

**SANFORD PLANNING BOARD MINUTES  
MEETING – August 17, 2016 – 6:30 P.M.  
City Hall Annex Third Floor Chambers**

**MEMBERS PRESENT:** Lenny Horr, Chair  
John McAdam, Vice Chair  
Edward Cormier, Secretary  
Dianne Connolly

**MEMBERS ABSENT:** Sarah Littlefield, w/notice  
Jennifer Georgius, w/notice

**STAFF PRESENT:** Elizabeth Della Valle, AICP, Director of Planning & Development  
Michael Casserly, Asst. City Engineer  
Matt Hill, Director of Public Works/City Engineer  
David Parent, Superintendent, Sanford Water District

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Chair Horr called the meeting to order at 6:30 PM. He then went over the procedure for tonight's meeting. Chair Horr asked Board members if they wanted to establish an end time for tonight's meeting. It was agreed that the meeting would end at 10:00 P.M.

Chair Horr then added that the Planning Board by-laws stated a meeting can be held with a quorum of members, which is four. There are four members in attendance at tonight's meeting, but the applicant has the option to request at least five or more members. Chair Horr asked the applicant if they wanted to continue tonight's meeting and the applicant stated they did want to continue. Beth Della Valle, Planning Director informed the applicant that if any of the four Board members present voted different than the rest than the motion does not pass if a vote is taken tonight.

The applicant chose to continue tonight with the understanding they could request to table later in the meeting if they so choose.

**II. PUBLIC HEARING**

- 1. File #08-16-RU: Tom Shaw, Gorham Sand & Gravel, c/o Dana Libby, PLS, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.**

Chair Horr reopened the public hearing and called for a representative to present the project.

Michael Traister, an attorney and partner with the firm Murray, Plumb & Murray, representing the applicant introduced the applicant's team present tonight – Tom Shaw, President, Gorham Sand & Gravel; Mark Curtis, Operations Manager, Gorham Sand & Gravel; Dana Libby, PLS, Corner Post Land Surveying, Inc.; Steve Stearns, P.E., Pinkham & Greer; and Gary Bucklin, S.W. Cole.

Mr. Traister gave a timeline of the previous approvals of Libby Pit, gave each Board member a handout and provided a handout to Beth for the planning file, and presented an overview of the applicant's proposal.

Board member Connolly wanted to clarify that the present Planning Board members were not on the Board in 2011 when prior decisions were made.

Board member Cormier asked staff member Della Valle if the city attorney needed to review the handout given tonight before the Board made a decision. Staff member Della Valle responded it would be useful to allow time for the materials to be reviewed before making a decision.

Tom Shaw, Gorham Sand & Gravel expressed his concerns on the level of review during this approval since the request is a renewal of his current operations, not a new request.

Vice Chair McAdam asked Mr. Shaw what has changed in detail. Discussion took place on what the applicant is requesting, what is currently written in their operations manual, discussions that took place during past approvals, and what the applicant is currently requesting.

Board member Cormier asked if the approval granted in 2011 was for five years or 99; discussion followed on changes that have taken place in the area since the previous approval.

Chair Horr asked if anyone present wished to speak in favor of this project; there was no one.

Chair Horr asked if anyone present opposed to the project wished to speak; there was no one.

Chair Horr asked if anyone present would like to make comments.

David Houle, representing Apache Campground that abuts the gravel pit is neither for nor against the project. Mr. Houle commented that both Mr. Libby (previous owner of the pit) and Mr. Curtis addressed their noise issue. He commended the applicant because they have worked to address issues and would like to keep this communication open.

Rick Southwick, resident of Sanford is concerned that fill will be brought in that is not acceptable to use for reclamation.

Mark Curtis responded to Mr. Southwick's concern about using dredging materials as fill.

Board member Cormier made a motion to table the public hearing tonight with the exception to continue the hearing at the next meeting.

Board member Connolly seconded the motion.

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

### III. NEW BUSINESS

1. **File #08-16-RU: Tom Shaw, Gorham Sand & Gravel**, c/o Dana Libby, PLS, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

Staff member Della Valle updated the Board on what took place at yesterday's Site Plan Review Committee.

David Parent, Superintendent, Sanford Water District described the wellhead area and presented his concerns to the Board.

Chair Horr asked about the seasonal water levels, and Board member Connolly asked Mr. Parent if he could draw it out. Mr. Parent explained the seasonal water levels and drew a diagram to accompany the explanation.

Mr. Parent added he was concerned with a note written on a page of the applicant's plans. The applicant stated this has been removed so this is no longer an issue.

Mr. Parent then discussed his concerns in the operations manual.

Board member Connolly asked about the spill prevention measures being taken. Mr. Parent explained where Board member Connolly's concern came from. Discussion followed.

Mr. Parent then explained the 1,000 foot buffer that has been brought up in previous discussions.

Board member Connolly asked Mr. Parent what would happen if the water supply gets contaminated. Mr. Parent explained the testing that takes place in order to maintain safe drinking water.

Mr. Parent finished his presentation.

Board member Cormier asked Mr. Parent what it would cost to the taxpayer to move this well if it should get contaminated. Mr. Parent explained that if this well gets contaminated, there is no viable water supply after this and Sanford would have to tie into one of the coastal communities.

Vice Chair McAdam asked Mr. Parent how many operational wells Sanford has. Mr. Parent said Sanford has about 12 operational wells.

Mike Casserly, Assistant City Engineer expressed his concerns about this project.

Board member Cormier asked about a bare section in one of the areas staff member Casserly had listed for reclamation. Mr. Casserly said this area is fine to leave as is.

Staff member Casserly continued on with his list of concerns.

Beth Della Valle, Planning Director told the Board her concerns that were remaining with the project.

After hearing testimony, the Board decided the application was not ready for a vote tonight.

Board member Cormier asked when the extension of operation expired. Staff member Della Valle read the letter sent to the application by Shirley Sheesley, Codes Enforcement Officer and explained the city did not grant an extension, but rather gave a deadline to clear up the violation of operating without approval.

Mr. Traister told the Board the applicant disputed they are in violation of an expired permit.

Discussion took place on when to hold the next meeting. It was decided a date would be determined by Friday (August 19, 2016).

Board member Cormier made a motion to table the application until the next meeting or a special meeting.

Board member Connolly seconded the motion.

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

#### **IV. OLD BUSINESS**

There were no old business items.

#### **V. PLANNING DIRECTOR'S REPORT (This was discussed after the Minutes)**

Planner Della Valle updated the Board on the following:

- City Council approved the ordinance amendments at last night's meeting
- Reviewed the upcoming meeting agenda
- Meetings she has had regarding potential applicants

Board member Cormier requested that projects no longer come before the Board if major details in a project weren't addressed. The other Board members agreed with Board member Cormier's request.

#### **VI. MINUTES – October 21, 2015 (This was heard before the Planning Director's Report)**

Board member Connolly commented the Board would be voting on the minutes for October 21, 2015, not October 21, 2016 as written on the agenda (minutes were identified correctly).

Vice Chair McAdam made a motion to approve the minutes as written.

Board member Cormier seconded the motion.

A vote was taken and the motion passed 4-0 to approve the minutes as written.

It was noted that Board member Cormier was not at the October 21, 2015 meeting so he could not second the motion or take part in the vote.

Board member Connolly seconded the motion.

A new vote was taken and the motion passed 3-0.

#### **VII. ADJOURN**

The meeting adjourned at 10:46 P.M.