

**SANFORD PLANNING BOARD MINUTES**  
**MEETING – July 17, 2019 – 6:30 P.M.**  
**City Hall Annex Third Floor Chambers**

**MEMBERS PRESENT:** Lenny Horr, Vice Chair  
Jace Clarke, Secretary  
John McAdam  
Dianne Connolly  
Elizabeth Kilkenny  
Thomas Morgan

**MEMBERS ABSENT:** Jennifer Georgius, Chair (w/notice)

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

**STAFF ABSENT:** None

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**I. CALL TO ORDER**

Vice Chair Horr called the meeting to order at 6:32 PM.

**II. OPENING STATEMENT**

Vice Chair Horr overviewed meeting procedures.

**III. MINUTES – June 13, 2019 and June 19, 2019**

The minutes were not available for approval.

**IV. HEARINGS and BUSINESS**

**1. File #22-19-S: Elizabeth Peyton, Sanford Airport Solar, LLC, c/o David Brenneman, TRC, 6 Ashley Drive, First Floor, Scarborough, Maine.**

Vice Chair Horr called for a representative to present the application.

Elizabeth Peyton, NextEra presented a brief overview of the original project.

Ms. Peyton gave an update on the status of approvals:

- Received DEP permits in January (2019)
- Received initial Planning Board approval in June (2018)
- Received Army Corps of Engineers permit for working in wetlands
- Filed amendments with DEP

Ms. Peyton explained what the request was for tonight:

- Enlarge CMP switchyard footprint
- Decreased the solar substation footprint
- Subdivided a lot into four sub lots connected by a private way
- Changed collection system
- Created additional access points

There was no one present to speak in favor of, against, or make general comments on the proposal.

Vice Chair Horr closed public hearing.

Board member Connolly asked how many trees were going to be removed to construct the apron on Old Route 109.

Board member Kilkenny told the applicant they had a nice presentation.

Vice Chair Horr asked if there was a projected start date and how long it will take to complete the project.

Board member Connolly asked what the timeline was for going across Route 109 and if there was a plan for erosion control where hydrant flushing took place.

Mike Casserly, Assistant City Engineer stated erosion control will be discussed extensively during the pre-construction meeting; he will also work closely with the ATV club and trails committee to get things more orderly.

Vice Chair Horr asked if there were any issues with height for any of their structures.

Ms. Peyton explained why they will be requesting approval from the Planning Board to exceed height limitation in the IB (Industrial Business) zone.

Board member Connolly asked if the structures will have beacons on them.

The Planning Board went over the Findings of Fact.

**Chapter 280-16-7.5 Pedestrian circulation; 280-16-7.11 Natural features; 280-16-7.12 Groundwater protection; 280-16-7.13 Exterior lighting; 280-16-7.14 Solid waste disposal; 280-16-7.15 Landscaping; 280-16-7.16 Shoreland relationship; 280-16-7.17 Technical and financial capacity; and 280-16-7.18 Buffering.**

Board member McAdam made a motion that these standards are not applicable because there is no change from the original approved plan. Board member Connolly seconded the motion. A vote was taken and the motion passed 6-0.

**Chapters 280-16-7.7 Erosion control; and 275-10-34 Soil erosion.**

Board member McAdam made a motion to accept these standards because they have been met with condition. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 275-10-32 Sufficient water; 275-10-33 Impact on existing water supply; 275-10-36 Sewage disposal; and 275-10-37 Solid waste.**

Board member Connolly made a motion to accept these standards because they have been met. Board member Kilkenny seconded the motion. A vote was taken and the motion passed 6-0.

**Chapters 280-16-7.6 Stormwater management; 275-10-42 Impact on groundwater quality or quantity; 275-10-31 Pollution; 275-10-41 Impact on water quality and shoreline; and 275-10-45 Stormwater management.**

Vice Chair Horr made a motion to accept these standards because they have either been met or met with condition. Board member McAdam seconded the motion. A vote was taken and the motion passed 6-0.

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

Board member Kilkenny 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 280-16-7.2 Access to the site.**

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 6-0.

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

Board member McAdam made a motion to accept this standard because it has been met. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 280-16-7.4 Internal vehicular circulation.**

Board member Kilkenny made a motion to accept this standard because it has been met. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

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

Board member Connolly made a motion to accept this standard because it has been met with condition. Board member Clarke seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 280-16-7.9 Sewage disposal.**

Board member Kilkenny 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 280-16-7.10 Utilities.**

Board member McAdam made a motion to accept this standard because it has been met with condition. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 280-16-7.19 Airport encroachment.**

Board member Connolly made a motion to accept this standard because it has been met with condition. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 275-10-35 Traffic conditions.**

Board member Kilkenny 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 275-10-38 Impact on aesthetics, open spaces, historic areas, wildlife habitat, and shoreline access.**

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 6-0.

**Chapter 275-10-39 Conformance with other regulations.**

Board member Morgan 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 275-10-40 Financial and technical capacity.**

Board member Connolly made a motion to accept this standard because it has been met. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 275-10-43 Floodplain management.**

Board member 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 6-0.

**Chapter 275-10-44 Identification of freshwater wetlands.**

Board member Connolly made a motion to accept this standard because it has been met. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 275-10-46 Recreation and open space areas.**

Board member Kilkenny made a motion that this standard is not applicable. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 275-10-47 Phosphorous impacts on great ponds.**

Board member Morgan 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 275-10-48 Spaghetti lots.**

Board member Morgan 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 280-16-7.20.1 No more than one dwelling unit and related accessory buildings and uses.**

Board member Connolly made a motion that this standard is not applicable. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 280-16-7.20.2 Maintenance agreement.**

Board member McAdam made a motion to accept this standard because it has been met with condition. Board member Morgan seconded the motion. A vote was taken and the motion passed 6-0.

**Chapter 28-16-7.20.3 Minimum standards.**

Board member Morgan made a motion to accept this standard because it has been met. Board member McAdam seconded the motion. A vote was taken and the motion passed 6-0.

Vice Chair Horr called for a motion.

Board member Clarke made a motion that the Planning Board accept the information in the July 11, 2019 summary report and July 16, 2019 SPRC recommendation, grant the requested waivers, and find that the proposed amendments to the application for File #22-19-S to make changes to the previously approved site plan for the Sanford Airport Solar project has satisfied the requirements of §280-16-6.7 and §275-16, and of Major Site Plan, Minor Subdivision, and Private Way subject to the following conditions:

1. That, no later than August 7, 2019, unless other arrangements are made with the Planning Director, the applicant shall provide 5 copies of revised plans and documents to the Planning Department:
  - a. Addressing concerns raised by the Assistant City Engineer in his July 11, 2019 memo regarding the temporary access road located off of Route 109 near Sam Allen Road and signage per MUTCD criteria with plan notes;
  - b. Addressing concerns about erosion along the currently used ATV trail located on the SWD easement; and
  - c. Addresses concerns raised by the Superintendents of the Sanford Water and Sanford Sewerage Districts about separation distances between the new underground electric utility line and existing water and sewer lines at Main Street/Route 109.
2. Provide a Maine DOT Driveway Entrance Permit for the access roads at both Route 109 and the previously approved Route 4 main entrance.
3. Provide an updated Road Use and Maintenance Agreement to include a reference to Chapter 226-8 from the City Ordinance, which prohibits a private entity from plowing snow into the right-of-way.
4. Provide the Planning Department with copies of all deeds, access agreements, covenants, rights of way, easements, or other pertinent documentation regarding both the transfer of ownership resulting from the subdivision of parcel R18-B-3 and the temporary access roads.
5. Provide the Planning Department with a copy of remaining Federal Aviation Administration (FAA) Determinations of No Hazard findings.
6. Provide the Planning Department with a copy of the amended DEP permit and revised plans, if any. If modified, be prepared to seek an amendment of the approved plan if necessary.
7. Provide the Planning Department with three (3) hard copies of the signed subdivision plan with book and page number where it is recorded at the York County Registry of Deeds.
8. Pay all review fees.

9. Set up a preconstruction conference with the Code Enforcement Director, Assistant City Engineer, Superintendent of the Sanford Sewerage District, and the Superintendent of the Sanford Water District.
10. If installation of approved landscaping is not completed by approximately September 15, 2020, the end of the growing season following construction, 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 fore for one full growing season after installation.
11. This approval is dependent on and limited to the documents and plans contained in the application submitted and affirmed to by the applicant. No project, plan, or development previously approved by the Planning Board may be altered or modified without securing prior approval from the Planning Board in the form of an amendment; provided, however, that, if at any time it becomes necessary or desirable to make modifications to the development, the Planning Director may approve minor modifications. Any changes to the approved plan shall be provided to the Planning Department prior to construction to evaluate whether an amendment of the 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, may delay release of all or portions of a performance guarantee, and may result in delay in receipt of an occupancy permit.

Board member McAdam seconded the motion. A vote was taken and the motion passed 6-0.

## V. OTHER BUSINESS

### 1. PLANNING DIRECTOR'S REPORT

Planner Della Valle updated the Board on the following:

- Design Review Committee vacancy
- Zoning subcommittee sent the accessory apartments ordinance amendment back to Planning Board with direction
- Gravel pit meeting date – Monday August 12 6:30-9:00PM
- EPA will start demolishing Stenton Trust – total of 3 buildings, beginning July 22, anticipating will go until September
- Ordered decorative street signs for Lafayette East Side neighborhood; planning a community event once signs are installed; Dianne asked if there was a reason the two sidewalks were painted differently

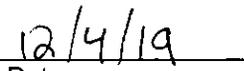
## VI. COMMUNICATIONS

There were no communication items.

## VII. ADJOURN

The meeting adjourned at 7:41 P.M. and went into work session.

  
Jace Clarke  
Secretary, Planning Board

  
Date