

**SANFORD PLANNING BOARD MINUTES
MEETING – May 1, 2019 – 6:30 P.M.
City Hall Annex Third Floor Chambers**

MEMBERS PRESENT: Jennifer Georgius, Chair
Lenny Horr, Vice Chair
Jace Clarke, Secretary
John McAdam
Dianne Connolly

MEMBERS ABSENT: Elizabeth Kilkenny (w/notice)
Thomas Morgan (w/notice)

STAFF PRESENT: Elizabeth Della Valle, AICP, Director of Planning & Development
Joseph Scala, Planner
Barbara Bucklin, Admin. Asst., Planning Department

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

I. CALL TO ORDER

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

II. OPENING STATEMENT

Chair Georgius overviewed meeting procedures.

III. MINUTES – January 4, 2017, April 5, 2017, and April 3, 2019

January 4, 2017

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

Board member Connolly seconded the motion.

A vote was taken and the motion passed 4-0-1 (Board member Clarke abstained because he was not on the Board at that time).

April 5, 2017

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

Board member McAdam seconded the motion.

A vote was taken and the motion passed 4-0-1 (Board member Clarke abstained because he was not on the Board at that time).

April 3, 2019

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

Board member McAdam seconded the motion.

A vote was taken and the motion passed 4-0-1 (Board member Clarke abstained because he was not at the meeting).

IV. HEARINGS and BUSINESS

1. **File #11-19-Z: Scott Wood and Alisha H. Vargo-Wood, c/o Bradley C. Morin,** Attorney at Law, Bourque Clegg Causey & Morin LLC, P.O. Box 1068, Sanford, Maine.

Chair Georgius called for a representative to present the request.

Beth Della Valle, Planning Director introduced the project and said the project has been reviewed by the Code Enforcement Officer.

Brad Morin, representing the applicant said the applicant is proposing to extend their foundation along the other three (3) sides of the building then overviewed the project.

Vice Chair Horr asked if the house would be jacked up in order to build the foundation and asked about potential erosion.

Board member Connolly asked about a tree to be removed and also asked if the applicant would be adding a septic system or holding tank.

Planner Della Valle stated the Code Enforcement Officer has no concerns as long as erosion control measures take place.

The Board went over the Findings of Fact:

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

Board member McAdam 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 5-0.

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

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

Board member Georgius seconded the motion.

A vote was taken and the motion passed 5-0.

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 is not applicable.

Board member McAdam seconded the motion.

A vote was taken and the motion passed 5-0.

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

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

Board member Clarke seconded the motion.

A vote was taken and the motion passed 5-0.

Chapter 270-15-D(e) Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters.

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

Board member Connolly seconded the motion.

A vote was taken and the motion passed 5-0.

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

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

Board member Clarke seconded the motion.

A vote was taken and the motion passed 5-0.

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

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

Board member Clarke seconded the motion.

A vote was taken and the motion passed 5-0.

Chapter 270-15-D(h) Will avoid problems associated with floodplain development and use.

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

Board member Connolly seconded the motion.

A vote was taken and the motion passed 5-0.

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

Board member McAdam 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 5-0.

Chair Georgius called for a motion.

Vice Chair Horr made a motion that the Planning Board accept the information above (Planning Board Project Summary Report dated May 1, 2019) and in the Findings of Fact and find that application File #11-19-Z to repair/replace the existing foundation at 92 Channel Lane located at Tax Map R17A, Lot 41 has satisfied the requirements of §270-13 and §270-14 of the Shoreland Zoning Ordinance to the greatest practical extent and does not increase its nonconformity, as allowed per §270-11 and §280-7-2.3, and authorize the issuance of a building permit subject to the following condition:

1. The applicant will work with City staff to ensure proper erosion control measures are put in place and remain in place until the site has stabilized.

Board member McAdam seconded the motion.

A vote was taken and the motion passed 5-0.

2. File #13-19-Z: Jonathan Aldrich, 45 Channel Lane, Sanford, Maine.

Chair Georgius called for a representative to present the request.

Beth Della Valle, Planning Director introduced the project.

Jonathan Aldrich, applicant overviewed his proposal said he is removing the existing shed that was partially built on the neighbor's property by the previous owner then overviewed his proposal.

Chair Georgius asked if there were any questions; there were none.

The Board went over the Findings of Fact:

Chapter 270-15.D(c) Will adequately provide for the disposal of all wastewater; (d) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat; (e) Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters; (f) Will protect archaeological and historic resources as designated in the Comprehensive Plan; (g) Will not adversely affect existing commercial fishing activity; and (h) Will avoid problems associated with floodplain development and use.

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

Board member McAdam seconded the motion.

A vote was taken and the motion passed 5-0.

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

Board member McAdam 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 5-0.

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

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 5-0.

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

Board member McAdam 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 5-0.

Chair Georgius called for a motion.

Board member McAdam made a motion that the Planning Board accept the information in the Planning Board Project Summary dated May 1, 2019 and in the Findings of Fact and find that application File #13-19-Z to replace an existing shed at 45 Channel Lane located at Tax Map R17A, Lot 20B has satisfied the requirements of §270-13 and §270-14 of the Shoreland Zoning Ordinance to the greatest practical extent and does not increase its nonconformity, as allowed per §270-11 and §280-7-2.3, and authorize the issuance of a building permit.

Board member Connolly seconded the motion.

A vote was taken and the motion passed 5-0.

V. OTHER BUSINESS

1. Trails Master Plan Presentation by Lee Burnett

Lee Burnett, Sanford Trails Committee said the trail committee has been working on a master trails plan for the last couple of years and hopes to have it become part of the Comprehensive Plan.

Mr. Burnett made his presentation and overviewed the following:

- Helps with community fitness
- Active trails group
- 2 major networks of trails in town
- Improve connectivity in town
- Eventually connect to the Eastern Trail system
- Highest priority connection is through the downtown
- Develop trail system as economic asset to the town
- Plans to introduce downtown connectivity to the town

Discussion topics after the presentation:

- Confusion over some of the name of the trails
- Signage for the trail system

- Funding
- Redesign of roundabout at William Oscar Emery Drive
- If a back-up plan been discussed
- Process of adopting the master trail plan in the comprehensive plan
- Southern Maine Planning and Development Commission (SMPDC) working on a master plan for a trail system in York County
- Bike trail concept trial on William Oscar Emery Drive done about 2 years ago
- Kittery and York trail systems noticed because of designated parking lots and signage
- Establishing licensing agreements between property owners and reputable businesses to have businesses sponsor sections of trail to maintain

2. PLANNING DIRECTOR'S REPORT

Planner Della Valle requested delegated review for two separate proposals:

a) Atlantic Federal Credit Union (formerly York County Federal Credit Union):

Planner Della Valle explained this is a contract zone property; contract specified allowed square footage for free-standing and wall signs then referred to site plan. She explained the following:

- No change to contract with the council
- Change to the site plan
- Reasons for covering up the existing clock
- Project will be going before the Design Review Committee

The following Board members had comments:

- Board member Connolly felt it should go before the Design Review Committee and the Planning Board should be part of the review as well
- Board member Clarke recused himself from the discussion due to personal connections and being a member of the credit union
- Chair Georgius was fine delegating to staff review

Board member McAdam made a motion to delegate the request to staff review.

Board member Clarke seconded the motion.

A vote was taken and the motion passed 4-1 (Board member Connolly voted against because she felt the Planning Board needed to be involved on the approval process).

b) Little World Daycare, 15 West Elm Street:

Planner Della Valle told the Board that the applicant has come in to request an increase of children from 45 up to 75. A pre-application meeting was held with staff and no one had any concerns related to this expansion.

Discussion took place on the following:

- Difference in both review processes
- Concerned abutter
- Traffic increase

The following Board members had comments:

- Chair Georgius said her concerns were met by staff and the state licensing process
- Board member McAdam said that, based on his experience on the Site Plan Review Committee, he felt comfortable letting staff review the request

Discussion took place on the notification requirements between the two review processes.

The Board chose to send the applicant's request through the full review process based on their discussion and concerns.

- c) SMPDC annual meeting date – June 5.
- d) Planning Board's June 5 meeting date:

To allow Board members to attend the SMPDC meeting, the Board chose to reschedule the June 5 meeting to Thursday, June 13.

- e) Planner Della Valle will be typing her notes taken at the APA Conference she attended and will share them with the Board

VI. COMMUNICATIONS

Board member Connolly asked if someone could take a look at the trees on the CMP substation property in south Sanford (along the York Hospital Urgent Care site); she believes they may be dead.

VII. ADJOURN

The meeting adjourned at 7:58 P.M. and went into work session.