

**SANFORD PLANNING BOARD MINUTES
MEETING – November 7, 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
Jennifer Georgius
Jace Clarke

MEMBERS ABSENT: Sarah Lavoie (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

I. CALL TO ORDER

Chair Horr called the meeting to order at 6:40 PM.

II. OPENING STATEMENT

No opening statement was made.

III. MINUTES

June 29, 2016 (Amended)

Vice Chair McAdam made a motion to approve the minutes as amended.

Board member Connolly seconded the motion.

A vote was taken and the motion passed 4-0 (Board member Clarke was not on the Board at this time and Board member Cormier was absent from this meeting).

July 18, 2016

Board member Connolly made a motion to approve the minutes as written.

Board member Georgius seconded the motion.

A vote was taken and the motion passed 5-0-1 (Board member Clarke was not on the Board at this time).

June 6, 2018

Board member Georgius made a motion to approve the minutes as written.

Board member Clarke seconded the motion.

A vote was taken and the motion passed 5-0-1 (Board member Connolly was absent from the meeting).

October 17, 2018

Vice Chair McAdam made a motion to approve the minutes as written.

Board member Clarke seconded the motion.

A vote was taken and the motion passed 4-0-2 (Board members Connolly and Georgius were absent from the meeting).

IV. HEARINGS and BUSINESS

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

Chair called for a representative to present the project.

Planner Della Valle told the Board the public hearing would need to be opened even though no one is present.

Dana Libby, PLS, representing the applicant, gave a brief overview of the project:

- Place 4 modular classrooms on the property
- Using public utilities
- Access onto and exiting the property
- Proposed fencing and gate locations

Pastor Todd Bell made a brief statement to the Board.

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

Chair Horr asked if there was anybody opposed to the application; again, there was no one.

Chair Horr closed public hearing.

Beth Della Valle, Planning Director updated the Board on what took place at the Site Plan Review Committee (SPRC) meeting held on Tuesday, November 6.

Chair Horr asked if there were any comments from Board.

The following items were discussed:

- What road pack material was
- The height of the electrical wire going from the main building to the portables
- Update on the homeless camps
- Types of trees being planted, the total number of trees being planted, the length of time of maintaining the trees to assure the viability of the trees
- If any issues from the SPRC had been addressed in the new plan being seen tonight
- If a MDEP permit is required
- The number of modulars vs number of bathrooms and the bathroom location; potential distraction to classrooms if the bathrooms are located in the modulars
- Water and sewer lines location
- Deadline for planting
- Modulars placed on foundations or tie downs
- If the trees were required due to the shoreland violation

- If it was necessary to place a condition to maintain the trees on the approval, if granted

Chair Horr clarified this approval was for three (3) years, without an automatic extension; discussion followed.

The Board went over the Findings of Fact.

Chapter 270-15.D(f) Will protect archaeological...in the Comprehensive Plan; 270-15-D(g) Will not adversely affect existing commercial fishing activity; 280-16-7.12 Groundwater protection; 280-16-7.19 Airport encroachment.

Vice Chair McAdam 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 6-0.

Chapter 270-15.D(a) Will maintain safe and healthful conditions; 270-15.D(b) Will not result...surface waters; 270-15.D(d) Will not have an adverse...or other wildlife habitat; 270-15.D(e) Will conserve shore...and coastal waters; 270-15.D(h) Will avoid problems...and use; 270-15.D(i) Is in conformance with the provisions of §270-13, Land Use Standards; 280-16-7.1 Utilization of the site; 280-16-7.11 Natural features; 280-16-7.15 Landscaping; 280-16-7.16 Shoreland relationship.

Board member Clarke made a motion to accept these standards because they have been met with conditions.

Board member Georgius seconded the motion.

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

Chapter 270-15.D(c) Will adequately provide for the disposal of all wastewater; Chapter 280-16-7.9 Sewage disposal.

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

Board member Clarke seconded the motion.

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

Chapter 280-16-7.2 Access to the site; 280-13-7.3 Access into the site; 280-16-7.4 Internal vehicular circulation.

Board member Clarke made a motion to accept these standards because they have either been met or met with conditions.

Board member Georgius seconded the motion.

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

Chapter 280-7.6 Stormwater management; 280-16-7.7 Erosion control.

Vice Chair McAdam made a motion to accept these standard because they have either been met or met with conditions.

Board member Clarke seconded the motion.

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

Chapter 280-16-7.8 Water supply; 280-16-7.10 Utilities

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

Board member Georgius seconded the motion.

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

Chapter 280-16-7.5 Pedestrian circulation.

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 6-0.

Chapter 280-16-7.13 Exterior lighting.

Board member Georgius 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 6-0.

Chapter 280-16-7.14 Solid waste disposal.

Vice Chair McAdam made a motion that this standard has been met with conditions.

Board member Georgius seconded the motion.

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

Chapter 280-16-7.17 Technical and financial capacity.

Board member Georgius 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 6-0.

Chapter 280-16-7.18 Buffering.

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

Board member Clarke seconded the motion.

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

Chair Horr called for motion.

Board member Cormier made a motion that the Planning Board accept the information in the 6/14/2018, 7/10/2018, 8/8/2018, and 11/6/2018 summary memos and the Findings of Fact and recommend the Planning Board find that application file #17-18-R to place four modular classrooms on the site for up to three years and associated site improvements, has satisfied the requirements of §280-16-6.7, grant approval of the waiver of 280-16-6.7.2.4.3.6.4 and the Major Site Plan and authorize the issuance of a building permit subject to the following conditions:

1. By November 28, 2018, the applicant shall provide 5 copies of revised plans to the Planning Department that adequately respond to issues raised in the review and the following conditions of approval:
 - a. Provision of information that clarifies that modulares will be tied down.
 - b. Indicate the location, number, size, and species of trees required to be planted to address the outstanding Shoreland violation. Trees shall be planted no later than June 15, 2019.
 - c. Adding the location of strobe alarms.
 - d. Providing the approximate location of silt fencing, erosion control mix, and other measures as needed on the plan, specifying that the disturbed areas will be permanently stabilized with loam, seed, and other vegetation no later than September 2018 or providing a performance guarantee in the amount to replace the plant material and labor to do so, and identifying the general location of stabilization efforts.
 - e. Adding a note that characterizes the type of the plantings and a commitment to maintaining them over the three years of the site plan approval and adding the symbol for the planters on the legend.
 - f. Providing an engineered, stamped stormwater and erosion control management plan that addressed potential post-construction erosion control for the water from building roofs. Correct the reference to snow removal on the engineering plan to be consistent with the site plan.
 - g. Remove the reference to snow storage area in the southwestern corner of parking area in the site plan.
 - h. Revise parking calculations.
 - i. Add note indicating there will be minimal removal of vegetation in the area where the fence is proposed.
 - j. Correct the scale.
 - k. Expand the legend on the site plan to identify all symbols and add a legend to the stormwater plan.
 - l. Provide notes in the revision block regarding date and type of modification in the revised plans.
2. Clarify what is meant by road pack material.
3. The applicant indicates that no DEP permit is required. If a permit is required, provide a copy of the permit, once secured. If DEP requires any changes to the approved plan, the applicant shall provide and describe the changes to the Planning Department, which will evaluate whether an amendment of the Planning Board's approval is required. The applicant shall be aware that noncompliance with this condition may require modification of the construction elements that are not consistent with the approval, may delay release of all or portions of a performance guarantee, and may result in delay in receipt of an occupancy permit.
4. Provide an autocad submission on State Plane coordinates.

All reports referenced in the minutes can be found in the project files in the Planning Department.

5. All roads and fire lanes shall be kept open at all times 365 days a year and exits shall be kept clear at all times during school hours.
6. Pay all review fees.
7. Schedule a preconstruction conference with Code Enforcement and the Assistant City Engineer.
8. Establish an inspection escrow fee with the Public Works Department in an amount acceptable to the Assistant City Engineer.

Vice Chair McAdam seconded the motion.

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

2. 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.

Board member Connolly recused herself.

Chair Horr called for a representative to present the project.

Planner Della Valle asked if the Board would like to discuss this item and item #3 concurrently; Chair Horr recommended the items be discussed separately.

Dana Libby, representing the applicant, presented an overview of the project:

- Showed the location of the connector road from Jagger Mill Road to Spencer Hill Road based on recommendations from the site walk
- Showed access to Fletcher Farm 1 lots along Jagger Mill Road
- Showed sewer connections
- Explained water connections per the recommendation of the water district's superintendent

(It was decided to discuss item #3 along with this project as they relate to one another.)

- Showed the curb cuts along Spencer Hill Road for Fletcher Farm #2, with one lot accessed via Jagger Mill Road
- Proposed utility easement running along Spencer Hill Road and will act as both a drainage and sewer easement
- Overhead utilities will be used
- Showed the location of drainage areas

Discussion took place on the following topics:

- If DEP would have any issues allowing the proposed connector road and if the proposed connector road was located in the shoreland zone
- How access to potential future lots would be built due to the grade of the property

Planner Della Valle reminded the Board this review was to let the applicant know if they approve of the concept of each proposal and encouraged the Board not to get into too many details right now.

More discussion took place on:

- The best location to put the entrance of the connector road on Spencer Hill Road
- If the applicant envisioned housing units on either side of the proposed road
- Land-locked parcels
- Best location on the property to build a road (this topic was revisited many times throughout the discussion)

All reports referenced in the minutes can be found in the project files in the Planning Department.

- Site-line issue
- Catch basins versus storm drains
- Drainage
- Disjointed housing units versus a neighborhood feel due to the land topography

Vice Chair McAdam said he thought the applicant has made substantial improvements over the first submittal, has proposed to put a road in the development, and he has made the effort to please the Board.

Other discussion topics were:

- Whether or not the vacant lots were more beneficial to the city until a later date
- Creating a subdivision today and amending the subdivision at a later date
- Extending water and sewer lines in the RD areas

Board member Clarke noted that he would be satisfied if the Planning Board's preferred location of the road would have to be relocated due to engineering concerns but not if it was relocated to accommodate a structure's daylight basement.

Planner Della Valle reminded the Board they are not approving the interior development tonight, they are discussing the outlet points at this stage. Discussion followed.

Vice Chair McAdam said the Board asked the applicant for an internal road and he provided one; the applicant took the curb cuts off Jagger Mill Road, as well; he shortened up some of the lots on Spencer Hill Road, too. Discussion followed.

Chair Horr said the Board is looking at a concept of a road, not necessarily a defined starting point. Planner Della Valle stressed again that the Board would want to look at access points to the road, not the design of the road between them; discussion took place.

It was determined that Board members were comfortable with the concept for Fletcher Farm 1.

The Board was satisfied with the concept of Fletcher Farm 2 and directed the applicant to move forward with this project, keeping the internal road access points in mind during the subdivision design.

3. **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.**

Discussion took place with item #2.

V. OTHER BUSINESS

1. PLANNING DIRECTOR'S REPORT

Board member Connolly rejoined the discussion.

- Facilitation peer group session
- Meeting date for November 21 – keep or cancel? No second meeting
- Meeting date for December 19 – keep, cancel, or holiday celebration? No second meeting in December; use this date for the holiday celebration.

All reports referenced in the minutes can be found in the project files in the Planning Department.

- Huttopia application has come in – incomplete submission, staff ok'd to start their review even though it is incomplete. DEP being difficult
- Wolves Club application has been withdrawn
- DRC compromise or hold to their decision
- Potential looking into students walking on Rte 4 – safety hazard
- MCS flasher location

VI. COMMUNICATIONS

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

VII. ADJOURN

The meeting adjourned at 8:59 P.M.