

York Planning Board
Thursday, May 10, 2012, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum

Chairman Lew Stowe conducted the meeting. A quorum was determined with five people voting: Todd Frederick, Tom Manzi, Torbert Macdonald, Jr., Lew Stowe, and Dave Woods. Alternate Dave Glazebrook was present, and Tom Prince was not. Town Planner Christine Grimando represented Town Planning. Patience Horton took minutes.

Public Input

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

No one came forward to speak.

Field Changes

There were no field changes.

Minutes

Review and approve draft minutes.

The April 26, 2012, minutes were reviewed and corrections were requested.

Motion: Todd Frederick moved that we approve the April 26, 2012, Planning Board Minutes as amended. Dave Woods seconded the motion. The motion passed, 4-0-1 with Lew Stowe abstaining.

Application Reviews and Public Hearings

Town of York Connector Road: 1051 US Route 1 Map & lot 0094-0077; Preliminary Review of a connector road proposed in conjunction with a new public safety building.

Applicant engineer Andrew Johnston of SMRT was not present. Ralph Norwood spoke for traffic engineer Gorrill Palmer.

Town Planner Christine Grimando gave status updates received from the Town and Town engineers. She told the board that DEP has not yet provided its final, signed-off form, but is expected to, soon. She anticipated Mylars to be before the board at its next workshop, May 24, 2012.

Chairman Lew Stowe explained that thought the planning board had split the permitting of the connector road from the police station, DEP did not split them up and was reviewing the total project. The board had given approval to the police station, but based on the precedent condition of DEP approval, that was not allowed to happen.

Town Manager **Rob Yandow** said that the timing, in terms of construction dates, is contingent upon the permitting process, as Christine Grimando mentioned. We are still awaiting the DEP permit, he said. I'm told that various state agencies have reviewed the application and provided their input, and there's one more agency that is yet to complete theirs, but we anticipate that very soon. We are hopeful by the end of this month for all state permitting to be in place.

We are working on final bids right now. PC Construction is preparing the Guaranteed Maximum Price. We do not have a contingency plan if it is too high, but hope the numbers come in our favor. Construction could start by the first of June. It will take about 10 months.

Since the last planning board meeting, the traffic engineer, Tom Gorrill and I have talked with Steve Landry at MDOT, said Rob Yandow. Yesterday morning I received an email saying that the MDOT's position is that if Tom Gorrill puts his stamps on his numbers, and that if those numbers meet the signal warrants, MDOT will allow installation of the traffic signal right away.

Torbert Macdonald said that the Wild Kingdom road is 700 feet away from the traffic light and is an unregulated access point. He asked how the two roads are going to combine in a way that assures public safety. Rob Yandow said there had been discussion about consolidating the roads, but the original design on the plan had been submitted.

Torbert Macdonald noted for the record that, "Mr. Yandow's comment was that a "hefty" price tag accrued to the possibility of combining the two roads into a single entrance." He said the voters are the proper authority to make the decision, and it should not be made as an executive function. Rob Yandow said he sent a written communication to the planning board that stated that decision on this was not an executive decision, but that the Municipal Committee voted not to proceed with consolidation based on an approximate \$1,000,000 price tag. Christine Grimando said that the voters did approve what is being reviewed at this meeting, and that the board is making a decision to approve or deny what is in front of the board tonight.

The chairman opened the **Public Hearing**. Traffic engineer **Ralph Norwood** represented Gorrill Palmer traffic engineers. He said what Rob Yandow had already said, that if a formal traffic signal warrant analysis shows that the signal warrants are met, MDOT would allow the traffic signal to be installed right away. He described the lane configuration.

Route 1 will have a left-turn lane, two thru-lanes, and a right-turn lane. Heading in the southbound direction there will be a shared-thru-right turn lane, a thru-lane, and a left-turn lane into the connector road. Speed limits are set by MDOT. MDOT will do a speed study when a municipality requests it, either pre- or post-construction. At 55 MPH, a 570-foot sight distance is required. At the proposed connector road/Route 1 intersection, there is actually a 750-foot sight distance. [7:32 on tape]

Dave Glazebrook said that there is no lane going into the York Wild Kingdom road. Ralph Norwood said that extending the proposed work of the proposed connector road would be more expensive. The traffic signal will produce gaps for York's Wild Kingdom's traffic. Torbert Macdonald said that cars coming over the hill do not have the full sight distance, creating a dangerous situation. Ralph Norwood said traffic signal heads will be visible from a distance and advance detection devices will help cars slow down.

Torbert Macdonald further noted the danger from a long queue of cars at the stoplight invisible to northbound traffic.

JoAnn Fryer of Woodside Meadow Road spoke as a member of the United Methodist Church, which shares their driveway with the sports center across the street from the new road. People turning out of the driveway have a difficult time seeing oncoming traffic. She hoped the traffic signal would have a pedestrian crossing with safe refuge.

Ralph Norwood said the pedestrian crossing would have to be approved by MDOT, however, they do not allow signalized pedestrian crossings at high speed (35 MPH or more) locations. We will have to get their input on it, he said. There will be 5-foot shoulders along Route 1. She asked the Town to approach DOT for a design that might work.

In response to board discussion about safe sight lines and safe speed limits, Town Manager Rob Yandow said that the project has an estimated cost, which the voters have approved. Safety improvements, like those being discussed, can be suggested, but they are not part of the project. There is no funding source for them. There has been discussion with MDOT about reduction of the speed limit. Changing lane length is not part of the scope and is not part of the funding.

Motion: Tom Manzi made the motion, "that we seek expert advice and peer analysis from a traffic study engineer/independent contract with the planning board and the Town, so we are prepared to respond to Mr. Norwood and his company's stamped proposal." Torbert Macdonald seconded the motion for purposes of discussion.

Discussion: Dave Woods said he would rather see road improvements than spend \$50,000 for peer review. Torbert Macdonald said that we have expanded the scope beyond what the contract engineers have been asked to look at. There are many issues that should be dealt with now, before there are irrevocable complications.

In further discussion, Christine Grimando said that the planning board has the right to bring in outside technical assistance to review the technical report that had been submitted. But, if the board has questions, couldn't they be given them to Palmer Gorrill? She asked the board to summarize questions for Gorrill Palmer.

Amendment to the Motion: Tom Manzi withdrew the phrase "peer review" from his motion.

In further discussion, Dave Woods said that there's a lot of conjecture about what "could, should, or ought" to happen. Torbert Macdonald said that "this" should go back to the Board of Selectmen, so they can find a way to integrate the Town's perspective with the State's.

Withdrawal of Motion: Tom Manzi withdrew his motion based on the discussion, and Torbert Macdonald withdrew his second.

Building Committee Chair **Bob Reed** said that obviously, our focus has been the Police Station, but we have been part of this process all the way through. The connector road is part of our charge. We spoke at great length of the position of where we come out on Route 1. We hired SMRT as a town to design this building for us. They are engineers that are professionally capable of getting us out to Route 1 on the connector road. We hired Gorrill Palmer as the traffic engineer. They have a lot more information, a lot more background and experience than we do, to come up with accurate information. And we design to a standard that is based on what they work with, what SMRT works with, and what MDOT requires. So this is the standard and the design that is set up. And we acquire money based on that set of criteria. So every thing that Planning Board brings up, and they may be valid points, but it is not part of the scope of this project. Whether there is money or not for that doesn't belie the fact that we are working under the guidelines of MDOT, the engineer that the Town has spent a lot of money on, and with Gorrill Palmer. And that's where we are. My experience with the planning board is limited, so I'm not sure what your power is with regard to designing and requiring more from the project, but we have focused on the areas that were brought to us. That's all we can do. We can't anticipate what the planning board is going to look for.

Tom Manzi said it was alleged that the Building Committee has made a decision with respect to the two road options. What is the recommendation of your committee to the two road options?

Bob Reed said, the Building Committee was unanimous in that we, based on information of potential or approximate cost of purchasing the land from the owners of York Wild Kingdom, and also the additional widening that would take to improve the intersection of the Wild Kingdom and Route 1 entrance. That road there is only four lanes wide. Because of the sports center, we had that turn lane done a while back, so that is five lanes wide. So now you are actually having to add two more lanes, if we go into the same scenario of adding six lanes to improve that intersection. So now you've got the additional expense at the intersection of York Wild Kingdom. So adding that all together, the Committee made the decision that we have an intersection that worked, and it met the standard that everybody was advising us to, and it was unanimous. It was unanimous. We decided to focus our attention on the entrance, as it exists. [His speech transcribed from electronic tape]

Todd Frederick summarized the questions to be presented to Gorrill Palmer: safety concerns, including speed, turning lanes, and sight distances; the cost of the traffic light; speed reduction and calming measures from Abbott Bros. to the Lobster Barn; possible

cross walks and connect-ability to the future Green Enterprise recreation zone; a turning lane for Wild Kingdom and whether MDOT will pay it. Christine Grimando said the town already owns a traffic light, but it probably would not be available for this intersection.

Rob Yandow confirmed that the board is looking for the applicant (Town) to address the concerns rather than follow instructions to do things differently than are already planned.

Kearsarge House: 6 Railroad Ave., & 4 Main Street; Map & Lot 0024-0015 & 0023-0008. Sketch Review for redevelopment of an existing mixed-use property and associated parking lot.

The former conditional approval (conditions not met, approval expired) for the 25,000 square foot Kearsarge House was in 2006. This is a new application with a new owner. Project engineer **JoAnn Fryer** said there she is looking for parking requirements at this time, because the number of units will be driven by the amount of parking required. Parking for the 10,000 square feet of restaurants and retail on the first floor has been grandfathered. Necessary parking is with regard to the upper two floors (8,000 square feet on the second floor, and 7,000 on the third floor). The applicant owns a parking lot behind the Black Dog, nine of which spaces are associated with the Atlantic House.

The parking lot is now configured for **43** parking spaces. **Nine** spaces are for the Atlantic House. **Two** spaces are reserved for an apartment and the ice cream shop employee. **43 – 9 – 2 = 32** spaces currently available. Reconfiguration caused by the FEMA drainage system would provide more spaces. The ordinance requires 1.25 parking spaces per hotel unit, which would **require 58** parking spaces. Satellite parking would have to be provided for peak July and August. With **Valet parking and a ratio reduction to 0.7, the lot could hold 60 to 65** vehicles. Zoning §15.1.1.4 would allow the planning board to accept an alternate parking proposal.

Chairman Lew Stowe opened the **Public Hearing**. **Bill Shaheen** owns Molly O's Restaurant. He would prefer to see hotel rooms rather than condos, as visitors are more likely to spend money when they visit the Beach. The number of rooms is a significant issue.

The board decided that Dave Woods held no conflict of interest as an abutter. The Board turned down the proposal for 9 two-bedroom condos, because only eight condos all allowed for a mixed-use building, said Torbert Macdonald. The 46 hotel units would work. The eight two-bedroom condos plus 15 hotel units could also work because it would require 31 spaces, and they have 32 spaces. The condos would actually be "suites," said JoAnn Fryer, which are not residential dwelling units.

The dumpster enclosures are on the "islands" in the parking lot, she said. The Atlantic House has propane tanks buried in the lot as well as an easement for utilities, including an electric transformer and underground electric and telephone. JoAnn Fryer said the first floor elevation inside the Kearsarge is 12.43. During the Mother's Day flood and the Patriot's Day flood, water never got into the Kearsarge building itself.

Dave Woods said he supports the idea of 1.0 space per room, with designated spaces for employees (“1:1 + 2”). Torbert Macdonald and Lew Stowe agreed with that ratio.

York Hospital “Meeting House Renovation” 211 York Street; Map & Lot 0050-0035; Preliminary Review of a Site Plan application to renovate a former church

Representative **Steve Pelletier** said that the direct abutter, Historic District Commission, has responded favorably to this addition of a 150 square-foot foyer on the church building that is being converted to a meeting hall. Town Planner Christine Grimando said the submission is ready for preliminary and final approvals. There are three waiver requests.

Motion: Torbert Macdonald moved that we accept the application from the Hospital for the meetinghouse restoration, for both preliminary and final reviews, as complete. Dave Woods seconded the motion.

In Discussion: Lew Stowe did not like lumping the preliminary and final, as problems found in the preliminary would hold up the final. Christine Grimando said that they can treat in two steps. Finding them both in complete form does not hold anything up.

Vote: The motion passed, 5-0.

Eric Weinberg of Altus Engineering explained the building’s location next to the principle one-way access, Hospital Drive. This is a safe pedestrian access. He showed two culverts, catch basin, and drain line. There is Town water and sewer.

Propane and utilities will be underground. Five bollard lights will increase the intensity of the overall lighting very slightly. There will be no loss of parking with the re-striping. There are between 48 and 150 extra parking spaces on the hospital property and there is excess parking in employee parking, as well. The construction cost for this aspect of the project is around \$33,000.

The chairman opened the **Public Hearing**. **Art Berger** said the steps of this former-Methodist church are on the street, which is Town property. Eric Weinberg said they are not changing the steps but Town improvements on York Street will make the area safer. The new entrance is ADA accessible with handy parking. The **Public Hearing** was closed.

The building will be for education of staff, physicians, and community. There will be five meeting rooms on the first floor to accommodate up to 100 people. The second floor will be a large meeting space that will hold about 100 people. The cost of \$33,000 includes civil engineering and site work, said Eric Weinberg. That covers utility services to the building, walkway, the HVAC pad, and everything outside, like the drip edge.

Christine Grimando said there is no use of record. That triggers site plan review, but the site plan is mostly for internal work, and the planning board will never see the review.

Architect Scott Fiorintino said the church was used from 1834 to 1981, when it went to private ownership. It has vinyl siding over the original siding to be replaced with white cement board. Windows will be replaced. The curved canopy entrance is in keeping with a grange or meeting hall circa 1834. The belfry design remains, but the bell is long gone. Bob Cutts of the Historic District Commission has provided a Certificate of Appropriateness.

Motion: Todd Frederick said, “I move that we grant waivers to the York Hospital for the York Hospital Meeting Place project. The waivers to be granted would be 6.3.8 (traffic impacts), 6.3.25 (performance guarantee), and 6.4.16 (stormwater management). David Woods seconded the motion. The motion passed without discussion, 5-0.

Motion: Dave Woods moved that we give final approval to the York Hospital Meeting House Renovation, 211 York Street; Map & Lot 0050-0035. Tom Manzi seconded the motion. It passed, without discussion, 5-0.

Old Business

There was no Old Business.

New Business

Findings of Fact and Mylars for Maine Lobster Outlet Amendment

Motion: Dave Woods said, “I’d like to make a motion that we instruct the Chair to sign the Findings of Fact of Maine Lobster Outlet Amendment, TAGT, LLC, Tax Map 53, Lot 9B, 2 Market Place Drive.” Todd Frederick seconded the motion, which passed 5-0.

The meeting adjourned at 10:45.