

York Planning Board
Thursday, June 14, 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, Torbert Macdonald, Jr., Tom Manzi, Tom Prince (voting for Dave Woods), and Lew Stowe. Dave Glazebrook and Dave Woods were not there. Town Planner Christine Grimando represented the York Planning Department. Patience Horton took minutes.

Public Input

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

Ron Nowell said the mylars for the new police station have gross errors. He was uncertain who the agent for the Town is, and therefore to whom questions about the police station project should be asked. He had read about the wetland mitigation plan for the police station in the York Weekly. He asked a Selectman and two Conservation Commission members if they knew about or had seen the mitigation plan, and none of them had.

He had looked at the April 12, 2012 plan being used this evening. He said the Mylar does not represent the plan accurately. The brook coming out of the Ice Pond is not there. The vernal pool behind the post office, which is shown on the plan, is not a vernal pool. The pond doesn't appear on the plan and two streams coming out of the pond are not shown.

The cover sheet of the plan shows a topo map. It shows that the Town owns part of the Wild Kingdom road, based on the survey of the new purchase. There is no screening between the police station and the animal park. You would hope it is a secure facility, he said. He asked to see that the "vernal pool" is a pond or a marsh, but not a vernal pool.

Field Changes

There were no field changes.

Minutes

- The Minutes of May 10, 2012 were reviewed. Changes were requested

Motion: Torbert Macdonald moved to accept the May 10 minutes as corrected. Todd Frederick seconded the motion. The motion passed 5-0.

- The minutes of May 24, 2012, were reviewed. Changes were requested.

Motion: Torbert Macdonald moved we approve the Minutes of May 24 as corrected. Tom Manzi seconded the motion. The motion passed 4-0-0. Todd Frederick was absent.

Application Reviews and Public Hearings

Stonewall Kitchen Parking Lot Expansion. 2 Stonewall Lane. Map & Lot 0042-0009-A. Revision to a Previously Approved Site Plan for an expansion of a gravel parking area in area of previously approved for a warehouse building.

Engineer **Bill Anderson** presented the application with help from **Jerry Lewis**, Director of Facilities at Stonewall Kitchen. A second shift is being added at Stonewall Kitchen, and there is an overlap of cars when the shifts change. In order to make an orderly transition, they want to expand the available parking so both shifts can overlap.

The proposed parking area was previously approved for a warehouse building. They are looking at parking as an interim use. They expect to end using the area for parking and return to building their warehouse, later.

Bill Anderson described the drainage infrastructure. Everything drains as explained on the original warehouse application. Nothing needs to be changed to handle storm water. This drainage from Pond 1 goes under Route 1. Lew Stowe asked to have the wetland edge delineated.

The plan shows “dense pine screen” with white pine buffer. Town Planner Christine Grimando requested a detailed planting plan with regard to seasonal screening and contents of the under-story. Todd Frederick said the plan shows 237 parking spaces, only three of which are handicapped parking. Bill Anderson said there is no ADA standard for parking on gravel. Todd Frederick stressed that striping on the gravel must remain visible.

The Board requested the Applicant to observe that Article 5 regulates parking directly in front of the building in the Route 1 zone. In this case where there are 10 parking places in front of the building, the 50-foot setback changes from 50 feet to 80 feet.

Bill Anderson said that a technical model of the 100-year storm was run as part of the warehouse application. Stonewall is meeting the responsibility not to overburden the downstream water. Christine Grimando said new storm modeling is not needed, but an explanation of the route water takes through abutters’ properties is required.

The outstanding open-ended issues included: parking configuration/striping based on ADA regs; landscaping; delineation of wetland

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

Town Manager **Rob Yandow** answered Ron Nowell's question about the chain of command. The Selectmen represent the Citizens of the Town, and he, the Town Manager, represents the Selectmen. He is the "project representative," the "representative proxy."

Tom Manzi questioned the authority of the Building Committee, noting that Chairman Bob Reed of the Building Committee claims authority. To that fact, he quoted Planning Board minutes of May 24, 2012, which recorded Bob Reed's testimony almost verbatim. Lew Stowe said the minutes showed that the Committee's turning down the acquisition of the Wild Kingdom Road had been unanimous.

Torbert Macdonald said the traffic-engineering firm, Gorrill Palmer, does the advisory work. Gorrill Palmer had been the advisor to the Town Manager. Town Planner Christine Grimando had passed out pertinent Gorrill Palmer memos that were addressed to the Planning Board, to the Planning Board members prior to this meeting, for reference.

Rob Yandow stated that the original two-road intersection of Connector Road and Wild Kingdom Road had been rejected. He then explained the background for the process that led to that decision.

In 2010, with voter approval, the Town purchased two parcels of land to build a police station and a connector road. SMRT was hired to do the preliminary concept work. In January, 2011, the Selectmen had discussions about the early conceptual design, including utilities. The Board of Selectmen voted to move the road plan to the Capital Plan at the price of \$3.2 million. That decision was moved to the Municipal Building Committee. In May, 2011, the project received voter approval.

The contract with SMRT directed them to work with the Building Committee on final design work. The Building Committee recommended the schematic design and the developmental design, which was approved

On June 4, 2012, the Building Committee recommended the Guaranteed Maximum Price. The GMP cannot be exceeded by the builder, PC Construction. All this went through the Building Committee, said Rob Yandow.

At some point an effort was made to see if the Connector Road would be combined with the Wild Kingdom. It was a unanimous vote of the Building Committee not to pursue that. The Board of Selectmen never made the decision about which of the road pathways, the Connector Road or the Wild Kingdom Road, was designed.

The original contingency for land purchase was that the Town could gain access through the Wild Kingdom Road, but Wild Kingdom wanted to keep the road private. Instead, the Town ended up buying the two parcels, and the police station was developed. During the March, 2012, site walk, one of the owners of York's Wild Kingdom started a new negotiation, asking for \$600,000. It was later calculated that acquisition would raise the cost by an additional \$300,000 for the connection with Route 1. The Municipal Building

Committee decided to move forward with the plan they had been taxed to move forward. At that time, Gorrill Palmer had not been brought in on the safety analysis.

The National Resource Protection permit was issued in May, 2012. The Federal Government gave the Fish and Wildlife review. Rob Yandow said he had hoped to have the final DEP permit tonight, but it should be done at the end of next week.

The Town works with MDOT on the traffic light. In this case, MDOT worked with the original intersection design. They reinforced what had been submitted. With the road being widened, the Town of York has to pay for the extra work on Route 1 at the new traffic light. MDOT reacts to the design that has been formulated by the traffic engineers.

Rob Yandow spoke about the qualifications of the Building Committee, which members were appointed to make recommendations to the Board of Selectmen based on the information supplied by the engineers, architects, and design professionals. These recommendations are not based on their own opinions. These recommendations were made on the recommendation of the professionals. Their work comes from hard work and sound logic. They have interviewed professionals to get that information. There is no traffic engineer on the Committee, he said. The design consultants (SMRT) hired the traffic engineer.

Torbert Macdonald asked if Gorrill Palmer was not used for safety analysis, but rather “just” for criteria for cost. Rob Yandow said there was no question asked of Gorrill Palmer about safety. The question was not specifically posed to SMRT or Gorrill Palmer.

SMRT Engineer **Andrew Johnston** gave an overview of the road development and plan. The roadway has collector street standards. There are vernal pools on the site. The road fits the topography. It sits on higher ground. It meets buffers and lessens potential impacts. SMRT has taken advice from Gorrill Palmer about the intersection at Route 1. Monuments have been cleared for placement as of this date. The stormwater report applies to the overall plan including Wild Kingdom Road and the property line. The road of the Wild Kingdom Road crosses 11 feet onto Town land for a length of 300 feet. Improvements on Route 1 are the purview of MDOT. It accepts opinions or requests, but it is their determination of what transpires on that road.

Traffic Engineer **Ralph Norwood** of Gorrill Palmer said that before MDOT will approve, they would require detail plans. The signage, traffic signals, traffic signal head, and crosswalks will be happening, but we are not there now. He reviewed the turning lane configuration that had not changed.

Chairman Lew Stowe opened the **Public Hearing**. **Ron Nowell** said that the application has come this far, and it is only learned today that York owns part of the animal forest park road. There is problem on the plan with the ownership of the Spears property. That error needs to be corrected. Town of York owns the animal forest parking lot. We own

the land where three buildings sit, the corral, and part of the road. The intersection of Connector Road and Route 1 is in a dangerous place, where four lanes narrow down to two. There is no reason for the town not to lay out the road safely. Lew Stowe closed the **Public Hearing**.

Town Planner Christine Grimando said the Planning Board's concerns include speed reduction, calming measures, connect-ability, turning lanes, crosswalks, and concerns for safety. It was not known if turning lanes could be longer than had been proposed. MDOT was adamant that they could never have crosswalks at that speed.

Traffic Engineer Ralph Norwood also reviewed the Board's issues. MDOT will allow the traffic signal to be activated based on warrants. A crosswalk cannot be located where the speed limit is 55 MPH. It might be possible to have crosswalks when the traffic is slower. Speed reduction can't be reviewed until improvements are constructed and the lanes and signal are constructed.

There are different speed limits posted along that corridor. The cost of widening Route 1 to the north to accommodate a left turn lane at Wild Kingdom has the potential cost of \$300,000.

The traffic light will provide gaps in the Route 1 traffic flow. Gaps provided by the traffic light will allow people out onto Route 1 from the animal park drive. Ralph Norwood said he had pulled the crash data for that intersection and over the past three years, and there have been two crashes. One was a motorcycle hitting a bicyclist crossing Route 1. The other was a car coming out of Animal Kingdom and hitting another car.

Torbert Macdonald said that there has to be a reevaluation of safety on Route 1 relative to the status of retrograde arterial. Reevaluation should be made in light of the fact that the Town owns a portion of the Wild Kingdom Road. He said that the Board should give room for that process to work, he said. The Board should ask the Applicant to join the Planning Board in an extension of the preliminary process so we can see how the Town and the State can get this on a progressive track.

Motion: Torbert Macdonald moved that we request the Applicant to agree to an extension to this process for researching the safety analysis done by the State required to this "retrograde arterial" and a possibility to calm the traffic to 35 MPH.

In discussion, Torbert Macdonald explained that the direction for the applicant is to engage the MDOT with facts on the grounds that this is no longer a retrograde arterial and everything they are bringing to the table is obsolete.

Torbert Macdonald asked for a vote to **move the question**. Four of five planning board members were in favor of moving the question.

Vote: The vote to request the Applicant to agree to an extension passed, 4-1. Tom Prince voted against.

Christine Grimando said that if there is an extension, the board has to clarify what the Applicant has to bring back.

Town Manager Rob Yandow asked if he has a choice to agree to the motion. He said that the Planning Board had stated earlier in the process that under no uncertain terms, the Town would be treated like any other applicant. The issues on Route 1 are problematic for the Planning Board. You want to challenge the classification of Retrograde Arterial, he said. I am the owner's representative, he said. The Selectmen and Voters have approved it with a certain design and through an appropriate process.

The length of extension was discussed. Rob Yandow said he would have to choose a short-term extension. Christine Grimando asked the Board for a date to end the extension. She asked for clarity about what will be requested of DOT. Rob Yandow said that on June 4, the Board of Selectmen received the guarantee. If it drags out, who knows how much it will cost to build the road?

Torbert Macdonald said that the public safety must be served. Maybe leaving it open is to our advantage.

Motion: Torbert Macdonald moved that we agree to a 30-day extension between the Planning Board and the Applicant. Tom Manzi seconded the motion. The motion passed, 5-0.

New Business

There was no new business.

Old Business

- ~~Town of York Police Station mylars and Findings of Fact~~
- ~~Ridge Road Parking Lot Amendment mylars and Findings of Fact~~
- York Hospital Meeting House Renovation mylars and Findings of Fact

Motion: Todd Frederick moved that we accept the Finding of Facts for the application for the York Hospital Coordinated Expansion "Meeting Room Revision." Tom Manzi seconded the motion. It passed 5-0.