

SANFORD PLANNING BOARD MINUTES
MEETING November 20, 2013 – 7:00 P.M.
City Hall Annex Third Floor Chambers

MEMBERS PRESENT: Robert Hardison, Chair
John McAdam, Vice Chair
Matthew Treadwell (Arrived at 7:05 P.M.)
Lela Harrison
Joshua Howe
Richard Bergeron
Kelly Tarbox, Secretary

MEMBERS ABSENT: None

STAFF PRESENT: James Q. Gulnac, AICP, Planning & Development Director
Charles Andreson, P.E., AICP, City Engineer
Michael Casserly, P.E., Assistant Engineer
Shirley Sheesley, Codes Enforcement Officer

STAFF ABSENT: None

I. CALL TO ORDER

Chair Hardison called the meeting to order at 7:00 P.M. Chair Hardison announced a small agenda change – old business would be heard before the public hearing item.

II. PUBLIC HEARINGS

This item was heard after the old business item.

- 1. File #999-13-T(1): The Planning Director** is requesting that the Planning Board continue their review of the proposed revision to the City of Sanford Land Use Ordinances.

Chair Hardison noted there were no members of the public present, but proceeded with the public hearing.

Chair Hardison asked if anyone present wished to speak in favor of the proposal; there was no one.

Chair Hardison asked if anyone present wished to speak in opposition of the proposal; again, there was no one.

Chair Hardison asked James Gulnac, Planning Director to present the proposal.

Mr. Gulnac said that he provided handouts to the Board summarizing the changes to the ordinance. He said he also believes that there will be further editing changes for language and number referencing if the council approves the proposal and explained why.

- Mr. Gulnac then went through each item the Board would make recommendations on:
- CC zone: some areas will morph into the surrounding zone; the majority of the CC zone area will become part of the new Urban Zone.
 - current SFR, IR, RR, RMU, RD, AD, and IB zones: will not change

Questions were asked about the existing businesses that are currently in the CC zone but will become part of the RR and RMU zones. Businesses that are in existence before the adoption of the stewardship plan would be able to remain as they are but would have limitations on future expansions.

Discussion then took place on whether or not to make the current design guidelines into standards for Springvale village and downtown Sanford. It was determined there would be mandatory design standards for commercial buildings along the Main Street corridor from West View Drive in Sanford to Deering Neighborhood Road in Springvale. The standards would extend one lot deep from Main Street. Single family homes, including duplexes, would be exempt from this until such time the existing structure needs to be replaced. The design review committee would then work with the owners of the single family homes in the design of the rebuild of a building.

Mr. Gulnac and Chair Hardison summarized the proposed changes in Chapter 280 Zoning:

- adding a new definition for the Northern American Industry Classification System
- edit to 280-33 Division of Lots by zone boundaries
- approximately seven zones have been eliminated and the Urban Zone has been added
- no fundamental changes to the ordinance other than redefining standards, etc.

Mr. Gulnac stated there will need to be continual editing and follow-up once the actual ordinance is finalized. Discussion took place.

Chair Hardison asked if there were any questions; there were none. He then went over the process if the Board should recommend the approval of the ordinance change.

Board member Tarbox asked what mechanism is in place to make any future changes, since it was mentioned that there would need to be continuous editing, to the ordinance that is being reviewed tonight. Mr. Gulnac said he would discuss with the city manager, and possibly the city attorney, to see if it would be ok to do editorial, spelling and other minor changes without public review. Discussion followed.

Board member Tarbox wanted to clarify the format of the proposed Table of Land Use matrix provided for tonight's meeting. Discussion took place.

Chair Hardison asked if there were any other questions regarding these changes; there were none.

Chair Hardison confirmed with Mr. Gulnac that the remaining ordinance revisions to Chapters 280-01, 275, and 272 are basically editorial changes to support the new process. Mr. Gulnac asked the Board to eliminate Chapter 275 because he is not proposing any changes to the subdivision ordinance at this time; discussion followed.

Chair Hardison asked if there was anything else that needed to be discussed tonight; Mr. Gulnac didn't believe so. Chair Hardison asked if there were any discussions, questions, comments, concerns, or issues the Board wanted to discuss.

Board member Tarbox asked if they were going to be making a motion tonight to forward the proposal to the city council; Chair Hardison stated the Board had to in order for the council to hear the proposal. Discussion on the motion to be made followed.

Chair Hardison called for a motion.

Board member Tarbox made a motion that the Planning Board recommend to the city council approval of File #999-13-T(1), proposed revision to the City of Sanford Land Use

Ordinances, to be known as the City of Sanford Land Stewardship Zoning Plan, finding it consistent with our comprehensive growth plan noting that the Planning Board will continue to review the material for any corrections and determine whether those are material changes or simply editorial and that additionally reference the handout passed out and reviewed tonight as finding of facts (see attached).

Vice Chair McAdam seconded the motion.

Chair Hardison asked if there was any further discussion.

Board member Tarbox amended her motion to include the items that were listed on the agenda for review and being recommended for council review. The items are (all items listed on the agenda are listed here with strikeouts through the ones that are being excluded from council review):

- A. Review and recommend to the City Council a revised zoning map and Chapter 280 Attachment 1, Table of Land Uses;
- B. Review and recommend to the City Council a revised Chapter 280 Zoning;
- ~~C. Review and recommend to the City Council a revised Chapter 275 Subdivision;~~
- D. Review and recommend to the City Council a revised Chapter 272 Site Plan
- E. Review and adopt the revised application review process ~~including the Sanford Land Stewardship interactive GIS layer map.~~

A vote was taken, and the amended motion passed 7-0 to recommend to the council.

Chair Hardison thanked the Board members for their work through this process.

III. NEW BUSINESS

There were no new business items.

IV. OLD BUSINESS

This item was heard before the public hearing item.

1. **File #08-13-Z: Neil Casa, c/o Steve Zuk, Zuk Construction, 71 Javica Lane, Sanford, Maine.**

Chair Hardison briefly refreshed Board and staff members of what transpired at the last meeting regarding this item.

Chair Hardison asked staff member Gulnac if the outstanding violation on this property has been worked out since the item was on tonight's agenda. Staff member Gulnac stated it was and the codes enforcement officer was present if the Board had any questions to ask regarding correcting the violation. Chair Hardison confirmed with Shirley Sheesley, Codes Enforcement Officer regarding a commitment from the owner to correct the violation in the spring.

Chair Hardison said since the violation is in the process of being corrected, the application can be reviewed by the Board tonight and if appropriate take action on the request as well.

Chair Hardison asked if there was any further discussion on this application.

Vice Chair McAdam asked if they were allowed to jack up the house before the vegetation is taken care of. Discussion took place on when construction and the replanting of vegetation would begin. It was decided that if the CEO was satisfied with the violation correction then the Board was satisfied as well. Chair Hardison stressed to Mr. Zuk that it would be his responsibility to make sure the vegetation took place in the spring.

Chair Hardison asked if there were any other discussion or questions on the application.

Staff member Gulnac asked the Board to confirm the specific items necessary that this project meets the setback requirements to the greatest extent possible.

Chair Hardison called for a motion.

Board member Tarbox made a motion that the Planning Board accept the finding of facts (see attached) in File #08-13-Z and approve the request for shoreland permit for Neil Casa on tax map R21A, lot 8 with the following conditions:

1. That any and all outstanding review fees are paid;
2. That the applicant complies with any and all local and state building and fire safety codes, including obtaining a flood plain elevation certificate; and
3. The CEO has approved a proposed vegetation plan and the applicant has committed to implementing that plan in the spring.

Vice Chair McAdam seconded the motion.

A vote was taken, and the motion passed 7-0.

V. APPROVAL OF MINUTES – November 6, 2013

Chair Hardison asked Board member Tarbox if the minutes were ready for approval. She said the minutes looked ok.

Board member Tarbox made a motion to accept the minutes as written.

Vice Chair McAdam seconded the motion.

A vote was taken, and the motion passed 6-0 (Board member Treadwell was not in attendance at meeting).

VI. PLANNING DIRECTOR'S REPORT

Staff member Gulnac thanked the Board for their work on the ordinance change.

Chair Hardison confirmed with Mr. Gulnac that the cell tower proposal would be heard on December 4, 2013. Discussion took place.

Chair Hardison asked if there was any new report on the Beaver Hill Estates application; staff member Gulnac replied there was nothing new to report.

VII. ADJOURN

The meeting adjourned at 8:04 PM to go into work session.

Attachment to November 20, 2013 Minutes

*Finding of Facts for Public Hearing Item #1
File #999-13-T(1): Sanford Land Stewardship Plan*

- The Planning Board has been working on these changes for the past year.
- The Planning Board had a workshop meeting with a stakeholders group of resident developers and others from the community.

- The Planning Board also held a joint workshop with the City Council. In this meeting, the primary area of concern related to the mandatory design guidelines as it would impact on single family homes within the proposed mandatory areas. A revision was made to allow the Planning Board authority to grant exceptions to the mandatory requirements.
- The Planning Board after deliberation and review of the requests determined that it was in the best interests of the city to approve the Planning Director's requests for revisions to the city's land use ordinances.
- The Planning Board also confirmed the presentation outlined above is considered part of the finding of facts.
- There was no one from the public to speak either in favor or against the proposed zone change.
- Handout information follows:

A. Review and recommend to the City Council a revised zoning map and Chapter 280 Attachment 1, Table of Land Uses;

Hand out: 11x17 copy of the proposed new City Zone Map.

Hand out: Proposed revised Attachment 1 [use matrix]

B. Review and recommend to the City Council a revised Chapter 280 Zoning;

Chapter 280 Zoning change over view:

Note: change any reference to Town to City

Also that any all standard or guidelines in the current zoning remain in place to apply to single family and two family units as stand alone (as primary uses on a single parcel) activities

Art I: Title Purpose and Applicability

no changes

Art II: Definitions

280-5 Definitions:

Add NAICS: *North American Industry Classification System, 2002: A numerical identification system developed to provide a consistent framework for the collection, analysis and dissemination of industrial statistics used by the government policy analysts, by academics and researchers, by the business community, and the public. NAICS provides a third party definition and definition for activities that are not single family and two-family.*

Art III thru VIII

No changes

Art IX Zoning Districts and Zoning Maps

280-32 Official Zoning Map

Update approval dates

280-32 Division of lots by zone boundaries

Revised to read: *Zone boundaries shall follow property lot lines as of the time of this revision [add date] If it is found that a boundary line of a zone divides a lot, then the property owner may petition the Planning Board for one of the zone designations for the entire lot.*

Art X Establishment of Zones

280-33 Division of City into Zones

Delete D [GR]; F [OR]; G [ORB]; H [CC]; I [SB]; J [UB]; K [DB]

Replace the deleted zones with Urban [UZ]

Re-letter the section

Art XI Zone Requirements

280-39 General provisions: edit

280-40 RR: no change

280-41-RMU: no change

280-42 SFR: no change

280-43 GR: delete

280-44 RD: no change

280-45 OR: delete

280-46 ORB: delete

280-47 CC: delete
280-48 SB: delete
280-49 UB: delete
280-50 DB: delete
280-51 IB: no change
280-52 IR: no change
280-53 AD: no change
Re-number and add new section Urban Zone to replace the deleted zones and add the proposed Urban Zone

Suggested re-numbering of Article XI Zone Requirements

First delete the following sections:

§ 280-43. General Residential Zone (GR).

§ 280-45. Office Residential Zone (OR).

§ 280-46. Office, Research and Business Park Zone (ORB).

§ 280-47. Commercial Centers Zone (CC).

§ 280-48. Suburban Business Zone (SB).

§ 280-49. Urban Business Zone (UB).

§ 280-50. Downtown Business Zone (DB).

Re-number Section 280—44 Residential Development Zone (RD) to Section 280-43 Residential Development Zone (RD)

Re-number: Section 280-51 (IB) to 280-46; Section 280-52 (IR) to Section 280-47; Section 280-53 (AD) to Section 280-48

New Section 280-45 Urban Zone (UZ)

A. Purpose. The purpose of the Urban Zone (UZ) is to provide areas for urban commercial centers within the built-up areas of Sanford and Springvale which promote an urban rather than a suburban character of development. The development is characterized as vertical mixed use (VMU) which emphasizes mixed uses in structures typically having two or more stories with a streetscape that encourage reduced traffic speeds and increased walkability.

B. Permitted uses. Uses, as determined by NAICS number, shown on the Table 1A [Non-residential] of Land Uses at the end of this chapter as being permitted uses shall be permitted by right in the Urban (UZ) Zone.

C. Uses permitted with review. Uses as determined by NAICS number shown on the Table 1A [Non-residential] of Land Uses at the end of this chapter as being permitted uses in the Urban (UZ) Zone with review shall be permitted but only upon the receipt of approval of a development plan according to the guidelines in accordance with the provisions of Chapter 272 Article I.

D. Conditional uses. Uses as determined by NAICS number shown on the Table 1A [Non-residential] of Land Uses at the end of this chapter as being conditional uses in the Urban (UZ) Zone shall be permitted only if a conditional use permit for that use is approved by the Planning Board in accordance with the provisions of Chapter 272 Article I.

E. Prohibited uses. Any use not listed as a permitted use, a use permitted with site plan approval, or a conditional use in the Urban (UZ) Zone shall be prohibited within the Urban Business (UB) Zone.

F. Standards. Except for single family & duplex buildings all non residential structures shall be erected, structurally altered, enlarged, or moved and all land within the Urban (UZ) Zone shall be used in accordance with the standards as set forth in Chapter 272-Site Plan.

G. Reuse of existing residential structures. Any residential structure with at least 1,070 square feet of aboveground floor space existing as of the date of adoption of this section may be reused for any residential use permitted within the Urban (UZ) Zone without conforming to the maximum net residential density requirements of as set forth in the

guidelines in place prior to the acceptance of this revision provided that the reuse conforms to all of the following requirements:

(a) A site plan for the reuse is approved in accordance with the provisions of Chapter 272 Article I;

(b) The gross floor area of the building is not increased except to provide access;

(c) Parking is provided in accordance with the provisions of this chapter; and

(d) Any residential dwelling unit created under this provision complies with the following minimum floor area requirements based upon the type of unit:

[1] One-bedroom unit: not less than 535 square feet.

[2] Two-bedroom unit: not less than 720 square feet.

[3] Three-bedroom unit: not less than 920 square feet.

[4] Four- or more bedroom unit: not less than 1,120 square feet.

H. Design standards. For any proposal involving the change of use of an existing building, or the expansion of the gross floor area of an existing building, or the construction of a new building or structure, the Planning Board or Site Plan Review Committee (if the project is classified as a minor development in accordance with Chapter 272 Article I).

I. For the construction of new single family or duplex units the CEO shall review and approve the application subject to any and all applicable construction and or fire codes, state or local and the following:

(a) Off-street parking. Any new off-street parking shall be located to the side or rear of the principal building. No new off-street parking for a nonresidential use shall be located in the area between the front property line and the wall of the building or structure closest to the street and running the full width of the property.

(b) Lighting. Illumination from exterior lighting shall be contained on the property.

(c) Residential buffer. A strip of land not less than five feet in width shall be maintained as a vegetated area along any lot line adjoining a lot located in a residential zone. A visual barrier which may be created by landscaping and/or fencing shall be established within the required buffer strip.

(d) Storage. There shall be no exterior storage or display of material or equipment in conjunction with a nonresidential use in any required setback area. If facilities such as dumpsters are provided for trash, the trash container shall be located on a paved pad which is not located within the required setback area. The trash container shall be visually screened from public streets and abutting residential properties by its location or by opaque fencing and/or landscaping.

(e) Pedestrian access. Pedestrian walkways shall be provided from the street sidewalk (if one exists) to the main entrance(s) and from off-street parking areas.

(f) Building design.

[1] The architectural design of any new buildings shall be compatible with the architectural style of neighboring buildings fronting on the same street. In determining the compatibility of any new building with the Design Criteria the CEO, Planning Board or Site Plan Review Committee shall consider the recommendations of the Design Review Committee on the scale and massing of the structure, the relative proportion of the height and width of the building as seen from the street, the overall height of the building, the roof style and pitch, the location and sizes of windows, and the exterior surface materials.

[2] Use of the front yard. In addition to the provision in Subsection [H\(2\)\(a\)](#) dealing with the location of nonresidential off-street parking, parking of motor vehicles for all other uses in the area between the front property line and the wall of the building or structure closest to the street and running the full width of the property shall only be allowed on driveways with a maximum width of 20 feet. No other parking of vehicles shall be permitted in this area.

[3] Reduced side and rear setbacks for accessory structures. The required side and rear setback for accessory buildings and structures may be reduced to not less than two feet subject to the following:

- (a) The relationship of the structure to the side and/or rear lot line shall conform to the established pattern on abutting lots;
 - (b) The accessory structure shall be located at least 10 feet from any other structure on the same or an abutting lot;
 - (c) The owner(s) of the abutting lot(s) adjacent to the encroachment approves of the reduced setback in writing; and
 - (d) The Sanford Fire Department approves of the reduced setback in writing.
- [4]** Commercial vehicle parking accessory to an allowed residential use. Overnight parking of not more than one commercial vehicle shall be permitted in conjunction with an allowed residential use, provided that:
- (a) The vehicle is parked on the same lot as the residential use;
 - (b) The vehicle is regularly driven by a resident of the premises; and
 - (c) The commercial vehicle is not over one ton in size.

Art XII thru XIV
no changes

Art XV General Standards:

Add: *note that these apply to apply to activities which do not require Planning Department (Site Plan, Subdivision and Planning Board) review*

Art XVI Performance Standards

Add: *note that these apply to apply to activities which do not require Planning Department (Site Plan, Subdivision and Planning Board) review*

C. Review and recommend to the City Council a revised Chapter 275 Subdivision; The Planning Director indicated that there were no proposed changes to Chapter 275 Subdivision at this time.

D. Review and recommend to the City Council a revised Chapter 272 Site Plan 272-1-4 Classification of projects.

Add section:

C. Design Standards: Any development on a parcel that is located in the Design Standard overlay will require review and a recommendation to the Planning Board by the Design Review Committee [DRC]

Design Standard Review Committee

1. **Composition:** The committee will consist of at least five (5) members but not more than nine (9) individuals one of whom shall be the Vice Chair of the Planning Board who serves as Chair of the DRC.
2. **Powers and duties:** The committee shall function in a review capacity only to assist the Planning Board in review of applications for development on parcels within the Design Guideline overlays.
3. **Procedures:** During the pre-application meeting projects within the Design Guidelines overlay areas will be identified and the Planning Director and the Chair of the DRC will schedule a meeting for the DRC to review the application. For those applications which are located in the Design Standard overlay compliance with the guide lines is required for those that are located in either the Sanford Downtown or Springvale Village Overlays the Design Guidelines are not mandatory but strongly suggested. The review by the DRC and subsequent report from the DRC is required to be included in the application packet for review by either the SPRC and/or the Planning Board. The Planning Board would have discretionary authority over those parcels which contained single family homes within the mandatory overlay and could grant relief subject to their review. [This revision made as a result of the comments from the joint work shop]

272-1-7. Application Procedure:

The Planning Department utilizes a single application form for all three classifications of developments. The review process for any application follows the administrative

procedure established by the Planning Board which is posted on the Planning Department's section on the town's web site, www.sanfordmaine.org.: (Staff Edit) **Prior to the applicant submitting an application to the planning department they will have met with the CEO who has determined that the proposed use is a permitted use on the subject parcel.**

A. Procedures for major developments.

- 1. Pre-application conference.** Applicants for review of a development are required to schedule a pre-application conference with the Planning Director. The purpose of this meeting is to review procedures and submission requirements, review the approval criteria, and familiarize the Director with the nature of the project. The Planning Director may ask other department heads/representatives to participate in the conference. No decisions relative to the approval of the application may be made at this meeting. **In addition the purpose of this meeting is to ensure that the applicant is familiar with any and all development requirements for the particular parcel as compared to the impact of the development on the parcel.**
- 2. Application procedure.** The owner shall submit a formal application for review and approval of a major development to the Office of the Planning Director.
 - (a) The application shall consist of:
 - (1) A fully executed and signed copy of the application for site plan review (provided by the Town).
 - (2) **Three complete paper copies plus a digital copy of the complete application packet**
 - (3) The required application and development review fees.
 - (b) Upon receipt of an application, the Planning Office shall provide the applicant with a dated receipt showing the nature of the application and the fees paid.
 - (c) Within seven days of receipt of an application for a major development, the Planning Director shall review the application and determine if the application meets the submission requirements set forth in Subsection 3. The Planning Director shall review any requests for a waiver from the submission requirements and shall act on these requests prior to determining the completeness of the application. The Planning Director shall waive any such submission requirement as he determines unnecessary to allow a determination of the application's compliance with the approval standards; provided, however, that if the Planning Board determines that such submission is necessary, it may require that it be submitted. If the application is complete, the Planning Director shall notify the applicant and the Chairman of the Planning Board in writing of this determination and shall provide copies of the application to the official and ex officio members of the Site Plan Review Committee. If the application is incomplete, the Planning Director shall notify the applicant in writing of this determination, specify what additional materials or information is required to complete the application, and advise the applicant that the revised application package will be re-reviewed for completeness when it is resubmitted.
- 3. Submission requirements.** The applicant may request a waiver of any of the submission requirements. Such request shall be in writing and shall be made at the time of submission of the application. The request shall specify why the waiver is being sought. The Planning Director shall review any requests for waivers and shall act on those requests prior to determining the completeness of the application. The application for site plan review of a major development shall contain at least the following exhibits and information: 3 copies of written materials plus a **digital copy** of site plans, maps, or drawings containing the information listed below. The written materials shall be contained in a single report. The site plans, maps, or drawings shall be at a scale sufficient to allow review of the items listed under approval criteria, but in no case shall it be more

than 50 feet to the inch for that portion of the tract of land being proposed for development.

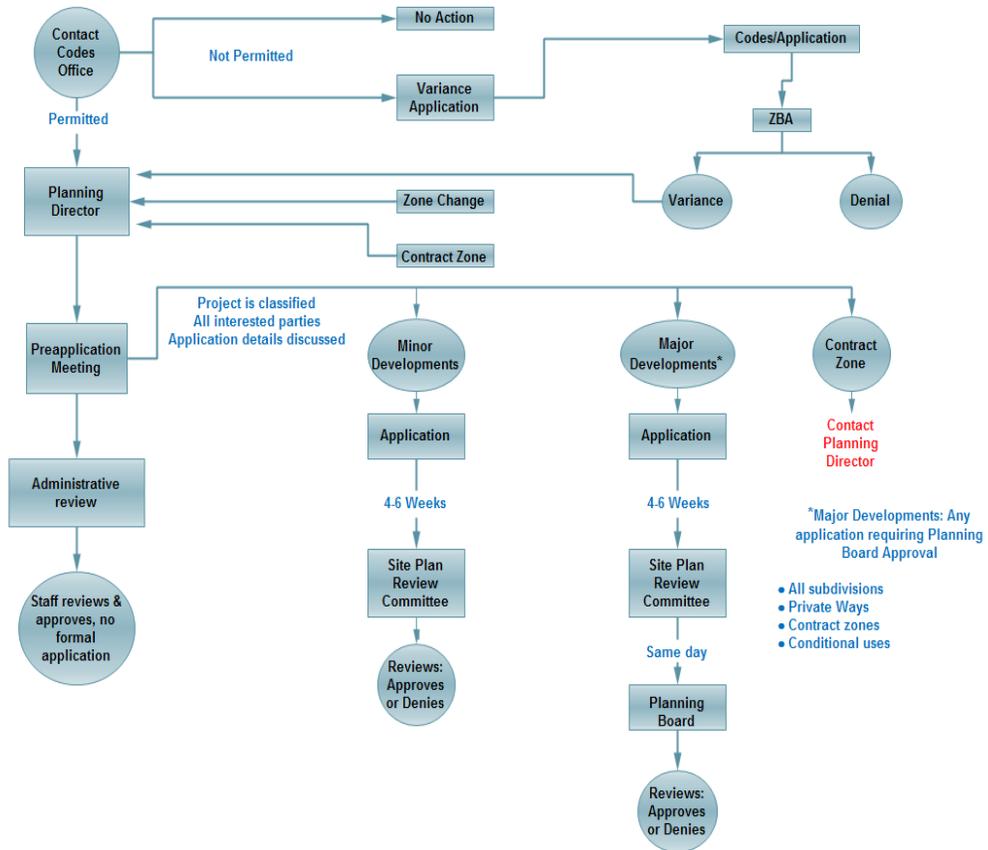
(a) General information.

- (1) Record owner's name, address, and phone number and applicant's name, address and phone number if different.
- (2) The location of all building setbacks, yards and buffers required by this chapter.
- (3) Names and addresses of all abutting property owners and the owners of any parcel abutting an abutter if it is located within 250 feet of the subject parcel, including those in neighboring towns, if applicable.
- (4) A reduction of the Town tax maps showing the general location of the site.
- (5) Boundaries of all contiguous property under the control of the owner or applicant, regardless of whether all or part is being developed at this time.
- (6) The bearings and distances of all property lines and the sources of this information. The Planning Director may waive the requirement for a formal boundary survey when sufficient information is available to establish, on the ground, all property boundaries.
- (7) The assessing tax map and lot number of the parcel or parcels.
- (8) A copy of the deed to the property, option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.
- (9) The name, registration number and seal of the architect, landscape architect, engineer and/or similar professional who prepared the plan.
- (10) A general description of the proposed activity or use.
- (11) A copy of the list of review layers from the interactive layer map identifying the various review criteria for the subject parcel.

E. Review and adopt the revised application review process including the Sanford Land Stewardship interactive GIS layer map.

Getting Started:

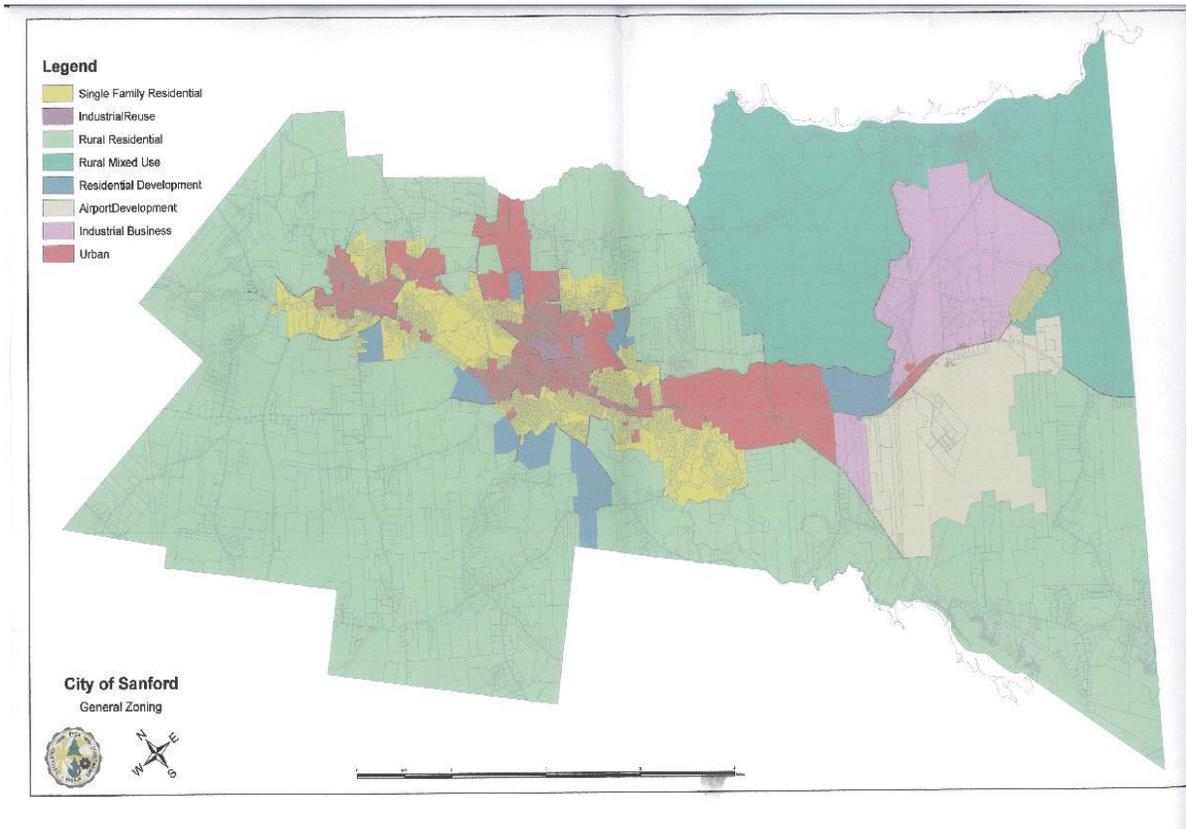
1. Obtain a Land Use Permit from Town of Sanford [Code Enforcement](#).
 - a. Identify parcel.
 - i. Map/lot # (from [Town of Sanford Assessor](#) or [Sanford Web GIS](#)).
 - b. Identify use.
 - i. Residential or
 - ii. [North American Industry Classification System](#) (NAICS) number
2. Schedule Pre-Application Conference with the [Planning Director](#).
 - a. Purpose of Pre-app conference:
 - i. Familiarize applicant with review procedures and submission requirements.
 - ii. Familiarize Planning Director with the nature and scope of the Project.
 - iii. Review approval criteria.
3. Application Procedure:
 - a. Submit formal application to the Office of the Planning Director, consisting of:
 - i. A fully executed and signed copy of the application for site plan review
 - ii. 17 copies of the site plan and supporting documentation (see [272-1-7 A3](#) for supporting documentation).
 - iii. Application and development review [fees](#).
 - b. Review Procedure
 - i. Planning Director reviews application for completeness.
 - ii. Once the application is deemed complete, the Planning Director will schedule it for the next appropriate review. This will usually be within 4 to 6 weeks.
 - iii. The meetings are scheduled for the first and third Wednesday of each month. Site Plan review Committee will meet at 9am and Planning Board meetings are scheduled for 7:30pm.
 - iv. Minor site plan applications may be acted upon by the SPRC.



<i>Residential Uses</i>	<i>NAICS</i>	<i>SFR</i>	<i>RD</i>	<i>RMU</i>	<i>RR</i>	<i>AD</i>	<i>IB</i>	<i>URBAN</i>	<i>IR</i>
<i>Residential-Single Family Detached Dwellings</i>	<i>N/A</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			<i>P</i>	
<i>Residential-Conversion of a single family detached dwelling existing as of the date of adoption of this chapter into a 2-Family Dwelling</i>	<i>N/A</i>		<i>P</i>	<i>PR</i>	<i>PR</i>			<i>P</i>	
<i>Residential 2-Family Dwellings</i>	<i>N/A</i>							<i>P</i>	
<i>Residential Multifamily Dwellings</i>	<i>N/A</i>							<i>P</i>	<i>P</i>
<i>Residential-Multifamily Dwellings above the ground floor of mixed-use developments</i>	<i>N/A</i>		<i>P</i>					<i>P</i>	<i>P</i>
<i>Residential-Mobile home parks with access from a collector or arterial</i>	<i>N/A</i>			<i>PR</i>					
<i>Residential-Expansion of existing mobile home parks</i>	<i>N/A</i>			<i>PR</i>					
<i>Residential-Convalescent, rest, or nursing homes</i>	<i>N/A</i>		<i>PR</i>					<i>P</i>	<i>P</i>
<i>Residential-Care or congregate care facilities</i>	<i>N/A</i>		<i>PR</i>					<i>P</i>	<i>P</i>
<i>Residential-Expansion of existing residential care or congregate care facilities</i>	<i>N/A</i>		<i>PR</i>	<i>PR</i>	<i>PR</i>			<i>P</i>	<i>P</i>
<i>Residential-Home Businesses</i>	<i>N/A</i>			<i>PR</i>				<i>P</i>	<i>P</i>
<i>Residential-Home Occupations</i>	<i>N/A</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			<i>P</i>	<i>P</i>
<i>Residential-Renting of rooms and furnishing of board</i>	<i>N/A</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			<i>P</i>	<i>P</i>
<i>Residential-Accessory Apartments</i>	<i>N/A</i>							<i>P</i>	<i>P</i>
<i>Residential-Daycare homes with fewer than 7 children</i>	<i>N/A</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>			<i>P</i>	
<i>Residential-Excavating and General Contractors and owner-operated trucking operations on lots of greater than 5 acres</i>	<i>N/A</i>			<i>PR</i>	<i>PR</i>				

<i>Non-Residential Uses</i>	<i>NAICS</i>	<i>AD</i>	<i>IB</i>	<i>IR</i>	<i>URBAN</i>
<i>Agriculture, Forestry, Fishing & Hunting</i>	<i>11</i>		<i>1112, 1114, 1119, 115</i>	<i>112, 1114, 1119, 151</i>	<i>CU</i>
<i>Mining</i>	<i>21</i>				<i>None</i>
<i>Utilities</i>	<i>22</i>	<i>All but 2211</i>	<i>All</i>	<i>All</i>	<i>CU</i>
<i>Construction</i>	<i>23</i>	<i>2362, 2382, 2383</i>	<i>All</i>	<i>All</i>	<i>All CU</i>
<i>Manufacturing</i>	<i>31-33</i>	<i>3111-3115, 3117-3119, 312-316 (but not 3161), 321-322 (but not 321114), 323, 326, 332, 333, 334, 337, 339</i>	<i>3111-3115, 3117-3159, 321-3219, 3222, 323, 3254, 3256, 326, 327, 332-337, 339</i>	<i>3111-3115, 3117-3159, 321-3219, 3222, 323, 3254, 3256, 326, 327, 332, 337, 339</i>	<i>All CU</i>
<i>Wholesale Trade</i>	<i>42</i>	<i>All</i>	<i>All</i>	<i>All</i>	<i>None</i>
<i>Retail Trade</i>	<i>44-45</i>	<i>442,-446, 448, 451-454 (but not 45431)</i>	<i>441-446, 448-454</i>	<i>441-446, 448-454</i>	<i>All</i>
<i>Transportation & Warehousing</i>	<i>48-49</i>	<i>481, 484, 485, 4871, 4879, 4881, 4884, 4885, 4889</i>	<i>482-493</i>	<i>482-493</i>	<i>Allowed 491-492 / CU 484, 4862 / No 484, 490</i>
<i>Information</i>	<i>51</i>	<i>All</i>	<i>All</i>	<i>All</i>	<i>All</i>
<i>Finance & Insurance</i>	<i>52</i>	<i>All</i>	<i>All</i>	<i>All</i>	<i>All</i>
<i>Real Estate & Rental and Leasing</i>	<i>53</i>	<i>All (nonresidential only)</i>	<i>All</i>	<i>All</i>	<i>All</i>
<i>Professional, Scientific, & Technical Services</i>	<i>54</i>	<i>All</i>	<i>All</i>	<i>All</i>	<i>All</i>
<i>Management of Companies & Enterprises</i>	<i>55</i>	<i>All</i>	<i>All</i>	<i>All</i>	<i>All</i>

Administrative & Support and Waste Management & Remediation Services	56	All	All	All	All CU but 562
Educational Services	61	All but 6111	All but 6111	All	All
Health Care & Social Assistance	62	All	All	All	All
Arts, Entertainment, & Recreation	71	All	All	All	All
Accommodation & Food Services	72	All	All	All	All
Other Services (except Public Administration)	81	All	All	All	All
Public Administration	92	All	All	All	All



Finding of Facts for Old Business Item #2

File #08-13-Z: Neil Casa Foundation Replacement Shoreland Permit

- The applicant has provided a statement from the property owner granting permission to submit the application.
- The subject property is within the shoreland zone and the existing structure is within the 75' setback from the shoreland.
- The request is to lift the existing building, replace the foundation, and replace the building back on the new foundation.
- The CEO report dated 10-9-13 indicated that per Section 270-11C.(1)(c) reconstruction or replacement is permitted subject to the review by the Planning Board who must confirm that the location meets the setback requirements *to the greatest extent possible*.
- To determine that the location is to the greatest extent possible the applicant needs to provide information so that the Planning Board can determine that the request meets the following:
 - (a) maintains a safe and healthy condition;
 - (b) will not result in water pollution, erosion or sedimentation;
 - (c) provides for disposal of all wastewater;
 - (d) will not affect wildlife habitat;
 - (e) will conserve shore cover;
 - (f) will protect archaeological and historic resource;
 - (g) will not adversely affect commercial fishing activities;
 - (h) will avoid problems with floodplain;
 - (i) and is in conformance with section 270-13land use standards.