the motion.

A vote was taken and the motion passed 2-0-2 (Board members Clarke and Kilkenny abstained because they were not on the Board at this time).

February 6, 2019

Board member Connolly made a motion to accept the minutes as written.

Board member Clarke seconded the motion.

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

February 19, 2019

Vice Chair Horr made a motion to accept the minutes as written.

Board member Connolly seconded the motion.

A vote was taken and the motion passed 3-0-1 (Board member Kilkenny abstained because she was absent from this meeting).

IV. HEARINGS and BUSINESS

1. **Public Hearing and New Business: File #45-18-R: Huttopia Sanford Properties, LLC, c/o Dana Libby**, PLS, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

This item was heard and discussed after Item #2.

Vice Chair Horr declared the public hearing open and called for a representative to present the request.

Nash Abdrabo, CEO of Huttopia North America thanked everyone for coming and overviewed the project:

- History of Huttopia, where they currently have Huttopia locations worldwide
- Huttopia's mission
- Lodging styles, nonpermanent structures – can be put up and taken down within three hours
- Amenities provided – bistro-style food, store, welcoming structure, pool, community center
- Each lot provides privacy
- No vehicles throughout camping area – lots provided for vehicles
- Provide activities for adults and children

Dana Libby, Corner Post Land Surveying, Inc., representing the applicant introduced the owners (Nash, Raymond, and Antoine) and other professionals who worked on the project – Brady Frick and Chris Coppi from Frick Associates; and Kirk Ball from Campground Engineers. Mr. Libby then overviewed the project:

- 45 acres
- Original campground created in the 1960's; additions in 1998, 2005, and 2008
- Old entrance will be abandoned; will create a new entrance that will be safer
- New water and sewer systems added with the 2008 expansion, along with a community building, a pool, and a management office
- Current units and facilities inspected, found a failed septic system
- Described the 3 types of units that will be available
- Proposed landscape plan
- Proposed parking areas
- Lit pathways and lighting fixtures
- Life Center building
- Pool patio expanded
- New sign
- Bathhouse locations and wash station locations
- Wetland location signs to keep people out of these areas
- Applicant willing to meet with abutters to address their buffering concerns to benefit both parties
- Create a meeting area for rescue/fire personnel
- Agreed to baseline water testing prior to construction; will test 2x/year (1 @ season opening, 1 @ season closing) once open; 1x/year after that
- Minimal tree cutting, only to expand centralized parking areas and for septic designs, etc.

Vice Chair Horr asked if any other applicant representative wanted to speak; no one did.

Vice Chair Horr asked if anyone present wanted to speak in favor of this application.

Jim Nimon, Sanford Regional Economic Growth Council spoke in favor of the application on behalf of the Growth Council. Mr. Nimon stated Sanford has been known as a 'pass-through' community by tourists going to someplace else.

The Growth Council sees this application as a major step and asset to help Sanford become a destination to attract tourists and explained how.

Vice Chair Horr asked if anyone else would like to speak in favor of the project; there was no one.

Vice Chair Horr asked if anyone opposed to the project would like to make a comment.

Paul Fritzsche, 43 Sand Pond Road, made the following comments/concerns:

- Believes there is a notice violation and read the corresponding ordinance section
- Does not feel as though they have been treated as neighbors by the applicants
- Activities planned for shoulder season that will be geared more towards larger groups, not family-oriented like it will be during peak season
- Nothing in place prohibiting alcohol from being brought in aside from the alcohol the applicant is proposing to sell
- No indication there will be restrictions on loud music during shoulder season
- Will the applicant be requesting an expansion if the first section is successful
- Septic system oversight – applicant was not clear in application; water quality testing – what will happen if a problem is found, the applicant could blame another landowner
- Will applicant ask for a tax abatement
- Feels the project is too big for the area
- Does not agree with the city's interpretation of the Shoreland ordinance
- Feels the project is a lot of trouble without much benefit

Joe Hardy, lives in Wells but owns property at 31 Siddall Road, made the following comments/concerns:

- Residents invested money into the pond by way of paying taxes over the years
- May be appropriate on a smaller scale
- Feels project will overwhelm property owners around the pond
- What will project do to the nature of the pond
- Growth is good in someone else's backyard
- Project will ruin experience around the pond

Mr. Hardy also agreed with Mr. Fritzsche's comments and concerns.

Richard Razumny, new owner of property at 154 Sandy Point Road, made the following comments/concerns:

- Was a resident at the former Sand Pond Campground for 5 years
- Wrote a letter to the owners of Huttopia
- Feels the number of campsites being added around the pond is excessive

Dennis Driscoll, 49 Siddall Road, made the following comments/concerns:

- If you look at the rest of the pond, there are not more than 20 units around the pond
- Agrees with comments made by the other speakers.

Zachary Boston, 39 Great Works Drive, made the following comments/concerns:

- Property abuts 5 of the proposed 10 structures, important because they are not tents but canvas-covered wood structures
- 15 septic tanks in the woods near their property
- Found out about the project when he noticed tree-cutting was taking place
- Structures that border his property have about 25' of wooded area between them, renters on their decks would be facing his house
- Large amount of fire pits and people rummaging the woods by his house
- No physical barrier between Huttopia and abutters, concerned of people exploring the woods not owned by the applicant
- No additional land being conserved
- Would like clarification of land shown on city's map – listed on GIS map as open space, applicant is showing this land belongs to them
- Residents of Great Works Drive have a right-of-way (ROW) that crosses over a section of the applicant's property; will this project affect this
- Asked if parking is sufficient
- Agrees with a lot of the previous comments mentioned before

Katey Jones, 25 Great Works Drive, made the following comments/concerns:

- Agreed with comments from Zachary
- Huttopia said they are trying to create memories for their campers; she feels this project would ruin memories for her family
- Concerned with transient population
- Concerned that transient campground workers or sex offenders in the campground are close to the school bus stop
- Wondering what there will be for security and what the quiet hours will be
- Campfires
- Had a question on the units abutting her property – would they be staring at a field of bathrooms once the canvas is removed from the structures for the winter

Alice Schleiderer, wife of Joe Hardy who spoke earlier, made the following comments/concerns:

- Doesn't object to project, only the proposed location of the project along Sand Pond
- Memories should start with the people who already live there
- Noise and extra people on the small pond
- Poorly chosen location

Mike Roth, 38 Great Works Drive, made the following comments/concerns:

- Agrees with his neighbors
- For the 14 years he has lived here, it has been quiet, nice
- Will there be quiet time
- Campfires – will the dry well be able to handle a large incident
- Will usage of campground well affect his and his neighbors wells

Emily Boston, 39 Great Works Drive, made the following comments/concerns:

- Requesting the Planning Board reduce the amount of sites, then expand if successful with first phase
- Increase buffer zone between the water and abutting properties

Charlie Jones, 25 Great Works Drive, made the following comments/concerns:

- Mousam Valley Trail at end of Drive – amount of people using Great Works Drive, which is a private way maintained by the residents, to access the trail could dramatically increase
- Agrees with everyone else that has spoken against the proposal tonight

Vice Chair Horr stated they will let the applicant address abutters' concerns.

Planner Della Valle asked to go over the Site Plan Review Committee (SPRC) meeting that took place on Tuesday, March 5, 2019. Planner Della Valle mentioned the issues/concerns that were raised by neighbors at the meeting:

- 45' buffer not being sufficient in areas that abut directly to residential properties
- Low groundwater level
- Fire control and access – individual fire pits at campsites
- Dry fire hydrant system & fire truck access
- Creation of traffic on Sand Pond Road
- Plans for reuse of trailer at the entrance to the site
- Increased boat traffic on the pond, especially motorized boats
- Swimming area – will it be enlarged
- Shoreland setback requirements
- New tree plantings – will they be native species
- Vulnerable wetlands and natural community surrounding the property
- Atlantic Cedar and Scrub Oak species and a particular threatened butterfly species
- Fire in area in relation to these trees
- Proposed septic systems – how will they affect groundwater quality
- Is a campground an allowed use in RR Zone
- Proposed use is not compatible with the general character of the RR Zone in the area surrounding the site
- Detrimental to the quality of life and property values of neighbors
- Noise and crowds generated by the proposed development

Each issue/concern was addressed by either the applicant, their agent, or staff members of the SPRC.

SPRC reviewed the application and worked through technical issues that were raised and felt that many of the technical issues were addressed; the remaining issues were made part of the SPRC's recommended conditions, including water quality testing of the pond and the setbacks for the abutters on the northwest part of the property in particular, which the applicant offered to address.

The SPRC recommended that the Planning Board approve the project with conditions.

Planner Della Valle then addressed the zoning and shoreland zoning concerns regarding whether or not campgrounds were an allowed use in the RR Zone and the shoreland setback requirements.

Planner Della Valle summarized concerns/issues raised by the public during tonight's public hearing and the SPRC meeting.

Vice Chair Horr asked the applicant if they would like to address concerns raised about their project.

Mr. Abdrabo responded to the concerns/issues discussed:

- Site size – fewer units close to the pond than previously existed, main activities in center of property outside of the shoreland zone
- Alcohol, noise – no music playing; no alcohol permits yet, customers can bring their own; everything contained in the Life Center
- Seeing the tents from backyard – buildings built within the trees, offered to work with neighbors to improve the buffer
- Water consumptions – this has been looked into and there is enough water for consumption
- Septic issues – adding treatment to reduce the strengths of the wastewater
- Concern of seeing bathrooms at end of season – complete unit is removed at end of season
- Season – Mid-May through early October (1st/2nd week)
- Jobs/wages – pay above minimum wage, create a lot of seasonal jobs (Vice Chair Horr pointed out that wages are not a purview of the Planning Board)
- Security – all customers are given a map upon check-in that provides campground procedures and who to contact for an emergency
- Campfire – fire pits are planned and each site is designed for a fire pit location
- Traffic – will have capacity for up to 131 units; overall will be adding an additional 50 units above what is currently there
- Memories – trying to create and build memories for their customers that are trying to live the same experience as their neighbors

The Planning Board took a break from 8:16-8:22 PM.

Mr. Abdrabo asked to allow the septic experts address the waste disposal concerns. He added the fire cut-off time at all sites is 10:00PM and said the pit diameter is 50 centimeters.

Kirk Ball, Campground Engineers, worked on the water distribution, septic systems, and stormwater management for the project. Mr. Ball explained the following:

- Septic system:
 - Certified inspectors inspected what is existing
 - Found the failing system
 - Engineered system will be used
 - Advanced treatment system will pump wastewater further away from the pond
 - Advanced treatment system will treat systems that exist today
 - Newer section will use small individual systems, an advanced treatment system would take more land, cause more tree-cutting, etc.
- Water treatment system:
 - Current well can pump safe yield of 30 gallons/minute
 - Groundwater quality doesn't meet standards and will require treatment
 - Treatment system can treat 20 gallons/minute
 - Added storage tanks designed for peak usage

Mr. Libby spoke about the right-of-way (ROW) issue:

- ROW goes through the property and is known as Great Works Drive
- Land owners in the subdivision do not own the 50' strip; it is owned by Huttopia
- No planned use of area identified on tax maps as open space
- ROW benefits the subdivision and their use of that road
- Building next to ROW will be the manager's quarters
- New structure along Sand Pond Road will be constructed for the employees

Vice Chair Horr allowed residents to briefly respond to the applicant's comments.

Zachary Boston:

- Mention of phasing the project but did not see phasing specified in the proposal
- Will abandoned septic system be removed

Joe Hardy:

- Will there be bug spraying (i.e. ticks, mosquitoes, black flies); if so, organic sprays or chemical sprays
- Why didn't the developer speak to the property owners and abutters; would have been much more accommodating if the developer presented a project half the size of this proposal

Hesper Schleiderer Hardy:

- Existing nonconforming structures – application reviewed before this project was determined there was no better location on his property; the nonconforming structures in this proposal can be moved to the required 75' setback

Charlie Jones:

- Distance from abutting properties to the mini septic system locations, concerned about potential for contaminated drinking water

Paul Fritzsche:

- Huttoopia has been evasive on not answering questions about shoulder use, also noted applicant said they currently do not have their liquor license
- All neighbors who live on the pond are opposed to the proposal; purpose of Rural Residential Zone is to promote high-quality rural residential environments while maintaining the rural character of these areas

Emily Boston:

- How will developer plan to accommodate the abutters' needs and desires for privacy
- How will they maintain the buffer now that the trees have been cut down

Vice Chair Horr closed the public hearing.

The Planning Board discussed the following:

- **Board member Connolly** – question for Mr. Hardy: how did he feel when the old campground was there. **Mr. Hardy:** campers were minimal users of the pond; doesn't recall campfire issues
- **Board member Kilkenny** – question for Ms. Jones: are there a lot of kids at the bus stop. **Ms. Jones:** seven children in neighborhood; bus stop is next to the manager's office
- **Vice Chair Horr:** is it a requirement for a camper to have a permanent residence someplace else? **Planner Della Valle:** No
- **Board member Clarke:** had a question on the firewood policy; concerned campers will bring in their own or scavenge firewood instead of purchasing; who is responsible if trees are cut in the shoreland zone for firewood. **Mr. Abdrabo:** no one will be allowed to bring in their own firewood, they have some available for purchase; this will be monitored by staff. **Planner Della Valle:** landowner would be liable if tree violations occur in the shoreland zone.
- **Board member Connolly** – questions for Mr. Abdrabo: wanted clarification on his comments referring to a 9:00PM shutdown time and a 10:00PM fire time; how will this be monitored; are guests allowed to use ATVs. **Mr. Abdrabo** –

- bistro, life center activities close down at 9:00PM; staff/security crews monitor noise and fire time rules; guests not allowed to use ATVs.
- **Board member Connolly** – questions for Mr. Libby: how the pool is being widened; if a pump station building was going to be built. **Mr. Libby:** only concrete patio around pool expanding on two sides; a pump station will be built.
 - **Board member Kilkenny** – question for the owner: are pets allowed, if there will be rules, accommodate waste pick-up. **Mr. Abdrabo:** Pets will be allowed on leashes, rules are addressed in campground brochure, and there are accommodations for waste pick-up. Each campground brochure is different based on local requirements; only dogs allowed.
 - **Vice Chair Horr** – question for owner: how will buffer be improved between abutters. **Mr. Abdrabo:** will work with neighbors, using shrubs and bushes as a buffer instead of fencing.
 - **Board member Clarke** – questions for owner and Mr. Libby: number of units without bathrooms; closeness of bathroom facilities; vacancy/occupancy rates at other facilities. **Mr. Abdrabo:** 25 units without bathrooms. **Mr. Libby:** units are within 500' of bathhouses (2 within campground). **Mr. Abdrabo:** on average 34-45% occupancy; peak weekends (2-3 weeks in a season) fully occupied.
 - **Board member Connolly** – question for owner: concerns about invasive species being brought in. **Mr. Abdrabo:** Not allowed to bring in own kayaks or canoes, will have boat rental (approx. 4-5).
 - **Board member Connolly** – confirmed fire pit size; then requested a stipulation be made to check fire danger report during dry months. **Mr. Libby:** fire marshal notifies campgrounds on no burn days.

Vice Chair Horr asked staff members if they had any questions or concerns that have not yet been addressed.

Matt Hill, P.E., City Engineer said the engineering concerns have been addressed in writing to the applicant through the Planning Department. The outstanding concern is the new entrance and maintenance on how it connects to the roadways. Mr. Hill said he felt the applicant has made a professional and responsible plan and has been very responsive in this process.

Planner Della Valle said the recommended approval contains the outstanding engineering concerns.

Staff member Hill briefly detailed the concerns.

Board member Clarke stated this type of business is self-regulating in order to keep clients happy; another campground could go in, use the same sites, and not be willing to upgrade the site.

Board member Connolly asked staff member Hill about the site distance for the new entrance.

Mr. Abdrabo and his representatives responded to earlier concerns of type of pest control sprays being used, if any; what will be done with the failed septic system; and gave more detail about the two new pump stations.

Board member Clarke asked when the trailers were removed.

Discussion took place on tick control in response to pest control.

Planner Della Valle summarized remaining issues the Board may want to ask applicant:

- Phasing plan
- Plans for shoulder-season

Mr. Libby responded to the phasing plan concern and Mr. Abdrabo answered the plans for off-season times.

Discussion took place on potential conditions of approval; potential campground rules; and number of canoes, kayaks, paddleboards, etc. available as rentals.

Board member Connolly asked if any endangered species were found in the area; Planner Della Valle identified the species and their locations on the plan.

Board member Connolly confirmed that work being done in this project would not interfere with work being done to protect the Bauneg Beg watershed.

Vice Chair Horr asked if there were any other questions.

Board member Connolly asked if there were any plans for laundry facilities; there are not.

Chris Coppi (Frick Associates), wetland scientist who worked on the project, spoke to the endangered species concern.

Board member Kilkenny asked if they would allow fishing; the applicant responded they are not.

An informal straw poll was taken among Board members since there were only four present to vote on the proposal; the Board was inclined to support the project.

The Board went over the Findings of Fact, it was decided to go over each item individually instead of grouping similar items:

Chapter 270-15.D(a) Will maintain safe and healthful conditions.

Board member Connolly made a motion to accept this standard, with a text edit in the explanation of "...replacement of former trailer/camper sites with temporary tent platforms moved further away from *the shoreline* (was 'existing sites'),..." because it has been met.

Board member Kilkenny seconded the vote.

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

Chapter 270-15.D(b) Will not result in water pollution, erosion, or sedimentation to surface waters.

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Kilkenny seconded the motion.

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

Chapter 270-15.D(c) Will adequately provide for the disposal of all wastewater.

Board member Connolly made a motion to accept this standard because it has been met.

Board member Clarke seconded the motion.

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

Chapter 270-15.D(d) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.

Board member Connolly requested a condition be added to this finding, along with a text edit in the explanation, so it will read: 'With appropriate signage, addition to campsite rules, and care in the design... sites with temporary tent platforms moved further away from *the shoreline* (was 'existing sites')...'.

Vice Chair Horr made a motion to accept the standard, as amended, because it has been met with condition.

Board member Connolly seconded the motion.

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

Chapter 270-15.D(e) Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters. (The same text edit of *existing sites to shoreline* is being done.)

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Connolly seconded the motion.

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

Chapter 270-15.D(f) Will protect archaeological and historic resources as designated in the Comprehensive Plan.

Vice Chair Horr made a motion to accept this standard because it is not applicable.

Board member Kilkenny seconded the motion.

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

Chapter 270-15.D(g) Will not adversely affect existing commercial fishing activity.

Board member Connolly made a motion to accept this standard because it is not applicable.

Board member Kilkenny seconded the motion.

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

Chapter 270-270-15.D(h) Will avoid problems associated with floodplain development and use. (The same text edit of *existing sites to shoreline* is being done.)

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Clarke seconded the motion.

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

Chapter 270-15.D(i) Is in conformance with the provisions of §270-13, Land Use Standards.

Board member Connolly made a motion to accept this standard because it has been met with condition.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.1 Utilization of the site. (The same text edit of *existing sites to shoreline* is being done.)

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.2 Access to the site.

Board member Connolly made a motion to accept this standard because it has been met.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.3 Access into the site.

Board member Connolly made a motion to accept this standard because it has been met.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.4 Internal vehicular circulation.

Board member Connolly requested a condition be placed, so the addition of 'Motorized golf carts shall only be used by campground employees, with care, and emergency service providers'.

Board member Connolly made a motion to accept this standard, as amended, because it has been met.

Vice Chair Horr seconded the motion.

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

Chapter 280-16-7.5 Pedestrian circulation.

Board member Connolly requested the standard above, 'Motorized golf carts shall only be used by campground employees, with care, and emergency service providers.' be added.

Vice Chair Horr made a motion to accept this standard, as amended, because it has been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.6 Stormwater management.

Board member Kilkenny made a motion to accept this standard because it has been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.7 Erosion control.

Board member Kilkenny made motion to accept this standard because it has been met with condition.

Vice Chair Horr seconded the motion.

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

Chapter 280-16-7.8 Water supply.

Board member Connolly made a motion to accept this standard because it has been met.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.9 Sewage disposal.

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.10 Utilities.

Board member Connolly made a motion to accept this standard because it has been met.

Board member Clarke seconded the motion.

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

Chapter 280-16-7.11 Natural features. (The same text edit of *existing sites to shoreline* is being done.)

Board member Connolly asked for additional language: 'If/when small septic systems require replacement, the applicant will replace any trees that must be removed or are damaged'.

Board member Kilkenny made a motion to accept this standard, as amended, because it has been met with condition.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.12 Groundwater protection.

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.13 Exterior lighting.

Discussion took place on the number and types of lights will be used for pathways.

Board member Kilkenny asked for additional language: 'Should fixtures require replacement, applicant shall use similar and compatible fixtures'.

Board member Kilkenny made a motion to accept this standard, as amended, because it has been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.14 Solid waste disposal.

Board member Clarke made a motion to accept this standard because it has been met.

Vice Chair Horr seconded the motion.

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

Board member Connolly wanted to discuss the hours of disposal pick-up.

Board member Connolly made a motion to amend the language to read: 'Private solid waste disposal shall be provided between 9:00AM and noon.'

Board member Kilkenny seconded the amended motion.

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

Chapter 280-16-7.15 Landscaping.

Vice Chair Horr made a motion to accept this standard because it has been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.16 Shoreland relationship. (The same text edit of *existing sites to shoreline* is being done.)

Vice Chair Horr made a motion to accept this standard because it has been met with condition.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.17 Technical and financial capacity.

Board member Connolly made a motion to accept this standard because it has been met.

Board member Kilkenny seconded the motion.

Vice Chair Horr asked if performance guarantees had been discussed.

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

Chapter 280-16-7.18 Buffering.

The following grammatical text change (in italics) was made: ‘...abutting land owners and review *of* proposed site plan amendments *with* the Planning Board.’

Board member Connolly made a motion to accept the standard because it has been met with condition.

Board member Kilkenny seconded the motion.

Planner Della Valle requested to add ‘*for their approval.*’ at the end of the statement.

Board member Kilkenny made a motion to accept this standard, as amended, because it has been met with condition.

Board member Connolly seconded the amended motion.

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

Chapter 280-16-7.19 Airport encroachment.

Planner Della Valle asked Mr. Libby if he had submitted a letter from the City Airport Manager.

Planner Della Valle made a text edit – removed the letter ‘s’ from provisions.

Discussion took place on tree height.

Board member Clarke made a motion to accept the standard, as amended, because it has been met with condition.

Board member Kilkenny seconded the motion.

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

Planner Della Valle read a proposed motion: "The Planning Board accept the information in the March 1, 2019 Summary Report and the March 5, 2019 Site Plan Review Committee recommendation..."

Board member Connolly asked to revisit Chapter 280-16-7.14 Solid Waste Disposal standard to discuss hours of removal.

After that discussion, Planner Della Valle continued with the proposed motion: "The Planning Board accepts the information in the March 1, 2019 Summary Report and the March 5, 2019 Site Plan Review Committee recommendation and in the Findings of Fact and finds that application File #45-18-R to develop and expand the former Sand Pond Campground to a total of 131 units on property at Tax Map R14, Lots 22, 23, 23B, and 25G off Sand Pond Lane has satisfied the requirements of §280-16-6.7, §270-13, and §270-14 and grants approval of the requested waivers and authorizes the issuance of a building permit subject to the following conditions:

1. That no later than March 27, 2019, unless other arrangements are made with the Planning Director, the applicant shall provide 5 copies of revised plans and documents to the Planning Department:
 - a. Addressing the concerns raised by the Director of Code Enforcement regarding the tents only on removable platforms in the 75' Shoreland zone buffer to his satisfaction;
 - b. Revising the road profile to the satisfaction of the City Engineer;
 - c. Revising entrance details to the satisfaction of the City Engineer to ensure that the vision of exiting drivers is not blocked;
 - d. Clarifying signage and fencing details;
 - e. Refining grading to the satisfaction of the City Engineer;
 - f. Clarifying the extent of tree clearing and details of new tree plantings;
 - g. Providing appropriate professional seals on all plans and supporting documents;
 - h. Labeling all required setbacks;
 - i. Providing complete legends on all plans.
2. Work with abutters to consider modification of buffers and report any proposed changes to the Planning Board for its approval.
3. Work with the Planning Director to define parameters and then undertake baseline water testing of Sand Pond prior to the start of construction, then at the beginning and end of the season for the first two years of operation and annually thereafter, with water quality reports provided to the Planning Department.
4. Provide an autocad submission, tied to the Maine State Coordinate System, which is acceptable to the City Engineer.
5. Property will be used for seasonal camping; no large scale events shall be allowed.
6. The only pets that will be allowed shall be dogs and they shall be leashed.
7. Campground activities and facilities shall close by 9PM.

8. Provide appropriate signage and addition of language to campsite rules to direct campers to stay out of sensitive areas.
9. Provide letter from Airport Director indicating project adequately addresses airport encroachment.
10. Submit a copy of approved Maine Department of Environmental Protection (DEP) permits to the Planning Department, once secured, along with a copy of the approved plans, if they differ from those approved by the Planning Board, and be prepared to seek an amendment of Planning Board approval should the DEP require modification of the plan.
11. Pay all review fees.
12. Establish an inspection escrow fee with the Public Works Department in an amount acceptable to the City Engineer.
13. Schedule a preconstruction conference with Code Enforcement and the City Engineer.
14. If installation of approved landscaping is not completed by September 15, 2019, end of the growing season, the applicant shall be required to provide a performance guarantee in an amount to cover the cost of the landscape material and its installation. The guarantee shall be required to stay in force for one full growing season after installation.
15. This approval is dependent on and limited to the documents and plans contained in the application submitted and affirmed by the applicant. No project, plan, or development previously approved by the Planning Board may be altered or modified without securing prior approval from the Planning Board in the form of an amendment; provided, however, that if at any time it becomes necessary or desirable to make modifications to the development, the Planning Director may approve minor modifications. Any changes to the approved plan shall be provided to the Planning Department prior to construction to evaluate whether an amendment of the approval is required. The applicant shall be aware that noncompliance with this condition may require modification of construction elements that are not consistent with the approval, may delay release of all or portions of a performance guarantee, and may result in delay of receipt of an occupancy permit.

Vice Chair Horr asked if there were any waivers being granted. Planner Della Valle stated there were three and they all pertained to the stormwater management aspect.

Vice Chair Horr made a motion to approve the application with all the proposed conditions.

Board member Connolly wanted to make another condition. Planner Della Valle said since there was a motion on the table, a second had to be made before discussion.

Board member Kilkenny seconded the motion.

Board member Connolly asked if a septic tank pumping schedule had been established.

Mr. Ball explained how to determine when the engineered tanks need to be pumped out. He said the smaller systems are like household systems and the pumping schedule is based on use; discussion followed.

Mr. Libby stated the applicant is willing to pump the systems every two years.

Based on discussion, the Board agreed to add the following as condition #10: "Applicant shall pump out the small septic systems every two years at the end of the season." The conditions following this addition will be renumbered 11-16.

Board member Connolly made a motion to amend the conditions and add the new number 10.

Board member Kilkenny seconded the motion.

A vote was taken and the conditions of approval amendment passed 4-0.

A vote was taken and the motion to approve the application, as amended, passed 4-0.

2. New Business: File #05-19-M: Ken Burgess, 27 Littlefield Road, Springvale, Maine.

This item was heard and discussed before Item #1.

Before this item was open for discussion, Board member Connolly announced that the applicant is a personal friend of hers but this will not affect her decision on this matter.

The Board agreed to let Board member Connolly sit on the Board for this project.

Vice Chair Horr called for a representative to present the project.

Ken Burgess, applicant and owner of the property, presented an overview of his proposal:

- He is the owner of both abutting properties
- Rebuild the existing 20' x 32' detached garage in the same location as the existing garage, which does not meet the setback requirements in the Rural Residential zone
- Because of some of the lot conditions, the existing location makes the most sense

Vice Chair Horr confirmed the new structure was going on the same footprint as the existing structure.

Vice Chair Horr asked if there were any questions from the Board.

Board member Connolly asked if the other shed next to this building was going to remain; Mr. Burgess replied it was.

Planner Della Valle stated the Director of Code Enforcement has reviewed the application and agrees this is the best location on the site.

Vice Chair Horr called for a motion.

Board member Clarke made a motion to approve the project.

Board member Connolly seconded the motion.

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

V. OTHER BUSINESS

1. PLANNING DIRECTOR'S REPORT

- Lafayette Neighborhood Community Supper – people will be asked to make pitches on how to improve neighborhood
- Planning Board training on March 20th; all but one attending
- Southern Maine Veterans Cemetery – proposing a modification of their plan to replace a cul-de-sac with a memorial project for POWs and MIAs.

Planner Della Valle is requesting the Planning Board delegate this request to staff review.

Board member Kilkenny made a motion the request be reviewed at staff level.

Board member Connolly seconded the motion.

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

VI. COMMUNICATIONS

There were no communication items.

VII. ADJOURN

The meeting adjourned at 10:35 P.M.

Jace Clarke
Secretary, Planning Board

Date