

**SANFORD PLANNING BOARD MINUTES**  
**MEETING – April 18, 2018 – 6:30 P.M.**  
**City Hall Annex Third Floor Chambers**

**MEMBERS PRESENT:** Lenny Horr, Chair  
John McAdam, Vice Chair  
Edward Cormier, Secretary  
Dianne Connolly  
Jennifer Georgius  
Sarah Littlefield  
Jace Clarke

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Elizabeth Della Valle, AICP, Director of Planning & Development  
Michael Casserly, Asst. City Engineer

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Chair Horr called the meeting to order at 6:31 PM.

**II. OPENING STATEMENT**

Chair Horr overviewed meeting procedures.

**III. MINUTES**

There were no minutes for approval.

**IV. HEARINGS and BUSINESS**

1. **File #999-18-T(3): The Planning Director** is recommending revisions to Chapter 280: Zoning Ordinance regarding child care and adult day services.

Chair Horr called for a representative to present the project.

Beth Della Valle, Planning Director reminded the Board the public hearing was held and closed at the last meeting and they asked her to make a minor change, which she did. Planner Della Valle informed the Board of her discussion with Shirley (Sheesley), Code Enforcement Officer on this proposal.

Board members discussed the following topics:

- If someone could build a new facility in the Rural Residential (RR) Zone that would hold 49 children or adults.
- If Waban would be affected by a cap of 49 children/adults to be served in future expansions. *(Neal Meltzer, Waban participated in this discussion.)*
- Increased traffic in rural zones; larger facilities more acceptable on major roadways versus local roads. *(Mr. Meltzer participated in this discussion.)*
- If expansions of existing facilities should be allowed as conditional uses.
- Any change would affect all daycare/child care facilities in the RR Zone, not just Waban.

- If an application meets all conditions in a conditional use review, the Planning Board is required to approve the application; potential impacts of an expansion that would be reviewed as conditions.
- If there was a cap in place before the 49 limit.
- If there was a way to view existing uses differently by recognizing infrastructure and access as determining factors in allowing expansions. (*Mr. Meltzer participated in this discussion.*)
- If there was a high demand for centers in rural areas that would attract an influx of people wanting to build centers in these areas if the client cap was removed.

Planner Della Valle recommended the Board table the discussion so they could collect more information on the best way to limit growth of larger centers in the rural areas.

Board member Connolly asked if it was possible to gather information on how many centers were permitted since the comprehensive plan was approved.

Planner Della Valle itemized the list she will be researching based on tonight's discussion to present to the Board at a future meeting.

Board member Cormier made a motion to table this item for further review.

Board member Connolly seconded the motion.

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

**2. File #23-17-R: Tony Wood, CEO, T & D Wood Energy LLC, 5 Brown Road, West Baldwin, Maine.**

Chair Horr called for a representative to present the project.

Planner Della Valle updated the Board on this project:

- Original approval in December 2017
- Mylar not signed by Board members in time for applicant to file the plat
- Project reapproved in February 2018
- Land owners' attorney wanted to add significant changes to plan that would be recorded
- Applicant's attorney countered land owner's proposal with different language changes
- SPRC reviewed the project but have not seen the updated changes for approval tonight
- Majority of original conditions of approval have been met; will need to update conditions tonight
- Site plan approval is still in place; findings of fact for private way need to be acted upon.

Tony Wood, applicant, overviewed what has taken place since approval.

Chair Horr asked Mike Casserly, Assistant City Engineer if he had any comments.

Staff member Casserly said it was hard to give his recommendation because the notes refer to a deed he hasn't seen yet. Planner Della Valle responded to staff member Casserly's concerns.

Board member Cormier said he feels comfortable voting on this tonight and stated why. Chair Horr agreed with Board member Cormier.

The Board went over the Findings of Fact:

**Chapter 280-16-7.20.1 No more than one dwelling unit and related accessory buildings and uses.**

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

Board member Connolly seconded motion.

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

**Chapter 280-16-7.20.2 Maintenance agreement.**

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

Chair Horr seconded the motion.

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

**Chapter 280-16-7.20.3 Minimum standards.**

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

Board member Littlefield seconded the motion.

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

Board member Cormier read the following motion: that the Planning Board accept the information presented in the December 1, 2017 Summary Report; the December 5, 2017 Site Plan Review Committee Recommendation to Supplement Planning Board Project Summary; February 2, 2018 Summary Report; February 15, 2018 Supplement to the Project Summary; April 12, 2018 Summary Report; April 18, 2018 Recommendation to the Supplement Planning Board Project Summary; and in the Findings of Fact for File #23-17-R, approve the requested waivers, and reapprove the private way with the following conditions:

1. Re-approval includes the stormwater maintenance and management plan that was approved December 6, 2017.
2. Provide five hard copies of the package of revised site plan materials no later than May 12, 2018, including:
  - a. A draft deed for the proposed ROW which defines access rights, including public emergency vehicles, as well as construction and maintenance responsibilities;
  - b. Adequate easement document for Wood Lane. Please note that if any changes to the access easement between Pleasant River Lumber and the applicant (and its successors) will require a return to the City for approval.
3. Provide a copy of Maine DEP's Air Emission Permit to the Planning Department.
4. Record signed plan at York County Registry of Deeds and provide Planning Department five hard copies, with book and page number where it is recorded, within thirty days of date the plan is signed by the Planning Board (May 18, 2018).
5. Provide an acceptable autocad file tied to the Maine State Coordinates System.

6. Pay all review fees.
7. Establish an inspection escrow account with the Public Works Department.
8. Schedule a preconstruction meeting with Code Enforcement and Public Works Department.

Vice Chair McAdam made a motion to accept the proposed motion as read by Board member Cormier.

Chair Horr seconded the motion.

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

The Board took a break to sign the mylar at 7:32PM.

## **V. OTHER BUSINESS**

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

The Board reconvened at 7:40PM.

Planner Della Valle discussed:

- YMCA – elements of the 2010 approved site plan have changed; working on receiving amended site plan approval for these changes. Planner Della Valle is requesting the Board grant her permission to process this request at staff level.

The Board granted the request to be reviewed at staff level.

- Tour of Historical Society buildings; advertise as a meeting – schedule a time for the Board
- Housing Award – postponed
- Zoning changes – will be reviewed by City Council in a week; need Planning Board members to attend
- Game board that looks like a Monopoly game board except it has Sanford businesses around the Board
- Mid-Town Mall purchased by Benjamin Meggs

## **VI. COMMUNICATIONS**

Board member Connolly asked Planner Della Valle the following:

- where the award for Stenton Trust will be placed;
- any conversation about The Lodges in Springvale;
- community wall at Cumberland Farms.

Board member Cormier asked about the flashers at Margaret Chase Smith School. He also recommended the Board tour the new high school if they have an opportunity.

Board member Georgius asked what the status was for the 14 Storer Street application.

## **VII. ADJOURN**

The meeting adjourned at 8:15 P.M.