

York Planning Board
Thursday, March 26, 2015, 6:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum; Appointment of Alternates

Chairman Al Cotton called the meeting to order at 6:03. A quorum was determined with five people voting: Chairman Al Cotton; Vice Chairman Peter Smith; Gordon Eldridge, representing York Beach; Board Secretary Todd Frederick; and alternate Amy Phalon, was asked to vote as a full member. Todd Frederick left at 7:00, leaving four to vote. Lew Stowe and Wayne Boardman were absent. Town Planner Dylan Smith and Town Manager Steve Burns represented staff. Patience Horton took Minutes.

Work Session with the York Board of Selectmen

Selectmen John Spears, Robert Palmer, and Torbert Macdonald joined with the Planning board to discussing ordinance amendments being forwarded to the November, 2015, and May 2016 referendums.

Steve Burns: To have a reasonable amount of time to get an amendment to the ballot, the process has to start 12 to 18 months ahead of time. The Town Clerk has to have the paperwork 45 days in advance of the referendum. The selectmen have to have at least one public hearing on the amendment before the warrant. Notices must be published at least 5 or 12 days prior to the hearing, depending on which board holds the hearing. A Comp Plan hearing has a 30-day posting and does not contain another public hearing.

Torbert Macdonald described the implementation strategy. The law says to ensure that goals are being met, the Comp Plan has to include an implementation strategy section that contains a timetable for land use ordinances. At this time, however, the Comp Plan does not contain an implementation strategy, but it should. The Board of Selectmen and the Planning Board can work together and develop one.

Steve Burns said that Maine DOT has mapped 48 Urban Compact communities. In York, the Urban Compact area is located on Route 1 between Mr. Mike's and the Cape Neddick Inn. The Department of Transportation contends that along that route, for a period of at least one-half mile, the buildings are within 200 feet of each other. That triggers the threshold so that, beginning in November, 2015, York will have the responsibility of maintaining that stretch of road. The maintenance of the road will cost the Town \$250,000 every year. The Town will have to pave, snow plow, paint stripes, trim trees, and replace culverts. The Town contends it has not reached the threshold.

Brett Horr has used the GIS to map the Urban Compact road and measure the density. It is more accurate than the Google Earth mapping MDOT is apparently using.

Dylan Smith said that the Master Plan for the York Village Center will be completed and will go to the ballot in November 2015.

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Torbert Macdonald: The Planning Board should focus on Section 6.3, Unfragmented Habitat Blocks, in fulfilling the Implementation Strategy mandate of the Comp Plan. Transfer of development rights and the creation of rural villages can be implemented in the area. Roads can't be paved there. The Town can't accept roads that are there. It is the area for protecting wildlife.

Todd Frederick: The Planning Board has debated about having a timeline parameter to provide the Town Planner and applicants with deadlines for the applicants, so that they can understand timeline expectations. That is the direction we need to go in, and it can go into our bylaws.

This is the end of work session with Board of Selectmen.

Minutes

The March 12, 2015 Minutes were reviewed and changes were requested.

- **Motion:** Gordon Eldridge moved to accept the Minutes of March 12, 2015, as amended. Amy Phalon seconded the motion, which motion passed 5-0.

Field Changes There were no field changes.

Planning Board Workshop on 2015/16 Ordinance and Comprehensive Plan Amendments and Policy Goals

Stormwater Comprehensive Plan Chapter—Kristie Rabasca from Integrated Environmental

Kristie Rabasca is assisting Stormwater Manager Leslie Hinz in providing stormwater language in the Utilities Chapter of the Comp Plan. The chapter is modeled after existing chapters with the inventory and analysis format. In one index, she and Brett Horr will report on how many miles of storm drain pipes, catch basins, manholes, and ditch culverts there are as part of the documentation of the stormwater infrastructure. The work will include chapters and tables showing how other towns have structured the financing of their stormwater projects. The chapter will be about 25 pages in length.

Review of Planning Board Bylaws and Public Hearing Timeframes on Proposed Ordinances

Discussion on May and November 2016 Policy Goals

Review of Potential November 2015 Ordinance Amendments

The Planning Board will move four ordinance amendments to the November, 2015 referendum:

- 1) Cubic Feet for Kitchens (Elimination of cubic foot rule)
- 2) York Beach Village Center (density limited to preexisting buildings)
- 3) Bottling in York Beach Village (to match the Artisanal Food and Beverage Ordinance)
- 4) Gen 3 (outdoor music and theater)

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York Village Zoning is earmarked for May 2016. Citizen participation will be an important element.

Other Business

Motion: Chairman Al Cotton asked for authorization to sign the Findings of Fact for the Division of Land for Estate of Roger R. Norton, Jr., Tax Map 0032 – Lot 0035, 28 Oceanside Ave West & Skylark Lane. Amy Phalon so moved. Peter Smith seconded. The motion passed 4-0.

Motion: Chairman Al Cotton asked for authorization to sign the Findings of Fact on the application by Robert A. Cutts, Tax Map 90 – Lots 31G, 31H, & 31I, Hadley Hills Subdivision – Rumsey Road. Amy Phalon so moved. Gordon Eldridge seconded. The motion passed 4-0.

Motion: Chairman Al Cotton ask for authorization to sign the Findings of Fact on the application by Susan V. Fried; Tax Map 90 – Lot 12D. Tide meadows II Subdivision – Bass Cove Lane. Gordon Eldridge so moved. Amy Phalon seconded. The motion passed 4-0.

Motion: Chairman Al Cotton asked for authorization to sign the Findings of Fact on the application by Jeannie B. Tsiaris Living Trust, Tax Map 88 – Lot 5, Wineland Subdivision – Pepperell Way. Gordon Eldridge so moved. Amy Phalon seconded. The motion passed 4-0.

Adjourn

8:48