

**TOWN OF YORK PLANNING BOARD  
THURSDAY, NOVEMBER 6, 2003, 7:00 P.M.  
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Chairman Glenn Farrell started the meeting at 7:05. Barrie Munro, Dave Marshall, Dan Remick, Glen MacWilliams, and alternates Richard Smith and Tom Manzi attended. Town Planner Steve Burns represented the Planning Office. Patience Horton took Minutes. The meeting was televised. The meeting was a workshop. There was one motion to approve Minutes.

**Public Input**

Michelle Moody reminded the Board of the December 16 open house that will include many different groups whose work dovetails with the Planning Board's.

**Minutes**

**Motion** Barrie Munro moved to approve the Minutes of July 24, August 28, September 11, September 18, October 2, and October 9, 2003, as submitted. Dave Marshall seconded the motion, which passed 5-0.

**Applications**

**Central Maine Power Company. Application by CMP to construct new Transmission Lines running from Kittery to York Beach along the Turnpike, Spur Road, and Route One, and to construct a new substation at Bragdon Commons adjacent to the Turnpike. The Board will begin its review of issues. This is a workshop with the applicant to review all materials submitted to date. The public hearing will be scheduled for November 20<sup>th</sup>, if the applicant is ready.**

Steve Burns said that the final hearing on this matter would be on November 20 at 8:00. A plan note regarding the return of wetlands to their pre-impact condition is among the plan notes being considered for this application. All the agreements from all of the properties are not yet in, he said, including the Spur Road diagonal. State permits, assurances from the telephone and cable companies, and certification from geologists were all either secured or about to be. The plan for the removal of existing poles was not yet finalized. The conservation easement on CMP's property along the river, maintenance of plantings into perpetuity, the floodplain condition near the Kimball Farm property, buffering, Spur Road, and visual impacts all remained open for discussion. The possibility of moving the line across the road at Beach Ridge Road proved to be futile, as there are apparently more houses on that side than on the first side. CMP picked the one with the bigger buffer.

Terry DeWan, landscape architect, made a PowerPoint presentation showing further development and changes in the planting plan. His simulations included the crossing point over the highway. He showed how behind Pigs Fly Bakery and Brickyard Court,

the buffer is currently relatively thin. A simulated view showed how Red Maples, Willows, and others would fill that area in in about 10 years. He showed how Rt. 1 would look with 50- and 60-ft. poles.

Steve Burns said that visual impact is an important issue. As well, he planned to look into the PUC's requirement for CMP's financial security throughout the project. Barrie Munro brought up a proposal whereby CMP would put money into escrow to remedy any problem that plantings might have after completion of the work, suggesting that ninety days, or so, after completion, Board members, Selectmen, and CMP representatives could walk the line and determine whether or not the plantings were successful. He suggested \$35,000 for this account. Steve Burns thought that perhaps the determination could be made after a couple of years, instead of so quickly. Terry DeWan said that the initial cost of the plantings would be between \$125 thousand and \$150 thousand. Mary Smith, Project Manager, suggested that a percentage of 10% or 15% of that cost be escrowed, rather than a pre-determining a lump sum. Glenn Farrell said that the budget, including that escrow account, would be set during the November 20 meeting.

Mary Smith described the long-term plant maintenance warranty CMP holds with the Maine Turnpike Authority. It is a full guarantee for 2 years with an 85% survival rate beyond that period. Tom Manzi was concerned about the herbicide use. Mary Smith described how every 4 years taller trees are cut and the spouts of smaller capable species are sparingly sprayed.

Steve Burns was concerned about the buffer maintained by Stonewall kitchen through which the line will travel, if the Spur Road diagonal falls through. He does not want to see that area thinned out. Kenneth Freye, Manager of Real Estate Services at CMP, described his progress in negotiating the line along the back part of the parcel of the Spur Road diagonal. Should a deal come through, the line will come out on the south side of Radon Road. Glenn Farrell said that, should the line have to go in front of Stonewall, it would be taken up at the next meeting. Dave Marshall stressed that the Spur Road route is far, far preferred. Ken Freye also described the improved treatment of the Corey property, which does not require even the trimming of the maple tree.

John Carroll used the word "cordial" in describing CMP's relationship with York. He then listed many concessions CMP felt it had made to the town, including abandonment of the York Harbor Substation and the special York River crossing treatment costing CMP \$1million beyond its usual practice. But as for the Foster property request for 55 acres of land mitigation, he was not so willing to give up his company and shareholder's asset. Glenn Farrell interrupted him and said the he did not know the Board had proposed easement rights to the Foster property. Steve Burns said, "You didn't. I did." There was talk of "never hurts to ask," and then Glenn Farrell told John Carroll that the Foster property was not a problem.

Mary Smith hoped that the work would be completed in 2 winters, by Memorial Day weekend of 2005. If all permits come through by late November 2003, Rt. 1 poles will be constructed during the upcoming winter. The tops are cut off the old poles after CMP,

and then Time Warner, then Verizon, string the new poles. Glenn Farrell proposed that the deadline for taking the poles should fall somewhere between the 60 days after all the utilities are removed, and Memorial Day weekend of 2005. It was an agreeable compromise.

Mary Smith asked if the independent inspector requested by the Town of York and the environmental inspector required by the Department of Environmental Protection could be the same person. The Board was favorable with that idea.

Finally, Cole Peters of Tarbell Associates brought up the 100-year floodplain of the York River. He had spoken with the State Planning Office and learned that their definition of a structure does not encompass a utility pole. Steve Burns said that if it doesn't apply, the issue of the 100-year floodplain could be stricken right then and there.

**Other Business/Adjourn** There was no other business. The meeting was adjourned at 8:45.