

**SANFORD PLANNING BOARD MINUTES**  
**MEETING October 29, 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  
Shirley Sheesley, Chief Codes Enforcement Officer

**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 #999-14-T(1): Sign Ordinance Update**, presented by James Gulnac, Planning Director, City of Sanford.

Chair McAdam called for a representative to present the project.

James Gulnac introduced Shirley Sheesley, Codes Enforcement Officer (CEO) and stated she would be giving the Planning Board a synopsis of what took place at the Zoning Board of Appeals (ZBA) workshop the previous week that helped outline the ordinance being presented tonight.

Shirley Sheesley, CEO explained the steps taken to get to the draft ordinance being presented tonight:

- it was decided at a previous Planning Board meeting to use the model code and revise it to make it fit Sanford's needs
- the ZBA and the codes office determined this would not work due to formulas needed to determine size of sign
- at the October 1 meeting, the Planning Board asked the ZBA and the codes office to draft an ordinance since they are the ones that deal with the sign ordinance on a regular basis
- based on the comments from the ZBA and the other CEO, a draft version of the ordinance will be presented to the Board

Ms. Sheesley sent out a memo that outlined options the Planning Board could do:

- look at the proposed ordinance and keep it where it is in the zoning ordinance right now
- delete it from the site plan review ordinance
- keep it in both ordinances, but will need to update the sign ordinance in the site plan review ordinance as well

- remove sign references in the definition section of the zoning ordinance and add them to the new proposed ordinance to make it easier for an applicant

Staff member Sheesley's recommendation is to combine the two sign ordinances, keep it as part of the zoning ordinance, and to delete the sign portion of the site plan review ordinance.

Staff member Gulnac asked Ms. Sheesley to go over her conversation with DOT regarding signs.

Staff member Sheesley stated that DOT regulates off premise signs within the city, such as directional signs, and the city regulates on premise signs.

Chair McAdam asked about changeable/variable message signs in windows of businesses. Ms. Sheesley said this is addressed in multiple sections of the sign ordinance and they conflict with each other; the Board will need to determine if they want to allow these signs or make these types of signs permitted. She also said the Board will need to determine if they want to allow flashing signs in windows.

Chair McAdam asked if a flashing 'open' sign remains on is allowable. Ms. Sheesley stated if the sign remains on, it is considered a static sign and is allowed. She went on to say DOT frowns upon flashing signs visible from a road.

Staff member Gulnac thanked the codes office and the ZBA for their effort in drafting a workable sign ordinance and outlined what the draft ordinance looks like. He did say there are a couple of questions regarding the Urban zone. Ms. Sheesley explained how she came up with determining the sign size for properties along Main Street in the Urban zone; discussion followed.

Staff member Casserly asked if a sign reference could be left in the site plan review checklist; the feeling was this would not be an issue.

Staff member Gulnac thanked the CEO and the ZBA again for the work they did on the sign ordinance; he felt they met the guidelines on what the council goal was – a simplified and clearer ordinance.

Chair McAdam asked if anyone present wanted to speak for this project; there was no one.

Chair McAdam asked if anyone present wanted to speak against this project.

Jane Bowker, ZBA Chair said she had not realized how many 'open' flashing signs there were along Main Street until tonight. She said she observed a fairly new business along Main Street that had an entire window lit up as an advertisement-type sign. This concerned her and she felt these types of signs do need to be addressed. Staff member Gulnac noted that part of the flashing sign definition stated these types of signs were exempt for exterior use, but not interior. Staff member Sheesley stated there were conflicting ways of addressing this type of sign in the ordinance and should be reviewed further. Discussion followed.

Chair McAdam asked if anyone else would like to speak in regard to the project; there was no one.

Chair McAdam closed the public hearing.

### III. NEW BUSINESS

**The Board reconvened after the work session discussion at 8:40 P.M. to take action on this item.**

1. **File #999-14-T(1): Sign Ordinance Update, revision dated 10/24/14**, presented by James Gulnac, Planning Director, City of Sanford.

Chair McAdam asked for an update on work session discussion on the proposal.

Vice Chair Tarbox stated topics covered during work session were:

- Abandon sign definition will be moved forward to the council for their decision and discussion
- Existing non-conforming signs can stay but must be made less non-conforming
- Prohibited use signs will include off premise signs, flashing – including window signs - that interfere with traffic or are visible from public roads, or flashing moving signs that create a nuisance
- Feathers will be treated like banners and need a permit in order to be used
- Prohibit the use of moving blow-up or floppy-men type of signs

The Planning Board would like to move these topic items forward to the council.

Staff member Gulnac pointed out that the recommendation from him and the CEO would be that this proposal would become Section 280-84 Sign Ordinance only and any references in Section 272 Site Plan would be deleted so the only place the sign ordinance would be found would be in the zoning ordinance, but sign references would remain in the checklists.

Chair McAdam called for a motion.

Vice Chair Tarbox made a motion the Planning Board make a recommendation that the draft ordinance, dated 10/24/14, be forwarded as discussed plus the recommendation for changes in Section 272 to the city manager for presentation to both MDOT and the city council for their review and adoption.

Board member Harrison 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 – September 17, 2014; October 1, 2014; and October 15, 2014**

September 17, 2014

Board member Harrison pointed out she was not at this meeting as stated on the minutes.

Vice Chair Tarbox made a motion to amend the minutes to state Board member Harrison was absent with notice, and then made a motion to approve the minutes as amended.

Chair McAdam seconded the motion.

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

October 1, 2014 and October 15, 2014

Board member Harrison made a motion to approve the minutes of October 1 and October 15 as written.

Vice Chair Tarbox amended the motion to approve the October 1 minutes with a change: Board member Hardison was absent with notice, not without notice as stated on the minutes.

Board member Horr seconded the motion to approve the October 1, 2014 as amended and the October 15, 2014 as written.

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

**VI. PLANNING DIRECTOR'S REPORT**

James Gulnac, Planning Director said when an applicant comes in requesting a change to their approved plan, staff reviews the request to see if it can be approved with staff review only.

Staff member Gulnac stated York County Federal Credit Union has submitted a request to obtain permission from the State to sell used cars at one of their locations. This would be a change of use and change to the site plan. Mr. Gulnac felt this request required a higher level of review other than staff review.

Chair McAdam commented he felt this review would require Site Plan Review Committee review at a minimum. Staff member Gulnac recommended the review go before the Planning Board and explained why.

The Board was in consensus with the request going before Planning Board review.

**VII. ADJOURN**

The meeting adjourned at 7:24 P.M. to go into work session. After the work session, the meeting adjourned at 8:41 P.M.