

**York Planning Board**  
**Thursday, April 19, 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, Tom Prince (voting for Torbert Macdonald, Jr.), Lew Stowe, and Dave Woods. Dave Glazebrook and Torbert Macdonald, Jr., were not there. Town Planner Christine Grimando represented York Planning Department. Patience Horton took minutes.

The agenda was altered. The Sannella application was heard before the Police Station and Connector Road applications.

**Public Input**

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

**Glen Farrell** said he has to come to the board concerning the site plan for McGrath Property, the **View Point Inn**. They have approval on an improved site plan with units, the office, and a conference room. They want to put in temporary men's and ladies' rooms for a swimming pool that is there. It is in the location of a building that is there. The building is there. It has plumbing. When the other building is built, this will be removed because it is in the same building. The same use is there, but it is not the full use. He asked if they have to come back to the board as a revised site plan. Can it be a condition on the building permit saying it has to be removed when the other building is built?

Town Planner Christine Grimando said that if the Planning Board were comfortable with that as a field change (instead of having it come as an amendment), she would put it in the package for next Thursday. The board was agreeable to the field change.

**Field Changes**

There were no field changes.

**Minutes**

**Review and approve draft minutes.**

The April 12, 2012, minutes were reviewed.

**Motion:** Dave Woods moved that we approve planning board minutes of April 12, 2012, with no corrections. Todd Frederick seconded the motion. The motion passed, 5-0.

**Application Reviews and Public Hearings**

**Sannella Shoreland Permit. 9 Loop Road, 45 Ossipee Road. 0012-0007-T, 0012-0011-T. Shoreland Permit for replacement foundation and expansion in the Shoreland Zone.**

**Glen Farrell** represented the applicant. The Sannellas own a lot in Cape Neddick and the lot across the street. They gave up the house on one lot. They were here recently to combine them. State Shoreland zoning requires that even though this is an existing non-conforming, the Planning Board has to be shown that it is less non-conforming.

There is a house with a detached garage. They want to remove the house and build a new house with the garage attached. The neighborhood association says they are in favor of it. The road is moving farther away. The house is on an approved overboard discharge system. They are getting rid of that. A new septic plan is being installed. We are a little less distance from the ocean, Glenn Farrell said. We are not near the lot coverage. The architect is Salmon Falls. They have made changes that have made it more conforming.

The chairman opened and closed the **Public Hearing**. No one came forward to speak. With the 30% expansion, 2,870 sq ft are allowed. They are at 2,552. It is not maxed out. We are conforming on the side setbacks, but cannot conform on one side by the property line, said Glen Farrell. Dave Woods said the back was 28 feet, and now it's 79. The closest point on any lot line, you cannot get closer but you can run the lateral length to the same distance. They have stepped back at the front line.

Tom Prince and Todd Frederick said the placement looks good. Tom Manzi said that it is great to remove the overboard discharge. The septic would be put on a far side away from the ocean. The test pits for that situation have passed. Christine Grimando said the Mylar has to show the septic placed.

The board is deciding the actual numbers to make the decision that the applicant has improved the overall conforming, she said, but the numbers do not go on the plan. The applicant verifies the numbers when they go to the code office. Also, the building plan has to match the expansion numbers.

**Motion:** Todd Frederick said, Mr. Chairman, I make the motion to approve the Sannella Shoreland Permit, 9 Loop Road, 45 Ossipee Road, Shoreland Permit for replacement foundation and expansion in the Shoreland Zone. Dave Woods seconded the motion.

**Discussion:** Glen Farrell said the Board is approving the location of the house and the setbacks. Changes will be made on the side away from the water. The numbers will not change. The numbers may be reconfigured, but not changed for the Shoreland area.

**Amendment:** Todd Frederick added language to his motion: "The Mylar with reflect that information that the building envelope will be 32 feet on each sideline for side setbacks. The building will be no less than 76 feet from the shoreline. The square footage and volume calculations will be as submitted."

**Vote:** The motion passed, 5-0.

**Town of York Police Station: 1051 U.S. Route 1. Map & Lot 0094-0077 Final Review of a Major Site Plan application for a new public safety building**

Town Planner Christine Grimando said this application is complete for purpose of final review, per her review of §6.4.

**Andrew Johnston** from SMRT said nothing has changed since the last presentation. At Lou Stowe's request, he used a diagram showing where stormwater from the site goes. That presentation included a description of dip strip technology, treatment of runoff from the road, buildings, and parking lot, the mysterious whereabouts of flooding coming off the Ice Pond, and thoughts about improving York's Wild Kingdom gravel parking lot flood performance: "You might put in a lot of money and not come up with any benefit."

**There is a philosophy behind low impact**, said Andrew Johnston. The void space in the stone in the underdrain, plus the void space in the soil filter media, plus the six inches of storage in the top combine to make a system that provides an amount of storage such that the overflow doesn't operate until after the twenty-five year storm, which is 5 inches of rain. The philosophy is that rather than capturing all the stormwater runoff, it is put in one area and then discharged from one area. It should be captured as well as you can as near to the source of the runoff as possible, and then dissipated through the site as much as you can. There has also been a change in the philosophy about which storms are most important to treat. What we really should be designing more toward is the 1" and less. Those are over 90% of the storm events that happen in the given year. If you treat and dissipate that water, and you still do that in a manner that can accept and treat a good portion, and treat and dissipate at least the first portion of the high storm events, then you provide more treatment than you would through a normal event.

The low point on the road is Level 14.7. That's 3.7 feet above the 100-year flood elevation. We are creating headwalls along both sides of the road so that the road does not wash away in a flood, Andrew Johnston said. Caddy's way is immediately upstream of the Ice Pond. There are four culverts under that.

Dave Woods summarized monument documentation. When the planning board is asked to accept the conceptual design, there is no Mylar at that point. But, the applicant will go to the interested parties and set the lot lines. That is when the Mylars will be signed and the permit will be issued. It will just be a week or two before the board sees the Mylars, which is normal.

Town Planner Christine Grimando added that in this situation, the board does not vote on monument waivers. This is precedent, not subsequent, approval. The plan would have to be finalized before the applicant comes back.

There was discussion about the danger of the intersection of the Connector Road with Ridge Road. Dave Woods said a jackknifed truck in the middle of the road would be the worst-case scenario. It will be a busy entrance way. Andrew Johnston suggested not striping in the two turning lanes onto Ridge Road, but just put a single arrow down the

middle. It will give big vehicles a bigger radius so they can swing way out with less constraint when they have a left turn. The chairman opened and closed the **Public Hearing**. No one came forward to speak.

Christine Grimando named some issues that had been resolved. Stormwater management had received DEP approval. We had heard from Don Neumann. Tom Haskell had everything he needs to go ahead. There was still the matter of the turning radius. The three waiver requests had been whittled down to one. She recommended the board address 6.4.14.2.

**Motion:** Todd Frederick said, Mr. Chairman, I move to accept the application for the proposed police station as complete for purposes of final review. Tom Manzi seconded the motion. The motion passed without discussion, 5-0.

**Motion:** Dave Woods moved that we accept the waiver request for 6.4.14.2, which would require road sections submitted every 50 feet, as it is not being deemed necessary to the board. Tom Manzi seconded the motion. The motion passed without discussion, 5-0.

Todd Frederick said there were two issues from the last meeting. What color will the fence at the rear be? And where will bike racks be placed? **David Lay** of SMRT Architects said the proposed fence is plain galvanized steel. He was not sure if the change to black (which will make the impounded cars more visible, he joked) was the desire of the whole board. There are seven slots in the black bike rack. Dave Woods said the rack should be bigger, or maybe two different ones. There is only one public entrance to the police station. The bike racks should be by that door.

The Building Committee has supervised the plantings around the police station. Everything about the exterior has been finalized, except the color, said David Lay. The trim will be beige, and gray with white. The siding will be fiber-cement clapboards and shingles, for low maintenance. The Planning Board is not part of the building or landscape design, because it is too far back to be subject to Route 1 standards, said Christine Grimando.

They will need DEP approval before they begin construction, said Christine Grimando, but if DEP comments change this part of the approval, they would come back to the board. Otherwise, they could go right to Mylars.

**Motion:** Todd Frederick moved to approve the Police Station (1041 U.S. Route 1. Map & Lot 094-0077, zones Route 1-4, GEN-3, and RES-7) with the precedent conditions: that the approval is based on DEP approval of the plan that has been approved this evening by the Town of York Planning Board, dated 4/19/2012; and that the Planning Board has waived 17.18.6, that the boundary mounds would be depicted on the final Mylar (and 6.4.13); to include the black fence and the power coated bike rack. Dave Woods seconded the motion.

**In discussion:** Todd Frederick said he did not include the striping on the access road on the motion. The turn arrows on the road will be left to the engineers. Christine Grimando said the final Mylars will have a different revision date if DEP triggers a change that sends it back before the board.

**Amendment:** Todd Frederick said to remove today's date from the motion. Instead the language will read "the plan discussed this meeting."

**Vote:** The motion passed, 5-0.

**Town of York Connector Road. 1051 U.S. Route 1. Map & Lot 0094-0077. Preliminary Review of a connector road proposed in conjunction with a new public safety building.**

**Motion:** Tom Manzi said, I move that the Board finds the application for Town of York Connector Road, 1051 U.S, Route 1, Map & Lot 0097-0007, complete for the purposes of review. Todd Frederick seconded the motion. It passed, without discussion, 5-0.

**Andrew Johnston** talked about the road as he traced its path on a map, running from the Police Station entrance in the Village up to U.S. Route 1. We try and find the highest and driest place around the vernal pools and wetland boundaries, he said. We avoid impacts into those areas as they raise financial costs. This is a local collector street. It is 24-feet wide with a three-foot minimal shoulder. On one side there is a 5-foot grass esplanade. There is an eight-foot pedestrian sidewalk that becomes a stone-dust multi-use trail. At the Route 1 end, we have a collector road intersection with turning lanes.

We are trying to create a profile minimizing the removal of ledge and minimizing the height of fill required. We will have a similar approach to stormwater with low impact development. There are a couple of bio-retention cells along the road to minimize the impact on the woodlands as we regenerate ground water from runoff on the road.

Stream crossings are the locations of culvert crossings. With the biggest stream crossing, we are using box culverts to meet Army Corps requirements, he said. We have met with CMP. We have enough clearance to make an agreement with them. Abutters are happy with what we have done so far. We use riprap to reinforce slopes in two locations to minimize the impact. We keep that disturbance as narrow as possible.

On Route 1, it is anticipated we will have to make improvements to make the intersection safe. Traffic Engineer **Tom Gorrill** spoke about the conceptual plan. Safety improvements have to be done in the least environmentally damaging way. MDOT does not let just anyone put in a traffic light. You can't operate the signal until you've sent DOT traffic numbers. He explained that DOT approval has to come in the form of one or more of a series of warrants. In this case, three warrants apply when only one is needed.

To meet the warrant, traffic has to be counted coming out from the different exits onto Route 1. That traffic count is the one that is going to matter. We used half the volumes

of traffic coming in from Cape Neddick and half from Long Beach. Those volumes basically meet the warrant. It does not really matter what we think, or project, or how much time we spent on it. You will have to count traffic again once the intersection is put in. If you put it in, and it meets it immediately, that is good. If it doesn't meet it, we do it again two months later, said Tom Gorrill.

You don't get a light until you prove it is warranted. It is the left turn onto Route 1 and the volumes of left turns off Route 1 that make you want to put a traffic signal there. The speed gets reduced again about a year later. The sight line is adequate. The yellow flashing light needs DOT approval, as well.

The chair opened and closed the **Public Hearing**. No one came forward to speak.

**Town Manager Rob Yandow** summarized a letter sent to the Planning Board members. In 2010, there were discussions about where the connector road would intersect with Route 1, including the possibility that the current Wild Kingdom road would be used as a consolidated entrance option. On the March 1, 2012, site walk, Rob Yandow had a talk with the director of York's Wild Kingdom, Joe Berbari about the possibility of using the road as the access to the police station, but Wild Kingdom did not want to give up the private road.

The topic of collaboration came up again after that. The bottom line, said Rob Yandow, was that Wild Kingdom would sell that section of road for \$600K to \$800K. For the town, there would be additional costs of another \$300 thousand for redesign improvements. The additional cost would be around \$1 million.

To follow-up on the light and sequence of how things would have to work, continued Rob Yandow, we thought MDOT would see the need for a road. We know that the police station could not directly access Route 1. We have to build a connector road to Route 1 from the Police Station. MDOT did not make it known to us that traffic at that intersection would be an issue. When we met to talk about the road and improvements with MDOT, Steve Landry said we would have to have traffic counts to document the fact that we could meet warrants before they would authorize a traffic signal there. It is not going to take long to see full traffic volumes on this roadway. This road was designed for access to a police station and other emergency services. The road meets the need to reroute traffic to Route 1A and York Beach, as required in the Comp Plan. When it is constructed, it won't be long before we have lots of traffic. Again, he said, it would have been in the neighborhood of \$1 million or more to pursue that consolidated entrance option.

Todd Frederick asked about the leverage the town has in the parking lot it owns at Wild Kingdom. Rob Yandow said the parking lot and the periodic uses versus the long term use of the parking lot was part of the negotiation. The status of the Blinn property was discussed, and Rob Yandow said that the voter authorization to sell the Blinn House and land in the May referendum.

Todd Frederick asked what the number is for the traffic count. Tom Gorrill said the left turn exiting has to have 75+ in one hour (1.5 a minute). That is an eight-hour type of count. The peak hour count is about two-per-minute for cars making a left.

Tom Prince asked what the criteria are for lowering the speed limit. Tom Gorrill said all the speed limits in public right-of-ways are set by DOT. Changing one of these comes through the request of a town manager or town council to change a speed limit. Then there is a speed study. The request for speed reduction is done after the road is in. We could let MDOT pay for the lights, but that would take a couple of years.

Dave Woods said the road would have to be opened in June. The contingency of approval, he said, is that there should be no access to the road, not even for police, fire, or grandma, for the sake of safety. It should remain closed until there is enough traffic around to get the light turned on in short order. Tom Gorrill said counting in June and hitting the warrant is optimal.

Rob Yandow said he would not foresee the town buying traffic lights first. This cost for lights will be up to \$400 thousand. There is funding to be concerned with. More likely we would meet the warrant first. Lew Stowe suggested another site visit with traffic engineer Tom Gorrill there. Todd Frederick suggested DOT be there and the elected State Representatives, too.

**Police Chief Doug Bracey** said that the board has legitimate concerns. He cautioned the board to work inside the DOT format. They understand the complexities. The town just received \$500K from DOT for other town projects. We should look at the timing and work within their model. This will easily meet the warrant. We just have to get the timing right. It is only for 8/10 of a mile for that area of speed change.

## **Old Business**

- **Findings of Fact and Mylars for York Storage II**

**The application from Arenhall Corporation, Tax Map 236 / Lot 55, 1950 U.S. Route 1, York Maine, commonly called Storage Solutions.**

**Motion:** Todd Frederick moved to authorize the Chair to sign the Findings of Fact. Dave Woods seconded the motion. The motion passed, 5-0.

The meeting adjourned at 10:47.