

**SANFORD PLANNING BOARD MINUTES  
MEETING – September 5, 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  
Jace Clarke

**MEMBERS ABSENT:** Jennifer Georgius (w/notice)  
Sarah Littlefield (w/notice)

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

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Chair Horr called the meeting to order at 6:33 PM.

**II. OPENING STATEMENT**

Chair Horr read the meeting proceedings.

**III. MINUTES**

There were no minutes ready for tonight's meeting.

**IV. HEARINGS and BUSINESS**

- 1. Public Hearing and New Business: File #29-18-R: Rymes Energy Holdings, LLC, c/o Robert Coluccio, Web Engineering Associates, Inc., 4L Rocco Drive, Derry, New Hampshire.**

Board member Connolly informed those present that she has a neighbor that works for Rymes, who is an acquaintance.

Chair Horr called for a representative to present the project.

Robert Coluccio, Web Engineering Associates, representing the applicant, gave a brief overview of the project.

Chair Horr asked if anyone present would like to speak in favor of this application; there was no one.

Chair Horr asked if anyone present was opposed to this application; there was no one.

Chair Horr asked if anyone present would like to make general comments; again, there was no one.

Chair Horr closed the public hearing.

Beth Della Valle, Planning Director updated the Board on what took place at the Site Plan Review Committee (SPRC) meeting that took place on Tuesday, September 4.

Vice Chair McAdam asked if the applicant addressed the width of the curb cut.

Neil Rappoza, Civil Consultants, explained what the applicant is proposing to address the curb cut/landscape requirements.

Board member Connolly asked what length truck Rymes uses.

Discussion took place to determine the best options available to accommodate the applicant's needs while meeting the ordinance standards for curb cut width.

Chair Horr asked if there were any other questions.

Board member Connolly asked about the fencing the applicant is proposing and the type of security system the applicant would be using.

The Board went over the Findings of Fact.

**Chapter 280-16-7.1 Utilization of the site.**

Chair Horr 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 280-16-7.11 Natural features; 280-16-7.18 Buffering.**

Chair Horr made a motion to accept these standards because they have been met with conditions.

Board member Connolly seconded the motion.

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

**Chapter 280-16-7.2 Access to the site; 280-16-7.4 Internal vehicular circulation; 280-16-7.5 Pedestrian circulation.**

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

Board member Clarke seconded the motion.

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

**Chapter 280-16-7.8 Water supply.**

Chair Horr made a motion to accept this standard because it has been met.

Vice Chair McAdam seconded the motion.

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

**Chapter 280-16-7.9 Sewage disposal; 280-16-7.10 Utilities.**

Chair Horr made a motion to accept these standard because they have been met with conditions.

Vice Chair McAdam seconded the motion.

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

**Chapter 280-16-7.13 Exterior lighting and 280-16-7.16 Shoreland relationship.**

Board member Clarke 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 5-0.

**Chapter 280-16-7.3 Access into the site.**

Chair Horr made a motion to accept this standard because it has been met with conditions.

Vice Chair McAdam seconded the motion.

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

**Chapter 280-16-7.6 Stormwater management.**

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

Board member Connolly seconded the motion.

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

**Chapter 280-16-7.7 Erosion control.**

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

Vice Chair McAdam seconded the motion.

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

**Chapter 280-16-7.12 Groundwater protection.**

Vice Chair 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 280-16-7.14 Solid waste disposal.**

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

Vice Chair McAdam seconded the motion.

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

**Chapter 280-16-7.15 Landscaping.**

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

Chair Horr seconded the motion.

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

**Chapter 280-16-7.17 Technical and financial capacity.**

Board member Clarke 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 280-16-7.19 Airport encroachment.**

Board member Connolly 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 Horr called for a motion.

Board member Cormier made a motion that the Planning Board accept the information above and in the August 30, 2018 Summary Report, waiver of §280-16-6.7.2.4.3.8 for a full traffic analysis, and approve the application file #29-18-R to establish an oil and propane bulk storage and distribution facility, including a garage, and authorize the issuance of a building permit subject to the following conditions:

1. That no later than September 25, 2018, the applicant provide five copies of a bound set of revised plans that adequately respond to issues raised in the review and to include:
  - a. Clear notations in the title block that each plan is submitted for City of Sanford's Major Site Plan approval;
  - b. Reference to the Mousam Watershed Overlay Zone on at least Drawing A-1 and include a reference to the 35% limit on impervious cover as well as detailing the percent of proposed impervious cover. If the impervious cover exceeds 35%, include specific best management practices to reduce the impact on the water bodies in the Overlay Zone;
  - c. Written justification and a stamp from the applicant's traffic engineer that an 85' curb cut is required to safely navigate the site or revise the site plan to provide for two smaller curb cuts separated by a landscaped island and signage to guide drivers safely into the site;
  - d. A paved apron and details of its construction;
  - e. Location and details of proposed snow storage areas;

- f. Location and sizes of proposed sewer and water lines and details to the satisfaction of the Superintendents of the Sanford Water and Sewer Districts and the Assistant City Engineer;
  - g. Revise Sheet D2 to be consistent with updated information in the application;
  - h. Add erosion control details, including location of proposed devices;
  - i. Location and details of all proposed signage in conformance with submission requirements;
  - j. Landscape plans for the frontage of the parcel that is not part of the approved curb cut, along with a planting schedule for that area plus the proposed "landscape area" that includes the number, species, and size of plant material;
  - k. Add location and intention to preserve a forest buffer;
  - l. Add methods to secure the site.
2. Four GPS observations on the property pins in order to convert boundary information in a format acceptable to the City's GIS Coordinator.
3. Limit the number of employees on site at any one time to six, provide additional parking, or clarify why six parking spaces are adequate to meet parking standards.
4. Provide a copy of a SPCC Plan, which is acceptable to the Planning Director, Superintendent of the Sanford Water District, and Assistant City Engineer.
5. Provide a copy of the DEP Site Location Permit. Any changes that vary from the Sanford approved site plan shall be brought to the attention of the Planning Department in order for it to evaluate whether an amendment of the Planning Board 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, delay release of all or portions of a performance guarantee, and/or result in delay in receipt of an occupancy permit.
6. Pay all review fees.
7. Establish an inspection escrow fee with the Public Works Department in an amount acceptable to the Assistant City Engineer.
8. Set up a preconstruction conference with the Director of Code Enforcement and the Assistant City Engineer.
9. If installation of approved landscaping is not completed by September 15, 2018, 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.

Chair Horr seconded the motion.

Planner Della Valle recommended to eliminate 1h (dry well and trench details) above and renumber the remaining items (this item has been removed from the above motion).

The Board was in consensus that this item be removed. Chair Horr made a motion to accept this change; Board member Connolly seconded the amended motion.

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

2. **Public Hearing and New Business: File #999-18-T(6): The Planning Director is requesting** an ordinance change to the Residential Development (RD) zone to allow multifamily dwellings.

Chair Horr called for a representative to present the project.

Planner Della Valle explained the reason for her proposal.

Chair Horr asked if anyone present would like to speak in favor of the proposal; there was no one.

Chair Horr asked if anyone present would like to speak against the proposal; there was no one.

Chair Horr asked if anyone present would like to make general comments on the proposal; again, there was no one.

Chair Horr closed the public hearing.

Board member Clark supported the proposal because he had concerns on how an applicant would meet the density bonus with only single-family homes when the Hanson's Ridge Road RD zone was discussed at a different time; discussion followed.

Chair Horr called for a motion.

Chair Horr made a motion to recommend the proposal to city council while continuing to study the proposal at the Planning Board level.

Vice Chair McAdam seconded the motion.

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

**3. Public Hearing and New Business: File #17-18-R: Sanford Christian Academy, c/o John Hastings, Trustee, Calvary Baptist Church, 68 High Street, Sanford.**

Chair Horr announced this item will remain on the table.

Planner Della Valle provided an update on the status of the project.

**4. New Business: File #02-17-S: Adam Blaikie & Associates, LLC, c/o Dana Libby, PLS, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.**

Chair Horr called for a representative to present the project.

Dana Libby, Corner Post Land Surveying, Inc., representing the applicant described the differences between last year's proposal and the current proposal. Mr. Libby then overviewed the new proposal.

Chair Horr asked Mr. Libby if he could also review Fletcher Farm II (the next item on the agenda) so the Board can see how one will affect the other.

Mr. Libby then presented an overview of Fletcher Farm 2 (File #30-18-S, item 4 on the agenda).

Chair Horr asked if there were any questions.

Board member Connolly asked about drainage flow towards Alpine Drive in the Fletcher Farm proposal.

Mike Casserly, Asst. City Engineer asked about the low point of flow.

Discussion then took place on the land-locked parcel being created.

Mark Patterson, Adam Blaikie & Associates explained why the build-out was not complete.

Discussion took place on:

- Lot size
- Marketability
- Constructing infrastructure in the two proposals
- Density in Residential Development (RD) zone

Board member Connolly asked Mr. Patterson to explain what he has been logging on the proposed properties. Mr. Patterson explained the type of trees he was removing and why he was removing them.

Board member Connolly told Chair Horr that she cannot be part of this discussion because she did not like the proposal and removed herself from the discussion on this proposal. (This includes both Fletcher Farm proposals.)

Board member Cormier asked Mr. Patterson if he could address staff member Casserly's concern regarding the number of curb cuts along a road.

Planner Della Valle said that while the ordinance allows for one curb cut per lot, these are not current lots. She explained options that were mentioned in the former CEO's memo that would respect the impact to the land, the property owner's interests, and the ordinance requirements.

Discussion took place on the following:

- Sewer lines locations
- Economics issue in Sanford
- Potential of creating multi-family units in place of single-family units
- Appraisal values

Vice Chair McAdam asked what the next step is in the review process.

Discussion took place on the following:

- Ordinance requirements
- Buildability of back lots
- Market values in the city
- Having the applicant provide a market analysis on housing in Sanford

Board member Cormier made a motion to table the items to allow the applicant and Planner Della Valle time to work on the Planning Board's concerns.

Vice Chair McAdam seconded the motion.

A vote was taken and the motion passed 4-0-1, with Board member Connolly recusing herself from both applications.

Planner Della Valle requested the item be taken off the table to discuss the Board's directive.

Chair Horr made a motion to remove the item from the table for continued consideration.

Vice Chair McAdam seconded the motion.

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

Planner Della Valle told the Board they do not need staff direction to make their decision. She then asked the Board to give her direction on what she needs to work on with the applicant and what questions the Board wants the applicant to answer.

Chair Horr stated he does not like the layouts of the two proposals; he does not feel it is the best use of the land.

Board member Clarke does not like the number of curb cuts being proposed in the two applications.

Brad Morin, attorney representing Adam Blaikie & Associates, LLC asked for all the sections of the ordinance the applicant is not in compliance with so they could begin addressing those issues. Discussion followed.

Mr. Libby stated the applicant will come before the Board with a concept proposal for the entire lot so the Board can see what potentially could happen on this property.

Discussion followed on what the Board would be looking at on the updated concept plan.

Board member Cormier made a motion to table the two items.

Vice Chair McAdam seconded the motion.

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

- 5. New Business: File #30-18-S: Adam Blaikie & Associates, LLC, c/o Dana Libby, PLS, Corner Post Land Surveying, Inc., 600 Main Street, Springvale, Maine.**

This item was discussed with item #4.

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

Chair Horr called for a representative to present the project. He also noted that Board member Connolly was back for discussion.

Planner Della Valle went over staff review roles for projects. She reminded the Board of the outcome of the straw poll taken at the last meeting. Planner Della Valle then went over the following:

- Waban reaching the 30% expansion (not based on number of children)
- Limited expansion capacity due to septic system
- Nonconforming use status may not affect their licensing
- Nonconforming status could affect loan approvals

Planner Della Valle described her two proposals for tonight's meeting:

- a) Removing the use, based on the results of the straw poll
- b) Leave the 49 child cap in place, add additional standards for siting new facilities

Planner Della Valle told the Board she recommended option B.

Neal Meltzer, Waban Projects, LLC appreciated the work that was done to bring different information before the Board for their consideration.

Andy Orazio, CEO Sanford/Springvale YMCA wanted to reiterate the fact of the impact this change would have on future opportunities. He appreciated all the work the Board has done.

Board member Clarke put a lot of thought into this because he is generally opposed in buildouts in non-growth areas but based on discussions for this amendment, he now thinks there are ways to make some institutional uses work in non-growth areas.

Vice Chair McAdam is still concerned about setting a precedent with this change but he is okay with this.

Board member Connolly is for option B.

Vice Chair McAdam confirmed this vote will only affect child care centers not adult day services.

Board member Cormier made a motion for option B of the rural zoning amendments for child care and adult day services in accordance with the Planning Director's memo dated August 28, 2018.

Chair Horr seconded the motion.

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

## **V. OTHER BUSINESS**

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

1. Wildfire training
2. EPA forensic demolition for the Stenton Trust buildings, historic designations
3. Bernier Road gravel pit amendment
4. MCS congestion now that school has started with construction
5. Board member Connolly updated the Board on steel/sculpture
6. Tour of the new high school

## **VI. COMMUNICATIONS**

There were no communications brought up at tonight's meeting.

## **VII. ADJOURN**

The meeting adjourned at 9:47 P.M.