

**York Planning Board
Special Meeting
Thursday, April 3, 2014, 7:00 P.M.
York Public Library**

Call to Order, Determination of Presence of Quorum

Chairman Todd Frederick called the meeting to order at 7:03. A quorum was determined with five people voting: Chairman Todd Frederick, Vice Chairman Al Cotton Jr., Board Secretary Lew Stowe, and alternates Peter Smith and Amy Phalon. Both alternates were asked to vote as full members. Contract Planners Lee Jay Feldman and Steve Bradstreet represented staff. Patience Horton took minutes by reviewing the online streaming and did not attend the meeting.

- Project engineer Andrew Johnston is the applicant's representative, though here he is sometimes referred to as "the applicant."
- Lee Jay Feldman is substituting for the town planner on this application. Sometimes he is referred to as the contract planner.
- Steve Bradstreet is the contract engineer.

Town of York Police Station and Connector Road; 4014 Ridge Road Map & Lot 0094-0077

The purpose of the meeting was to decide if the application is complete for purposes of preliminary review.

Town of York Police Station

Contract Town Planner Lee Jay Feldman said the 18,000 square foot police station has LEED Silver standing. There is parking for 76 vehicles. There is an adjacent cell telecommunication tower. A connector road running from Ridge Road to U.S. Route One will be constructed. Completeness of this application will be determined by whether or not the information has been *submitted* as required. Mr. Feldman walked the board through a detailed memo he had sent them regarding Section 6.3 and Waivers, as required by the Submission for Preliminary Plan. The entire memo can be seen on the Town's website. The references to the items in 6.3 are abbreviated here.

- 6.3.1) Reserved **There is no language assigned to Reserved sections.**
- 6.3.2) Boundary Survey **has been submitted**
- 6.3.3) Existing Conditions **has not been submitted, including floodplain identification and location.**
- 6.3.4) Natural Features **has been submitted.**
- 6.3.5) Impact Statement **has been submitted.**
- 6.3.6) Proposed Development **has been submitted.**
- 6.3.7) Grading & Landscape **has been submitted.**

- 6.3.8) Traffic Impacts **has been submitted.**
- 6.3.9) Deed **has been submitted.**
- 6.3.10) Proof of Ownership **has been submitted.**
- 6.3.11) Easements, Rights of Way **has been submitted.**
- 6.3.12) Phosphorous Pollution **is not applicable.**
- 6.3.13) Scenic Resources **has not been submitted. There is no statement included in the applicant's packet.**
- 6.3.14) Historic Resources **has been submitted.**
- 6.3.15) Watersheds **has been submitted.**
- 6.3.16) Habitat Blocks **has been submitted.**
- 6.3.17) Streets and Roads **has been submitted.**
- 6.3.18) Reserved
- 6.3.19) Lot Lines and Acreage **has been submitted.**
- 6.3.20) Public Use **has been submitted.**
- 6.3.21) Reserved
- 6.3.22) Flood Hazard and 100-year Flood Elevation **has not been submitted on the site plan.**
- 6.3.23) Reserved
- 6.3.24) Type of Sewage Disposal **has been submitted.**
- 6.3.24.1) Public Sewage Disposal Connection Capability **has been submitted.**
- 6.3.24.2) Private Sewage Disposal **is not applicable.**
- 6.3.24.3) Sewage Disposal for Subdivisions **is not applicable.**
- 6.3.25.1) Public Water **has been submitted.**
- 6.3.25.2) Wells **is not applicable.**
- 6.3.27) Fire Chief Letter **has been submitted.**
- 6.3.27) Stormwater Drainage **has been submitted.**
- 6.3.28) Sewage & Drainage **has been submitted.**
- 6.3.29) Markers for Layout **has been submitted.**
- 6.3.30) Sight Distances **has not been submitted on the plan.**
- 6.3.31) Reserved
- 6.3.32) High intensity Soil Survey **waiver has been requested.**
- 6.3.33) Parking and Traffic Analysis **has been submitted.**
- 6.3.34) Waivers **has been submitted.**
- 6.3.35) Planning Board Review Fee **has been submitted.**

Mr. Feldman said the applicant is requesting waivers of § 6.4.1.2 (requiring street cross sections); § 6.3.32 (high intensity soil survey); § 9.5.9 (center line grade of the road); and § 7.18.6 (monumentation).

Chief engineer Andrew Johnston, the applicant representative, responded to the § 6.3 submission requirements as follows.

- Flood Plain information is located on Sheets 3, 4, 5, and on the proposed conditions plan;
- Zoning Information is Figure B in the Existing Conditions Plan;
- Scenic Resources Impact have not been provided because the Comprehensive Plan shows there are no scenic resources on the plan;

- Site Distances where the Connector Road meets Ridge Road has been reviewed before. For the time being, they are 680' looking right and 420' looking left.

Public Forum

Open to the public to address any issue other than the scheduled public hearings.

Peter Ashley of Cape Neddick went to most of the Building Committee meetings for the Police Station. He said that in the future, the Police Station can be a net-zero energy building, because it is designed to be.

He said that the downward heat loss into the ground will cause loss of 50% of the energy of the radiant slab. The police station building R rating should be doubled to R20 to keep it dry under the radiant slab.

Mr. Smith told him the structure configuration is not part of the Planning Board's purpose. Peter Ashley asked, "Who takes care of that? Where are things decided? Not being able to get an answer to those questions will result in astronomical tax problems in the future."

Nancy Lambert of Cape Neddick questioned if the new wireless communications ordinance will be use in the visual design of the cell tower. The new ordinance makes the Town exempt from controlling the design. Perhaps the Town would be better off if the ordinance had not passed. Who knows what the appearance of a 140' tower will be from the beaches and the Nubble? The visual impact of the tower should be better considered. That was the end of the Public Forum.

The Board discussed § 6.3 and Waivers. In §6.3.9, Deeds, Lew Stowe requested copies of the deeds. Mr. Feldman said that, unless it is necessary to go to a specific source deed, the quitclaim deed and references to all the source deeds have been submitted. The surveyor would have read abutters' deeds before stamping the plan. Ms. Phalon said that if the Town has a title insurance policy, it would not be necessary to have all the deeds. Mr. Johnston said he would find out about that. Todd Frederick asked for copies of the deeds for Lew Stowe.

Regarding §6.3.22, Flood Hazard Area, Andrew Johnston responded that he doesn't have the elevations, because they were never provided by FEMA. He said he will produce a plan similar to those elevations with the base-zoning map, and the FEMA map will be referenced on that plan.

In § 6.3.30, Site Distances for New Streets, the site distances were not included on the plan. Mr. Johnston indicated he had supplemental sheets with this information, and he handed them out to the board, which had no further concerns.

The discussion turned to the applicant's waiver requests.

In the first waiver request, Contract Engineer Steve Bradstreet said waiving § 6.4.14.2, requiring street sections every 50 feet, would not be as efficient as accepting the grading plan showing the culvert crossing and grading plan coming into the police station area. After discussion, the board granted the waiver for the 500 to 600 feet of roadway near the police station*, but expects great detail about that area.

The second waiver, § 6.3.32, High Intensity Soil Survey, faces the issue of the suitability of the soil conditions. Andrew Johnston explained that there is a stamped DEP permit that was submitted as part of the sketch plan. The permit indicates there is no requirement for a High Intensity Soil Survey. DEP only requires the permit when soil is critical to waste water disposal. Also, in residential and commercial subdivisions, site wastewater soil surveys are required on lots that have less than two acres, but not here.

Mr. Feldman answered that that DEP permit submitted during a sketch plan cannot be put in the packet during Sketch and has to be submitted during Preliminary. .

In the third waiver, § 9.5.9 of the Town of York Site Plan and Subdivision Regulations, requires that the maximum grade of all centerlines of all roads shall be 2% within 75' of an intersection. According to the memo, the applicant has not provided any documentation to indicate that the intersection of Route One is cost prohibitive.

Mr. Feldman said that the waiver for centerlines is not needed because the road is not going out to Route One. It is an inapplicable request.

The fourth waiver request is for § 7.18.6, Monumentation. Code requires that complete monumentation shall be installed before final approval of the application. Mr. Feldman wrote that it is not an unreasonable request, provided the Planning Board places a request on the final plan review that requires monumentation to be established in place prior to final construction inspection.

Mr. Johnston responded that section requires complete monumentation put in place prior to approval. It will be subject to damage. Perhaps the Board could require installation for select monumentation.

Mr. Bradstreet explained that, because of GPS control equipment, even centerline staking is usually not put out. One-inch square wooded stakes stationing every 50 or 100 feet might be placed on the right of way, preliminarily. Monuments are very expensive and to have them destroyed by grading changes does not make any sense.

Chairman Todd Frederick said that it is the consensus of the Board that temporary markers are permissible. There should be markers for the four corners and for the road layout. That concludes the board's discussion of §6.3 Site Plan Regulations and the Waivers.

In further discussion, Mr. Feldman said preliminary deliberations will begin when this application is deemed complete. The board should take a site walk before preliminary approval.

Lew Stowe asked to discuss Town violations. He said that Community Development Director Steve Burns had explained that there are 12 areas he felt were in violation. Mr. Frederick said that, if there are outstanding violations, the Planning Board cannot hear them. He referenced Site Plan and Subdivision Regs § 5.5 and § 5.5.1, Final Approval and Filing. “No plan shall be approved by the board as long as the applicant is in violation of the provisions of a previously approved plan within the Town or in violation of Town of York zoning ordinances.” He said there is a CEO office. It is their job.

Mr. Stowe asked when there will be a presentation about the emergency road. Mr. Feldman answered that the Board will be acting on is the access to Ridge Road, only. Perhaps a phasing plan will show a hammerhead or cul-de-sac installed immediately beyond the police station for now, but not the road. It is the applicant’s responsibility to address the road issue to the Board.

Motion: Al Cotton moved that we table this until the next appropriate meeting. Amy Phalon seconded the motion. The motion passed, 5-0.

The meeting adjourned at 9:25.