

**SANFORD PLANNING BOARD MINUTES  
MEETING November 5, 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  
Matthew Hill, Public Works Director

**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 #14-14-S: C.W., LLC, c/o Joseph Stanley**, PLS, LinePro Land Surveying, LLC, P.O. Box 60, Shapleigh, Maine.

Chair McAdam called for a representative to present the project.

Shawn Woods, property owner, said he and his wife like the area and the amenities the area has to offer and they would like to build a house on this property. He is also proposing a 14-lot single family subdivision, his home being one of them. He then described the subdivision he is proposing:

- Keep it wooded lots, not requesting cluster subdivision
- Heavily restricted lots, but will still be appealing to homeowners

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

Staff member Gulnac said he prepared a brief memo of the discussion at the site plan meeting earlier in the day.

Chair McAdam asked if there were any other questions; there was not.

Chair McAdam asked if anyone present wanted to speak in favor of the application; there was no one.

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

Chair McAdam closed the public hearing.

**The meeting moved into work session discussion on the public hearing item, after the vote on the minutes, at 7:23 P.M.**

### III. NEW BUSINESS

**The Board reconvened after the work session discussion at 8:14 P.M. P.M. to take action on this item.**

1. **File #14-14-S: C.W., LLC, c/o Joseph Stanley**, PLS, LinePro Land Surveying, LLC, P.O. Box 60, Shapleigh, Maine.

Vice Chair Tarbox asked staff member Gulnac if the two waiver requests needed to be addressed in the Board's motion.

Staff member Gulnac confirmed with staff member Casserly that two of the three waiver requests were being recommended for approval. Vice Chair Tarbox noted she only saw two requests; Mr. Gulnac stated the applicant asked for an additional waiver regarding the scale of the plan. Mr. Casserly said the scale request was being recommended, and he was also recommending the applicant's request regarding culvert materials; however, he was not recommending the request to allow less than an 18" diameter culvert under the roadway at the intersection of Sam Allen Road at this time.

Vice Chair Tarbox stated the Board is satisfied with the following after work session discussions:

- Stormwater management plan as presented, which was a major topic of discussion during the work session
- Road standards – the road will be developed to city standards; city acceptance of the road would be determined at a later date

Chair McAdam called for a motion.

Vice Chair Tarbox made a motion that the Planning Board has reviewed the application identified as File #14-14-S Woodhaven Estates and subject to the conditions listed below grant preliminary approval in accordance with Section 275-22A of the subdivision ordinance of the City of Sanford:

- 1) The city engineer's concerns will be addressed and satisfied by the 13<sup>th</sup> of November
- 2) The DEP permit must be in hand at time of approval
- 3) Performance guarantee or letter of credit at time of approval will be submitted to the city
- 4) All fees paid
- 5) Plans will be submitted by AutoCAD
- 6) Any constructions are subject to building and fire codes
- 7) Grant waiver requests on two items:
  - a. Scale 1":100' is acceptable
  - b. Substitution of culvert materials is also acceptable

Vice Chair Tarbox then asked if the CEO's comments regarding the subdivision name change needed to be addressed.

Staff member Gulnac confirmed with the applicant the subdivision name would be changed.

The applicant will confirm the name with the CEO and have it ready to present to the Board in two weeks.

Vice Chair Tarbox added the applicant will change the subdivision name to the conditions of approval.

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 – October 29, 2014

The Approval of Minutes was discussed after the planning director's report.

Board member Harrison stated the amended minutes of September 17, 2014 and October 1, 2014 have been corrected as requested and added the minutes for October 29, 2014 were in order as well.

Vice Chair Tarbox made a motion to approve the amended minutes of September 17, 2014, the amended minutes of October 1, 2014, and the minutes of October 29, 2014 as written.

Board member Hardison seconded the motion.

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

#### VI. PLANNING DIRECTOR'S REPORT

The Planning Director's Report was discussed before the approval of minutes.

Staff member Gulnac stated he had three items to present:

- a) **Smokin' Smoothie:** a sandwich shop that features smoked meat sandwiches. The restaurant space cannot house an indoor smoker so the applicant is requesting to place an outdoor smoker on the patio beside Springvale Flowers.

Mr. Gulnac has two concerns: the request is to place it on a portion of the property that is unrelated to her business and the area is located within the mandatory site design criteria area. His recommendation is to at least send the proposal to the design review committee.

Discussion took place on who owned the property in question, if there would be outside dining, and the type of structure to be used as a smoker.

It was determined the proposal should go before the Planning Board for their review instead of the Design Review Committee.

- b) **Cigarette City:** the applicant demolished the building and is now requesting a foundation only permit from the codes office. The CEO will not issue a permit without an approved site plan. He said Mike Casserly, Assistant City Engineer responded, via email, to the applicant regarding the request late this afternoon. Mr. Gulnac stated he has not yet seen an approved site plan to sign. He asked Shirley Sheesley, CEO if the Planning Board has authority to permit/allow/direct the codes office to issue the foundation permit when the regulations the codes office goes by clearly states an approved site plan is required. Ms. Sheesley responded she would need to see an application.

The Planning Board felt they couldn't override the codes office and felt that an approved site plan would be needed before issuing a permit.

Staff member Casserly said he encouraged the applicant's agent to complete the process before requesting any permits. He stated he has met with JP, the applicant's agent a week ago but had nothing to add to the plan. Mr. Casserly stated he received a plan yesterday; his main concern is to have the applicant provide correspondence from an engineer stating or showing the applicant's parking lot proposal was the safest it could be due to the amount of vehicular and pedestrian activity at this intersection and explained why.

After hearing comments from staff members Gulnac and Casserly, the Planning Board sided with the codes officer and determined a foundation permit could not be issued until an approved site plan is received.

- c) Staff member Gulnac is requesting a member of the Planning Board to serve as the chairperson of a committee to review and update the transportation section of the comprehensive plan. The plan refers back to 2002/2003, and there is a lot of activity taking place within the city, such as bike lanes, trails, parking, and review of the traffic impact fee, and Mr. Gulnac felt now would be a good time to take this update on. He asked the Board members to consider it and to respond by the end of the year.

Matthew Hill, Public Works Director said there is also an interest in changing portions of the zoning ordinance referencing transportation and felt revising the two at the same time would be beneficial.

Discussion followed on what the appointment would entail. Board member Hardison volunteered to chair the committee beginning next year.

Mike Casserly added the point of doing this is to make the city look more organized to Maine DOT and this could mean more money from the state in regards to transportation projects.

## **VII. ADJOURN**

The meeting adjourned at 7:23 P.M. to go into work session. After the work session, the meeting adjourned at 8:19 P.M.