

**York Planning Board**  
**Thursday, October 18, 2012, 7:00 P.M.**  
**York Senior Center**

**Call to Order, Determination of Presence of Quorum**

Chairman Todd Frederick presided. A quorum was determined with five people voting: Chairman Todd Frederick, Vice Chairman Dave Woods, Board Secretary Lew Stowe, Torbert Macdonald, Jr., and Dave Glazebrook (who had been made a full member of the board since the last meeting). Alternate-elect Al Cotton, Jr., attended his first meeting. Christine Grimando, the Town Planner, was absent. Community Development Director Steve Burns represented staff. Patience Horton took Minutes.

**Public Forum**

**Open to the public to address issues other than topics scheduled for a public hearing.**

No one came forward to speak.

**Minutes**

The September 27, 2012 minutes were reviewed and changes were requested.

**Motion:** Lew Stowe moved to approve the Planning Board minutes of September 27, 2012 as amended. Dave Glazebrook seconded the motion, which passed 5-0.

**Field Changes**

There were no field changes.

**Application Reviews and Public Hearings**

**Cape Neddick Country Club—Function Tent & Lot Division: 650 Shore Road; Map & Lot 0100-0003. Proposal to establish a function tent and make associated site improvements, and to divide off a house along Shore Road in a manner that may not be subdivision**

Steve Burns introduced the application. The board has been on a site walk. The issue was the setback on the parking lot. They have adjusted the parking so they have the 50-foot setback. Dean Lessard has asked for certain sight distance, and they are there. The police had asked that the handicapped parking be moved in closer to the building. The Fire Chief had asked for a note stating that no cooking will be done under the tent.

**Ed Brick** from Attar Engineering said they had planned for 222 people in the tent, and the capacity has been reduced to 162. They have cut the parking to reflect that. That gets them the setback. The sight distance and no cooking notes have been added.

Lew Stowe asked about the portable toilets. Ed Brick said the way we left it with the Planning Board, the portable toilets would be self-regulating. If the toilets were “nasty,” people would not want to have a function there. There was a waiver on specific requirements for non-residential portable toilets. Torbert Macdonald made a motion to open the **Public Hearing**. No one came forward to speak.

Ed Brick said that eliminating one row of parking made the setback 50 feet. The stormwater stayed the same. The impervious was reduced by 18 feet along the strip.

**Motion:** Dave Woods moved that we approve the Cliff Reality Corporation, Cape Neddick County Club application." Dave Glazebrook seconded. It passed, 5-0.

**Barri/Regan—Shoreland Building Replacement: 8 Warren Street; Map & Lot 0024-0027; Proposal by Regan for teardown and replacement of a single-family dwelling currently owned by Berri; Board review limited to Shoreland setback determination.**

Steve Burns introduced the application, calling it straightforward. The building is essentially on top of the rocks at the top of Long Sands Beach. They are going to take the house and go from bigger to smaller. It is an old, drafty house. They have worked through all the building issues. The CEO is not authorized to decide if they are putting in a new foundation.

It is practical to set it farther back. It is a reasonable proposal. Planning Board would sign the Findings and Code goes through the zoning analysis and the building permit analysis. It cannot be built on the existing footprint at this location, said Steve. You cannot put a foundation under a building that does not have a conforming setback. You have to make it better.

Applicant representative architect **Phil Kaplan** represented **Amy and Jim Regan**. He showed an elevation of the existing building and plans for the proposed, saying it would not be more nonconforming. They’re pulling the new 2500 sq. ft. structure far back enough to allow parking off the street. They have pulled all the new-condition space behind the existing-condition structure. There is less square footage and smaller lot coverage. The building has 500 fewer square feet. The building height is 5 feet less. Steve Burns added that you can’t park there currently. The back part will have a parking spot in a garage. The Chairman asked for the **Public Hearing** to be opened. Lew Stowe said, "So moved." No one came forward to speak.

**Motion:** Torbert Macdonald moved that we approve the Barri/Regan—Shoreland Building Replacement, 8 Warren Street, and find that the Shoreland Setback, as indicated in the plan, is appropriate. Dave Woods seconded the motion, which passed, 5-0.

**Stonewall Kitchen—Office and Warehouse Additions. 2 Stonewall Lane. Map & Lot 0042-0009-A; Proposal to expand office space on the Route One side of the building and to add two additional bays to the loading docks**

Steve Burns introduced the application. It came in one month ago. The construction manager is John Destefano. The application is complete. There are 2 small changes. One is the addition of two bays. Plus there is a two-story addition for merchandising, which we call “office use,” he said. In that space, they will assemble pancake and syrup kits, for example. That is a production area. There will be no customers there.

There is a question from Code about thinning in the buffer. A few years ago, they cut within the wetland without a permit. They need to get a landscape architect to highlight the building rather than hide it. Also, the Police Chief said there should be a pole light on Raydon Road because there are employees and other pedestrians who go across there.

**Motion:** The Chair asked for a motion to accept the application as complete. Torbert Macdonald said, “So moved.” Dave Woods seconded. It passed 5-0.

Steve continued. The area for the new building is inside the approved building calculations that have already been done. New calculations were done for the runoff, and the numbers for the 100-year storm didn’t change. There is no change in the parking lot.

**John Destefano** discussed the changed vegetation plan. We want to clear 30 feet or so, right to the 50-foot line. That includes dead trees, low growth, and thinning. He showed an elevation of the production area as it looks today. He showed the added loading dock site and two-story structure. It will have 9 x 9 windows and barn board siding. He showed where thinning will make the new area more exposed. He showed a patio with concrete pavers. Picnic tables will be on top.

The loading docks are more hidden. There will be two loading docks and one on-grading dock. He showed where the trucks will be. There will be asphalt shingles on the new building. Todd Frederick asked to open the **Public Hearing**. “So moved,” said Torbert Macdonald. No one came forward to speak.

Lew Stowe opened a discussion about parking and setbacks. The patio will stick out from the building to the setback. In this case, with all the parking in the back, Stonewall still has room to move out to the 50-foot setback, as opposed to 80 when the parking is in front.

Dave Glazebrook brought up the lighting. **Jerry Lewis**, Director of Facilities, said there is a pole on the corner of Raydon Road. It is not bright. He has contacted York Public Works, but they haven’t responded. Steve Burns said the light should be paid for by Stonewall.

John Destefano said the trees are tagged. Dave Woods confirmed they are 4-foot loading docks, configured as two down, one up, and two down. John said he would like to start construction in early November, so it is done by early March.

**Motion:** Lew Stowe moved to approve the Stone Wall Kitchen application, including the reduction of the buffer in front of the office, the concrete pad for two new loading docks, and an improved pedestrian light at the Raydon Road crosswalks. Torbert Macdonald seconded the motion. It passed, 5-0.

## **Other Business**

Steve Burns said the York Colonial Center application had gone through completeness and had been advertised to go on the agenda. Patricia Martine got in touch with Steve pointing out there were too many units on the project. The applicant had switched out of commercial and gone all-residential.

How do you make the connector road beautiful? How do you recover? he asked.

The board talked about offering a Connector Road site walk with the Board of Selectmen on November 3, and then let the Selectmen come up with an alternate date, if necessary.

After discussion, the board decided to keep the preliminary and final reviews for the police station/connector road separate, rather than combined. In keeping them separate, "You have to let the public in on it," said Lew Stowe.

Steve Burns handed out Draft Amendment for Sea Level Rise. It will be a workshop. The next meeting will deal with the Police Station and the Connector Road. He wants to review aerial photos of the road that the State flew over and took in April 2012. There will be new GIS software available to the public.

**Motion:** Lew Stowe moved that we approve the Findings of Fact for Keitts Point. Dave Woods seconded the motion. The motion passed, 5-0.

The Findings and Mylar for Keitts Point were signed.

## **Adjourn**

The meeting ended at 9:15.