

**SANFORD PLANNING BOARD MINUTES**  
**MEETING September 17, 2014 – 7:00 P.M.**  
**City Hall Annex Third Floor Chambers**  
Amended  
**Amended with Corrections**

**MEMBERS PRESENT:** John McAdam, Chair  
Kelly Tarbox, Vice Chair  
Robert Hardison  
Richard Bergeron  
Lenny Horr

**MEMBERS ABSENT:** Lela Harrison, Secretary (w/notice)\*

**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 #19-14-U: R. Pepin & Sons, c/o David Pepin, P.O. Box 729, Sanford, Maine.**

Chair McAdam called for a representative to present the project.

James Gulnac, Planning Director informed the Planning Board that the Site Plan Review Committee (SPRC) did not forward this application to the Planning Board. The committee felt they needed more information in order to review the project so they tabled the project until more information was available.

Chair McAdam asked if there was anyone present either for or against this application. There was no one.

Chair McAdam recommended tabling the application.

Board member Tarbox made a motion to table the application.

Board member Hardison seconded the motion.

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

**2. File #20-14-R: Evergreen Covenant Church, c/o Frank Catalano, P.O. Box 1685, Sanford, Maine.**

Chair McAdam called for a representative to present the project.

Frank Catalano, Pastor informed the Board that Evergreen Covenant Church was in the process of purchasing an existing building located at 1861 Main Street and turning it into a church. At this time, there are no building changes proposed and Mr. Catalano is proposing to expand the parking lot in three phases, but hoping to get an approval for the full plan tonight.

Staff member Gulnac briefly overviewed the SPRC review held earlier in the day: most engineering issues can be worked out; the fire marshal had no changes to the proposed plan; the CEO had concerns about impervious coverage but this seems to be within the guidelines; number of parking spaces vs. number of seats but the full-phase build out would be adequate; AD zone requirements can be worked out; and water quality concerns addressed.

Shirley Sheesley, Codes Enforcement Officer said the main concern she has is the number of handicap spaces once complete build-out is finished. This has been addressed by the applicant and the correct number of spaces will be provided.

Michael Casserly, Asst. City Engineer stated a waiver would be asked for from providing a traffic analysis. Staff member Casserly overviewed his concerns regarding traffic. He said if the Board agreed to grant the waiver request, he would be fine with the decision.

Vice Chair Tarbox asked if the building was sprinkled. Mr. Catalano replied it currently was not but a sprinkler system would be added.

Staff member Gulnac said the applicant prepared the application very well and the applicant's professionals responded timely if asked for information.

Chair McAdam said the applicant is looking for approval of the three phases, which will be accomplished as the congregation grows. Staff member Gulnac said it also includes the construction of the stormwater management in phase 2. Chair McAdam asked staff member Casserly if stormwater management was all set; Mr. Casserly responded it was and explained how the city works with the applicant in order to complete their project. Discussion followed on when occupancy permits will be issued in order to make sure the applicant follows the phasing plans.

Chair McAdam asked if there was anyone present to speak for or against the project. There was no one.

Board member Hardison asked what was going to happen to the test lab and the garage. Mr. Catalano stated the current owner was going to rent the space.

Chair McAdam asked if there were any other questions or comments.

Staff member Casserly stated the applicant would be adding some trees to the back and altering the trees in the front of the property in the proposed landscaping plan; the Board was fine with this.

Chair McAdam closed the public hearing and called for a motion.

Vice Chair Tarbox made a motion that the Planning Board confirm the Finding of Facts (see attached) and find that application file #20-14-R requesting major site plan approval to relocate Evergreen Covenant Church on property owned by Applied Thermal Sciences and located at 1861 Main Street in Sanford (Tax Map R18A, Lot 20D, Airport Development zone) has been prepared in accordance with the land use rules of the City of Sanford, grants waivers of traffic analysis in Section 272-1-7.3 (d) and a waiver of Airport Development zone requirements, and grant approval subject to the following conditions:

1. The applicant has paid any and all outstanding review fees.
2. The applicant complies with any and all building and fire safety codes.
3. The applicant schedules a pre-construction meeting with the city engineer and pays any required engineering review escrow fees and performance guarantees.
4. The handicap parking spots will be relocated.

5. The CEO will limit the number of occupants in the occupancy permit to the number for which there is currently adequate parking and further occupancy permits for greater numbers will be dependent on completion of phases 2 and 3.
6. The applicant will also resolve any outstanding engineering issues with the city engineer.

Board member Hardison seconded the motion.

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

3. **File #999-14-T(1): The Planning Director** is presenting a draft of the revised sign ordinance for discussion and feedback.

Chair McAdam called for a representative to present the project.

James Gulnac, Planning Director said he asked the Board to consider opening the public hearing to hear considerations to the city sign ordinance and asked to keep the public hearing open until the next meeting to allow for more input.

Mr. Gulnac did meet with the public safety committee earlier in the day and has some comments. He went over the review timeline for the ordinance. Mr. Gulnac also said the council gave him the task of making the sign ordinance simpler. He said there are different types of signs – from the corporate logo style sign down to the sign feathers that are placed on a property as advertisement for the business.

Mr. Gulnac stated the point is this: we need to take a look at our sign ordinance and make it usable by the user as well as the people who will be issuing the permit and enforcing the ordinance. His goal is to have someone who has not participated in the process able to use and understand the ordinance.

His question to the Board is this: do we remove the sign portion from the site plan ordinance and leave it strictly in the zoning ordinance?

The next topic Mr. Gulnac addressed was removing reader boards and off-premise signs from the prohibited sign list and explained his reasons. Mr. Gulnac thought the Board may want to consider creating guidelines for these two types of signs or have a special permit to allow these sign types. He told the Board he believed off-premise advertising would be a major topic of discussion for updating the sign ordinance.

Mr. Gulnac then explained the matrix he handed out to the Board, and he overviewed his suggestion on how to organize the ordinance: list the sign, provide a description/definition of the sign, and attach a picture to identify the sign. He also told the Board they have an option of getting rid of our current ordinance completely and use the model sign code, and briefly explained what this was.

Next, Mr. Gulnac spoke of a proposal that came out of safety committee meeting earlier in the day. The proposal was to place a sign at both entryways of the major routes into the city (i.e. Routes 109, 4, 99, 111, & 202) to welcome visitors into the community while identifying specific areas of the community (for example: the airport, Springvale village, the industrial park, downtown, and the mill district) and put key locations within each area. He then described how individual businesses would be identified on signage as you approached each area. Mr. Gulnac said these types of signs would be identified as directional signs, not off-premise signs, in the ordinance. Discussion then took place on who would be responsible for paying for and maintaining these signs, what types of signs can be regulated, and the need to define

'directional' more carefully. He then stressed the need to spend time on definitions in whatever ordinance is recommended.

Board member Hardison felt the model ordinance was relatively simple, straightforward, and readable. He didn't feel the need to reinvent the wheel and thought combining the two – the model ordinance and sign ordinance – may work fairly well. Discussion took place.

Board member Bergeron asked Shirley Sheesley, CEO if the gun show signs that are placed throughout the city require permits. Ms. Sheesley stated they do not require permits but the Board could address these types of signs in the new ordinance.

Staff member Sheesley then addressed the directional signs that have been discussed. She said the current ordinance does address directional signs as three types: MDOT signs, farm signs, and emergency medical signs. She said there is a category for community and non-profit signs, and the banners over Main Street are considered town-erected signs and do not need permits.

Staff member Gulnac asked the Board to keep the public hearing open. He then overviewed tonight's discussion.

Board member Hardison asked Mr. Gulnac why the Board would hold the public hearing in two weeks when the public didn't have anything to view and comment on. Discussion took place on when the next public hearing should take place.

Board member Bergeron asked what would happen once a sign ordinance is adopted and in place and now there are existing businesses that are no longer conforming. Mr. Gulnac stated the Board could address this issue in the new ordinance as either letting them remain existing non-conforming or by giving them a time limit in which to comply. Chair McAdam stated he would feel more comfortable including businesses in the discussion on the ordinances; and asked if the Growth Council could alert businesses and encourage them to participate in the discussions. Discussion took place.

The Board talked about which option would be put forward: edit the current ordinance; replace a certain section of the current ordinance with a matrix format, introducing pictures; and the model ordinance.

Board member Horr asked Mr. Gulnac if other Boards and Committees were invited. Mr. Gulnac replied they had been; discussion took place.

Comments from both Board member Hardison and staff member Gulnac took place on using the model ordinance as a base to updating the city's current sign ordinance due to its simplicity and readability.

Staff member Sheesley said the major portion of the current sign ordinance is based on zoning, meaning each zone in the city has its own standards. It was decided the Urban zone was the zone in most need of structure.

Vice Chair Tarbox asked what the three options were. She then asked about the matrix handed out at tonight's meeting.

Staff member Gulnac confirmed with the Board that he was going to take the model ordinance as a framework – look to see if a matrix format can be added to it – and create a proposal for the Board to work with. He also wanted to clarify that the Board didn't want to include directional community signs in the sign ordinance since they were already allowed.

Vice Chair Tarbox asked if there was anything that could be done about flashing signs inside a building. Ms. Sheesley replied there is a section in the ordinance that can be used to prevent some of the flashing signs in a building; discussion took place.

Vice Chair Tarbox made a motion to table the public hearing.

Board member Hardison seconded the motion.

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

### **III. NEW BUSINESS**

1. **File #19-14-U: R. Pepin & Sons, c/o David Pepin**, P.O. Box 729, Sanford, Maine.

This item was tabled during the public hearing.

2. **File #20-14-R: Evergreen Covenant Church, c/o Frank Catalano**, P.O. Box 1685, Sanford, Maine.

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

3. **File #999-14-T(1): The Planning Director** is presenting a draft of the revised sign ordinance for discussion and feedback.

This item was tabled during the public hearing.

### **IV. OLD BUSINESS**

There were no old business items.

### **V. APPROVAL OF MINUTES – August 20, 2014 and September 3, 2014**

Chair McAdam asked Vice Chair Tarbox if she read the minutes; she replied she had and both sets were ok with her.

Vice Chair Tarbox made a motion to accept both sets of minutes as written.

Board member Hardison seconded the motion.

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

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

This was discussed after the meeting.

### **VII. ADJOURN**

The meeting adjourned at 8:33 P.M.

\*Amended: incorrectly stated Lela Harrison was present when she was absent with notice.

### **Attachment to September 17, 2014 Minutes**

*Finding of Facts for Public Hearing Item #1  
File #19-14-U: Mineral Extraction on Bernier Road*

This item was tabled.

*Finding of Facts for Public Hearing Item #2*  
*File #20-14-R: Evergreen Covenant Church Relocation*

- The applicant has provided a purchase and sale agreement and has standing to present the application.
- The proposed location is an existing structure located in the Airport Development zone and is a permitted use. A letter from the airport manager indicates there are no issues.
- The applicant has presented the application for review by the Site Plan Review Committee who will forward their comments to the Planning Board.
- The property is in a wellhead protection zone but does not impact the zone.
- The property is in the KK&W Water District; however, the proposed activity does not have a negative impact.
- The Planning Board has reviewed the proposed phasing plan and, subject to any conditions, agrees to the plan.
- The city engineer has reviewed the stormwater management plan and is satisfied that it is in compliance with the City of Sanford BMP.
- The city engineer has reviewed and approved the phasing plan and performance guarantee.

*Finding of Facts for Public Hearing Item #3*  
*File #999-14-T(1): Proposed Sign Ordinance*

This item was tabled.