

**SANFORD PLANNING BOARD MINUTES
MEETING – April 3, 2019 – 6:30 P.M.
City Hall Annex Third Floor Chambers**

MEMBERS PRESENT: Jennifer Georgius, Chair
Lenny Horr, Vice Chair
John McAdam
Dianne Connolly
Elizabeth Kilkenny
Thomas Morgan

MEMBERS ABSENT: Jace Clarke (w/notice)

STAFF PRESENT: Elizabeth Della Valle, AICP, Director of Planning & Development
Joseph Scala, Planner
Michael Casserly, Asst. City Engineer (arrived at 6:37 P.M.)
Barbara Bucklin, Admin. Asst., Planning Department

STAFF ABSENT: None

I. CALL TO ORDER

Chair Georgius called the meeting to order at 6:30 PM.

II. OPENING STATEMENT

Chair Georgius overviewed meeting procedures. Chair Georgius called for a moment of silence in honor of Maine State Police Detective Ben Campbell.

III. MINUTES – March 21, 2019 and January 4, 2017

March 21, 2019

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

Board member Morgan seconded the motion.

A vote was taken and the motion passed 5-0-1 (Vice Chair Horr abstained because he was not at the meeting).

January 4, 2017

The minutes were not ready for approval.

IV. HEARINGS and BUSINESS

- 1. File #06-19-R: Sanford Senior Care Development, LLC, c/o Kylie Mason, Sebago Technics, Inc., 75 John Roberts Road, Suite 4A, South Portland, Maine.**

Chair Georgius called for a representative to present the request.

Daniel Maguire, a managing partner of Sandy River Company, introduced the design team for the project.

Mr. Maguire gave a brief history of how the project came to be then presented an overview of the project.

Board member McAdam asked Mr. Maguire about the types of care they will be providing.

Mr. Maguire described the layout of the facility and the treatment available in each section.

Kylie Mason, Sebago Technics overviewed the project:

- Site layout
- Each wing has its own gated courtyard
- Stormwater under review with DEP
- Standalone project, no longer attached to the Southern Maine Healthcare Campus (SMHC)
- Fire department satisfied with turning radius
- Sewer and water satisfied

Chair Georgius asked if anyone present would like to speak for project; there was no one.

Chair Georgius asked if anyone present wanted to speak against the project; there was no one.

Chair Georgius asked if anyone present would like to speak neither for nor against the project; again, there was no one.

Chair Georgius closed the public hearing.

Planner Della Valle updated the Board on the Site Plan Review Committee (SPRC) Recommendation to Planning Board report. She summarized questions from the public who attended the SPRC meeting.

Planner Della Valle updated the Board on what has taken place since the SPRC meeting:

- All concerns of both the Sanford Sewer District Superintendent and Sanford Water District Superintendent have been met
- Received revised documents earlier this morning
- Update regarding transfer to July Street to applicant

Board member McAdam asked the applicant to address an abutter's issue with communication. He also mentioned a specific abutter and the applicant will work on concern with landscaping.

Planner Della Valle said the applicant will communicate with the neighbors about the construction schedule and keep them updated should it change. There is a neighbor who would like to have a tree that is scheduled to be removed be relocated to her property. Planner Della Valle said the Board should discuss these topics with the applicant.

Board member McAdam asked Kylie Mason, Sebago Technics to update everyone on the applicant's discussion with the Vachons, an abutter. Ms. Mason said the Vachons are conveying a strip of their land to the applicant for the project and in turn the applicant will work with the Vachons on a buffer. Due to future discussions, this buffering detail will be left off the landscaping plan until a decision is made with the Vachons on types of plantings and will come back to the Planning Department for staff review for a landscape amendment.

Ms. Mason then addressed Planner Della Valle's recommendation on the tree relocation.

Board member Connolly asked if an arborist had looked at the tree to determine if the tree is movable.

Planner Della Valle relayed the comment from Sanford Sewer District superintendent's preference for pipe segment S8 on Sheet 15.

Ms. Mason shared her thoughts on when construction will begin.

Vice Chair Horr confirmed the number of residential houses being removed.

Board member Kilkenny asked if a fence will be going around the entire facility.

Board member Connolly had the following comments:

- Concerned about drainage from the new project running onto the Workwell building site on July Street – *Ms. Mason said there will be no runoff from the new project onto the July Street property*
- asked how Summer Commons was chosen as the name for the new facility – *Mr. Maguire explained how they came up with the name for the facility*
- Post-construction inspections: how often will maintenance of the stormwater management system take place – *Ms. Mason said there is a signed maintenance plan in packet then gave a brief description of the maintenance schedule*

Vice Chair Horr confirmed the following with the applicant:

- Estimate on traffic count – *Ms. Mason said there will be a decrease in traffic due to a decrease in the number of beds at the facility*
- Accept rehab patients – *Ms. Mason said there will be a wing for rehab*

Board member Connolly asked if the patients that were relocated during the early stages of the project would be brought back to the new facility when it opens.

Mike Casserly, Asst. City Engineer went over his list:

- Update on receipt of 5-year maintenance agreement
- Pavement wearing course – asking to have the finish pavement be placed in the same season as base pavement
- Retaining wall – requesting documentation stamped by a professional engineer for the design of the wall
- July/Sherburne Streets corner did have water issues; working with Sebago on this
- Stormwater management concerns: Main issues are stormwater flow
- Stormwater easement: Formalize easement – condition that city engineer/city manager accept
- Pavement moratorium: 5 year moratorium, discontinue old service. Council can waive the moratorium – this item is being discussed with city manager/council. Planner Della Valle stated this is not a Planning Board issue, but does tie in to the project.

The Board further discussed the pavement moratorium.

Ms. Mason responded to staff member Casserly's comments; she said she had supplied answers earlier in the day.

Vice Chair Horr asked for clarification on the thickness of pavement in parking lot and asked if the outdoor lighting issue had been met.

Planner Della Valle stated there were no outdoor lighting issues but rather concerns about vehicle headlights going into residence's windows.

Planner Della Valle reviewed staff member Casserly's comments to determine which concerns have been met.

The Board went through the Findings of Fact:

Chapters 280-13-7.16 Shoreland relationship; and 280-16-7.19 Airport encroachment.

Board member McAdam made a motion to accept these standards because they are not applicable.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.8 Water supply; 280-16-7.9 Sewage disposal; and 280-16-7.10 Utilities.

Board member McAdam made a motion to accept these standards because they have been met.

Board member Morgan seconded the motion.

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

Chapter 280-16-7.1 Utilization of the site; and 280-16-7.11 Natural features.

Board member McAdam made a motion to accept these standards because they have been met.

Board member Connolly seconded the motion.

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

Chapter 280-16-7.2 Access to the site; 280-16-7.3 Access into the site; and 280-16-7.4 Internal vehicular circulation.

Board member Connolly made a motion to accept these standards because they have been met.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.5 Pedestrian circulation.

Board member McAdam 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 6-0.

Chapter 280-16-7.6 Stormwater management.

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

Board member Morgan seconded the motion.

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

Chapter 280-16-7.7 Erosion control.

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

Board member McAdam seconded the motion.

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

Chapter 280-16-7.12 Groundwater protection.

Board member McAdam made a motion to accept this standard has been met.

Board member Kilkenny seconded the motion.

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

Chapter 280-16-7.13 Exterior lighting.

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

Board member McAdam seconded the motion.

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

Chapter 280-16-7.14 Solid waste disposal.

Board member McAdam 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 6-0.

Chapter 280-16-7.15 Landscaping.

Discussion took place on relocating the tree/shrub versus requiring the applicant to plant a tree. Based on discussion, the finding was reworded.

Board member McAdam 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 6-0.

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.

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

Chapter 280-16-7.18 Buffering.

Board member McAdam 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 6-0.

Chair Georgius called for a motion.

Planner Della Valle read a suggested motion: The Planning Board accepts the information in this memo and that of March 19, 2019 and finds that the application File #06-19-R to establish a senior care facility at 21 June Street has satisfied the requirements of §280-16-6.7 and of major site plan and authorize the issuance of a building permit subject to the following conditions:

1. That no later than April 24, 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 addressing:
 - a. Concerns raised in items 5, 12, and 14 in the Assistant City Engineer's April 3, 2019 memo.
 - b. Identify the tree/shrub that is proposed to be relocated to the neighbor's property across the street on the site plan.
2. Prepare and share a construction schedule with the City and the neighbors and update and redistribute the schedule if it changes.
3. Provide an autocad submission, tied to the Maine State Coordinate System, which is acceptable to the City Engineer.
4. Delegate to the Planning Department review authority to adjust landscaping and tree clearing and replacement with vegetated buffers on 23 June Street.
5. The City Council shall approve discontinuance of July Street and resolve issues related to the pavement moratorium and the applicant will provide documentation of the outcome for the project file.
6. Submit a copy of the 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.
7. Pay all review fees.
8. Establish an inspection escrow fee with the Public Works Department in an amount acceptable to the City Engineer.
9. Schedule a preconstruction conference with Code Enforcement and the City Engineer.

10. If installation of approved landscaping is not completed by September 15, 2020, the 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.
11. This approval is dependent on and limited to the documents and plans contained in the application submitted and affirmed to by the applicant. No project, plan, or development previously approved by the Planning Board may be altered or modified without securing Planning Board approval 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.

Planner Della Valle omitted a condition and requested to add a new condition #5: "Upon completion of the construction of the retaining wall, the applicant shall provide a Maine engineered stamped document indicating that the plans are adequate and construction has been completed consistent with those plans." The conditions following this addition will be renumbered 6-12.

Vice Chair Horr made a motion to approve the motion as read by Planner Della Valle.

Board member Connolly seconded the motion.

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

V. OTHER BUSINESS

1. PLANNING DIRECTOR'S REPORT

- a. Notice requirement not prepared in time for proper noticing for the City Council hearing – tabled to next council meeting. Board member McAdam will attend with Chair Georgius and Planner Scala
- b. Board member McAdam & Vice Chair Horr asked Lee Burnett for a presentation of trail master plan
- c. April 17th meeting – no formal applications; lots of work session items; does the Board want to schedule a formal meeting for the trails presentation and minutes, or schedule work session only
- d. Board members Connolly and Morgan are not able to attend the meeting on April 17th
- e. Upcoming projects
- f. Based on discussions, April 17th will be a work session only

VI. COMMUNICATIONS

Board member Connolly asked if there were any updates on Stenton; told the Board about her phone call to the Planning Department about tree removal at Gowen Park, asked Planner Della Valle if she had an update; and the St Ignatius Apartments project and their landscaping.

VII. ADJOURN

The meeting adjourned at 8:26 P.M. and went into work session.