

**SANFORD PLANNING BOARD MINUTES  
MEETING September 3, 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  
Richard Bergeron  
Lenny Horr

**MEMBERS ABSENT:** None

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

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Chair McAdam called the meeting to order at 7:00 P.M.

**II. PUBLIC HEARINGS**

1. **File #15-14-R: Gallo Rentals LLC, c/o John Hutchins**, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

Chair McAdam called for a representative to present the project.

John Hutchins, Corner Post Land Surveying representing Gallo Rentals LLC gave a brief overview of the project. The project consists of a 24-unit apartment complex on Patriots Lane. It will have six buildings each containing four units, 2 stories on each building, all 960 sf two-bedroom units. Each unit will have its own laundry facility. It will also include a maintenance building on the property as well, parking facilities for each unit will be in front of each unit. The project is going before DEP review right now for drainage on the property.

Chair McAdam asked if there were any questions from Board members; there were none.

Chair McAdam asked Mike Casserly, Asst. City Engineer if he had any comments. Staff member Casserly said there are still some technical things to work out, and the Board should know the status of the DEP permit.

Chair McAdam asked if the DEP permit was received before tonight's meeting.

Steve Stearns, Pinkham & Greer, the applicant's engineer stated they had not yet received the DEP permit because the type of permit application is still being decided between him and DEP.

Staff member Gulnac reminded the Board that he believes this is the only outstanding information needed from the applicant. He suggested the Board make a motion now rather than going into work session to discuss the project.

Chair McAdam asked if there was anyone present to speak for the application; there was no one.

Chair McAdam asked if there was anyone present to speak against the application; again, there was no one.

Chair McAdam called for a motion.

Chair Tarbox asked the applicant if they would be ok with the Board's decision to table the application until the DEP permit is received.

Mr. Stearns said they would prefer to receive a decision tonight, even if an approval is conditional.

The consensus of the Board was to wait until the DEP permit was received.

Chair McAdam made a motion to table the project until an answer from DEP was received.

Vice Chair Tarbox seconded the motion.

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

**2. File #17-14-S: Adam Blaikie & Assoc., LLC, c/o John Hutchins, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.**

Chair McAdam called for a representative to present the project.

John Hutchins, Corner Post Land Surveying representing Adam Blaikie & Associates said the request is to create a private way to provide frontage for two lots that would be created out of a single lot that is part of an older subdivision. The division would actually create three lots but one lot would become part of another lot owned by the applicant.

Mr. Hutchins said one of the issues discussed during the Site Plan Review Committee meeting earlier in the day was to work out the legal aspect of creating a private way using an existing right-of-way that is not owned by the applicant.

Chair McAdam said there was a question about the right-of-way easement for Ian's Way during this morning's meeting. It was his opinion that the city's legal counsel look at the information to see if the applicant has the right to do this. The other question was can the current owner decline the applicant to upgrade the road if needed.

Chair McAdam asked staff member Casserly if he had any comment; he did not.

Chair McAdam asked if there were any questions from the Board.

Vice Chair Tarbox asked if the issue was some deeds said the road was permitted and some didn't. Discussion followed.

Chair McAdam asked if there was anyone present that would like to speak.

George Kanelos, 42 Farview Drive, owns the property that has the right-of-way the applicant wants to use. He said he allows the owner of tax map R12A lot 22 to

access his barn since it is the only access to the barn, but he does not feel the applicant should be able to access their property on what he (Mr. Kanelos) considers his driveway and explained why. Discussion followed.

Chair McAdam asked if anyone else would like to speak.

Vice Chair Tarbox asked if another public hearing would need to be held once all requested information is received. It was determined another public hearing would be held at a later date.

Vice Chair Tarbox made a motion to table the application.

Board member Harrison seconded the motion.

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

**The meeting moved into work session discussion for the agenda items at 7:19 P.M.**

### III. NEW BUSINESS

**The Board reconvened after the work session discussion at 9:16 P.M. to take action on item #4.**

1. **File #14-14-S: C.W., LLC, c/o Craig Burgess, P.E.**, Sebago Technics, 75 John Roberts Road, Suite 1A, South Portland, Maine.

Planning Board recommendations were made to the applicant during the work session.

2. **File #15-14-R: Gallo Rentals LLC, c/o John Hutchins**, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

Planning Board action on this item took place during the public hearing.

3. **File #17-14-S: Adam Blaikie & Assoc., LLC, c/o John Hutchins**, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.

Planning Board action on this item took place during the public hearing.

4. **File #18-14-R: Richard H. Conant**, 12 Pleasant Avenue, Sanford, Maine.

The Planning Board took action on this item after work session.

Vice Chair Tarbox made a motion that the Planning Board approve the minor site plan, accepting the recommendations from the Site Plan Review Committee and their comments, subject to the engineer approving the drainage program and BMP's necessary to meet the requirements of greater than a 35% impervious coverage, and the construction of what is referred to as a fireman gate on Pleasant Avenue. The Planning Board approves the minor site plan subject to the conditions listed below:

1. Hours of operation are weekdays 9:00AM- 7:00 PM.
2. Any change in use will be returned to the Planning Board for their review.
3. Any approval is subject to the compliance with any and all building codes and any and all fire safety requirements.
4. Payment of any outstanding review fees.

Board member Hardison seconded the motion.

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

**IV. OLD BUSINESS**

There were no old business items.

**V. APPROVAL OF MINUTES – August 6, 2014**

The minutes were not ready for approval.

**VI. PLANNING DIRECTOR'S REPORT**

This was discussed after the meeting.

**VII. ADJOURN**

The meeting adjourned at 7:19 P.M. to go into work session. After the decision, the meeting adjourned at 9:18 P.M.