

**SANFORD PLANNING BOARD MINUTES**  
**MEETING April 2, 2014 – 7:00 P.M.**  
**City Hall Annex Third Floor Chambers**

**MEMBERS PRESENT:** John McAdam, Chair  
Kelly Tarbox, Vice Chair  
Lela Harrison, Secretary  
Robert Hardison  
Joshua Howe  
Richard Bergeron  
Lenny Horr

**MEMBERS ABSENT:** None

**STAFF PRESENT:** James Q. Gulnac, AICP, Planning & Development Director  
Michael Casserly, P.E., Assistant Engineer

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Chair McAdam called the meeting to order at 8:30 P.M. (Due to an error in recording, the public hearing and first meeting portion of the night was not recorded; notes taken during the meeting were used to do the minutes.)

**II. PUBLIC HEARINGS**

1. **File #02-14-RS: Fred & Lisa Smith, c/o John Hutchins**, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

Chair McAdam called for a representative to present the project.

Discussion topics were the driveway:

- Driveway – applicant has not yet hired an engineer
- Water service

There was no one present either for or against the project.

Fred Smith, applicant, talked about a visibility fence similar to the lower fence.

Chair McAdam closed the public hearing.

2. **File #999-13-T(1): The Planning Director is requesting** the Planning Board continue their ongoing discussion on the City of Sanford Land Stewardship Zoning Plan. The Planning Director is presenting three (3) items as part of the continued update to the Sanford Land Stewardship Plan:

- i. To utilize the old zoning districts as an over-lay zone for the purpose of reviewing and approving signs.
- ii. To approve the revision to the Zone Map to include the Contract Zones and proper format for certification by the City Clerk.
- iii. To approve the revised Attachment 1A & 1B Land Use Tables.

James Gulnac, Planning Director, informed the Board of the changes and why they were being made. The changes being proposed are:

- creating a temporary sign overlay zone until the existing sign ordinance can be updated
- corrected zoning map that includes the approved contract zones, the city clerk signature block, and a minor boundary edit that includes tax map R6 lot 45 and tax map R9 lot 12A moving into the Urban zone from the Rural Residential zone
- an updated Table of Land Uses

Chair McAdam opened the public hearing.

Alberta Sevigny raised a question about the contract zones in reference to the overlay zones for telecommunication towers. Mr. Gulnac explained the overlay zones do not appear on the zoning map with the exception of the airport related overlays.

Diane Connolly asked about the change in the sign ordinance language. Mr. Gulnac explained the only change was to add language that referred to the overlay for sign permit applications.

Chair McAdam closed the public hearing.

**The meeting moved into work session discussion on the public hearing items at 8:00 P.M.**

### III. NEW BUSINESS

**The Board reconvened after the work session discussion at 8:30 P.M. to take action on this item.**

1. **File #02-14-RS: Fred & Lisa Smith, c/o John Hutchins**, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

After the work session, Board member Tarbox added to the finding of facts that a note should be included on the subdivision plan that any change of ownership would trigger review of access easements, including driveway maintenance.

Board member Tarbox made a motion that the Planning Board accept the recommendations from the Site Plan Review Committee and confirm the Finding of Facts above and find that File #02-14-RS for minor site plan, minor subdivision and shoreland zone permit to create a mixed use building has been prepared in conformance with the City of Sanford Land Use Codes and the laws of the State of Maine and grant approval subject to the following conditions:

1. That any and all outstanding fees be paid.
2. That the waiver requested by the Planning Director for mandatory design review is approved.
3. That the applicant will present two (2) subdivision mylars for signature by the Planning Board including in the notes any type of phasing plan approved by the Planning Board.
4. That no Certificates of Occupancy (CO) are to be issued until verification from the Sanford Water District that adequate water service has been provided for the fire protection system.
5. That the applicant needs to provide a report signed by a traffic engineer concerning the use of the driveway by the residential units and the commercial activity. The sight distance must be verified by the engineer with a letter explaining driveway safety adequate for residents and traffic and showing how much parking should be eliminated adjacent to the driveway. This report needs to be accepted by the city

engineer; should the traffic engineer make additional recommendations to the city council for their action.

6. Any phasing of the development would include in Phase I the conditions in 4 & 5. The 3<sup>rd</sup> unit must be roughed in within one year of the granting of CO for first two units. The CEO is authorized to issue a building permit for the purpose of obtaining financing to proceed with the project for the first two units; the remaining three units are to be completed within five years, although an extension may be applied for.
7. Granting a waiver of the slope of the driveway for the initial 40’.
8. With regard of the traffic impact fee, table 6E to be used to assess the traffic impact fee but that would be subject to the traffic engineer’s report.

Board member Hardison seconded the motion.

A vote was taken and the motion passed 7-0.

2. **File #999-13-T(1): The Planning Director is requesting** the Planning Board continue their ongoing discussion on the City of Sanford Land Stewardship Zoning Plan. The Planning Director is presenting three (3) items as part of the continued update to the Sanford Land Stewardship Plan:

- i. To utilize the old zoning districts as an over-layer zone for the purpose of reviewing and approving signs.
- ii. To approve the revision to the Zone Map to include the Contract Zones and proper format for certification by the City Clerk.
- iii. To approve the revised Attachment 1A & 1B Land Use Tables.

Board member Tarbox made a motion that the Planning Board recommend to the city council the report submitted by the Planning Director tonight to utilize the old zoning districts as an overlay zone for the purpose of reviewing and approving the signs, to approve the revision of the zone map which included the contract zones, proper format for the certification by the city clerk, as well as a minor editing change, and to approve the revised attachment Tables 1A & 1B Land Use Tables.

Board member Hardison seconded the motion.

A vote was taken and the motion passed 7-0.

#### IV. OLD BUSINESS

1. **File #10-13-W: VC Properties, LLC, d/b/a Mariner Tower, Christopher Ciolfi, P.O. Box 2600, Kennebunkport.**

The Planning Director is requesting the Planning Board accept his recommendation for an environmental peer review firm for file #10-13-W, contract zone, Mariner telecommunications tower.

Staff member Gulnac informed the Board the city had received four responses to the RFQ (Request for Qualifications). He identified the firms: Kleinschmidt, R.W. Gillespie & Associates, Stantec Consulting Services Inc., and Wright-Pierce.

Mr. Gulnac then compared the four firms:

- All firms were qualified to provide an environmental review as requested
- All firms indicated an understanding of the scope of the request for peer review
- All firms were knowledgeable of the city’s ordinances, comprehensive plan, and the conservation plan (Headwaters Plan)

Since all four firms were equally qualified, staff member Gulnac suggested the Planning Board base their recommendation on the proposed costs.

After discussion, the Board determined Stantec Consulting Services, Inc. not only indicated the lowest hourly rates, the firm was also familiar to the Board.

Chair McAdam called for a motion.

Board member Tarbox made a motion that the Planning Board recommend the hiring of Stantec to perform the peer review for the Mariner Tower vernal pool environmental study.

Board member Hardison seconded the motion.

A vote was taken and the motion passed 6-1 (Board member Bergeron opposed).

#### **V. APPROVAL OF MINUTES – February 6, 2014 and March 19, 2014**

##### February 6, 2014

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

Chair McAdam seconded the motion.

A vote was taken, and the motion passed 7-0.

##### March 19, 2014

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

Chair McAdam seconded the motion.

A vote was taken, and the motion passed 7-0.

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

There was no Planning Director's report; however staff member Gulnac asked for the Board's concurrence that no further discussion is needed during the work session on the ordinance revisions, File #999-13-T(1), as the Board is familiar with the revisions being made. He also said further review of the sign ordinance will be done at a later date.

Staff member Gulnac then stated the Mariner Tower application, File #10-13-W, was approved at the city council level and will be brought back for final approval before the Board. He also briefed the Board about upcoming projects and road work being done in the city.

#### **VII. ADJOURN**

The meeting adjourned at 7:11 PM to go into work session. After the work session, the meeting adjourned at 8:25 P.M.

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Lela Harrison  
Secretary, Planning Board

Date