

**York Planning Board**  
**Thursday, May 11, 7:00 P.M.**  
**York Public Library**

**Call to Order, Determination of Presence of Quorum; Appointment of Alternates** Chairwoman Amy Phalon called the meeting to order at 7:00. A quorum was determined with five people voting, Chairwoman Amy Phalon, Vice Chairman Pete Smith, Al Cotton, Lew Stowe, and alternate Kathleen Kluger, who was appointed as a voting member. Gordon Eldridge was absent. Alternate Wayne Boardman was present, but did not vote. Patience Horton took minutes. York Director of Planning Dylan Smith represented staff.

**Public Forum**

No one came forward to speak.

**Field Changes**

There were no field changes.

**Public Hearings—Applications**

**The York River Landing—150 U.S. Route 1. Map/Lot: 0073-0014-A & 0014**  
**Application is for a revision of an existing Planning Board approved site plan to construct a new seasonal pavilion, construct a covering over the existing seasonal deck, convert parking area to landscaping, and construct roughly 11,100 Square feet of new parking spaces.**

Motion: Pete Smith moved to accept the application for 150 U.S. Route 1  
Map/Lot: 0073-0014-A & 0014. Al Cotton seconded. The motion passed 5-0.

Geoff Aleva of Civil Consultants represented this application for a timber-frame function-room pavilion. The construction is within the shoreland zone. Drainage flow will not change. Lot coverage will not change. DPW's Dean Lessard has approved the parking layout. Thirty-eight spaces for employee and overflow parking have been added near the Rte. 1 area. The ordinance calls for 150 spaces, and 150 spaces are being provided.

There are two waiver requests. The first is for 15.1.2 and 15.1.1.6 which call for a second entrance from Beech Hill Road into an auxiliary parking lot. Such an entrance does not make sense, the Town Planner said. No waiver request is necessary. The second waiver request addresses the requirement for landscaped islands every 100 feet along the long, linear parking lot. The lot is over 100 feet in length, and Geoff Aleva said he would rather not reduce the amount of hedge at the end of the lot by adding islands.

Geoff Aleva had had discussions about the stormwater system for this property with the Town Engineer, Steve Bradstreet, of Ransom Engineering. “There were just plan comments and notes. We did not have to make revisions to the drainage design,” Geoff said. A stormwater maintenance plan for this property was filed with the Town as part of the previous approval.

The Licensed Plumbing Inspector has not yet signed off on the adequacy of septic/sewer. Dylan received a financial capacity letter today, May 11, 2017.

Motion: Pete Smith moved to open the public hearing on 150 U.S. Route 1, Map/Lot: 0073-0014-A & 0014. Kathleen Kluger seconded. The motion passed 5-0. No one came forward to speak.

Motion: Pete Smith moved to approve the waiver request for Zoning Article 6.3.11, which would require a planting island for the parking rows that are greater than 100 feet. Kathleen Kluger seconded. The motion passed 5-0.

Motion: Pete Smith moved to approve the application for preliminary and final approval for the application for 150 U.S. Route 1, Map/Lot: 0073-0014-A & 0014, with the conditions that the applicant receives the final signoff from the Town Engineer regarding the management of stormwater facilities on site, and that the applicants receive a final signoff from a licensed plumbing inspector on the septic design based on the proposed use. Kathleen Kluger seconded. The motion passed 5-0.

**York Village Woods Subdivision—142 York Street; Map/Lot: 0091-0009. This is a sketch plan for 50 residential units for people who are 55 years of age or older.**

Tom Greer of Pinkham & Greer, Portland, served as the engineer and spokesman for the Davis family. Since the prior sketch plan presentation on January 12, 2017, the size of the project was scaled back from 143 condominiums to 50. The front thirty-five percent of the total 110 acreage will be dedicated to the 50-condominium community. The remaining 65% (the back portion) is abundant with large trees and feels like a park. It can be purchased by the Town or someone else who might develop it, Tom Greer said.

In order for the Town to accept the access road as a public road, the grade can be no more than 6%. Six percent will not work in this project. It is too far below grade and requires too much of a cut to be practical, said Tom Greer. He is seeking a waiver allowing for a 9% grade, keeping the road a private road. That is the grade with the Elementary School (9%) and with Raydon Road (10.5%). DPW’s Dean Lessard said there is no problem with either the proposed 9% grade at the intersection with York Street. With a waiver removing the center line from the center of the right of way, the road can be moved farther away from an abutting property. That would address at least one abutter’s concern..

Motion: Pete Smith moved to open the public hearing for the York Woods Subdivision, 142 York Street, and Map/Lot: 0091-0009. Kathleen Kluger seconded. The motion passed 5-0.

- Town Planner Dylan Smith received a signed petition protesting the project. It was signed by over 90 people.
- Chairperson Amy Phalon read an email from Town Manager Steve Burns. “The Davis family and the Town are not negotiating for municipal acquisition of part or all of the Davis property,” he writes.
- Amy Phalon read an email from Fred Koerschner and Frances Koerschner, 151 York Street. They are concerned about the safety of all children of York due to cars crossing the hazardous sidewalk. They are concerned about clogged York Street traffic, especially for emergency vehicles trying to get through to the hospital. The increased runoff from impermeable surfaces will affect all nearby home owners.
- Betsy Telford Goodwin of 130 York Street lives in a 1748 home that sits on a granite foundation. When the school was first built, her house was deluged with runoff from Village Elementary School. Still after every storm, massive water runs off from the school and rushes across her driveway. The proposed road is 10 feet from her kitchen windows. She said that the Davis family just “sold a lot of land” to the Rachel Carson Preserve for \$800,000. To ask \$5,000,000 for this property is ludicrous, she said.
- Joel Lefever, 106 York Street, noted that the proposed road is sandwiched between two 18<sup>th</sup> century properties. York Street cannot accommodate more traffic pressure. If a variance is given for a 9% slope, there will be cars sliding backward in an ice storm or sliding down in snow into the intersection. It would be good to look at Raydon and Donica Roads and cut a road in through there. If the Town bought the back property, the land would be landlocked. It would be a private park that the Town owns for the folks who lives in the subdivision.
- Greg Orso, York. The 55-plus residents will be there from June through November. They will be in Florida the rest of the year. The 9% grade is ridiculous. Question anybody who says this will not increase traffic or that traffic can be managed to make it better. It will take years to build the condominiums. How many years will we be driving down York Street affected by that? The issue is what we want for the Town of York.
- Diana Bright of 32 Donica Road cares about the potential development on the back 66 acres. She walks her kids to the Village Elementary School across that road area.
- Dick Goodwin of 130 York Street said the road will be running a few feet outside his kitchen, living room, his office, and bedroom, where the windows will have to be closed to keep out car exhaust and winter salt and sand. He does not believe he will ever open those windows again. If the Town doesn’t purchase the rest of the land, the Davises will look to do future development, which will probably get passed easier.

- William Gladhill of 14 Organug Road is new to York. Will the residents receive adequate ambulance response on a private road that might not be as well maintained? Because there are wetland issues surrounding vernal pools, he would like to see a wetland study. Does this development really fit in to a village setting?
- Stan Whall of Donica Road said the Davis family is not a fault for benefitting from the sale of this land. When the Davises offered the land to the Town several years ago, the Town wasn't ready to pay that amount. He said the family should have made another proposal to the Town.
- Bill Massidda, 127 York Street. Having children walking from middle school to the museum adds to the chaos. Fifty percent of the chaos is still chaos. The only logical solution is for the property to be sold to the Town.
- Julie Adams, a York Street resident, stands in solidarity with those opposing this development, citing the traffic impact, the wetlands, and the danger of speeding cars toward school age children. We should pursue negotiations, she said.
- Representing First Parish Church, First Parish Woods, and First Parish Cemetery, Cliff O'Connor asked how this development could impact the cemetery and woods. How will the church trails cross onto the Davis property? They are used by many, including school kids. There will be issues with fences, screening, environmental impact, and traffic. The cemetery is a town cemetery, not just for First Parish. The town might consider purchasing at least a part of that land to expand the cemetery
- Susan Duchesne, 95 York Street, lives at the bottom of the Raydon Road hill. York Street should not change more than it has. It is important to consider the environment. What will the runoff be that comes off the Davis property? Why does the road coming down the hill have to be so close to Mrs. Gordon's historic house?

Chairwoman Amy Phalon closed the public hearing. Board discussion ensued.

Lew Stowe: The road grade is a major issue. Perhaps a better location and a second location can be found. The applicant will need a full wetland assessment done. A traffic study was done for the Village rezoning. It is available now.

Al Cotton: "The town citizens have already voted not to purchase this land. It is wasting time to think people are going to renew that thought process. It has to be understood that it is the fiduciary responsibility of the owners to do something appropriate with their land. The application is going the right way. With the second access intact, this is something that would be appropriate for the Town of York."

Pete Smith: The perspective of the voters might change if the property is offered for \$1.9 million, formerly \$5 million. If the park-like property is available and there is access to it, things might move in the right direction.

Wayne Boardman: There is no way around the traffic problem. There is no way to get around the second access. The Planning Board should not be obligated to approve it, even with the second access, even though it is attractive in other areas.

Kathleen Kluger: How it can go forward without another access?

Amy Phalon: The impact to the National Historic Register in that area can't be overlooked. We need to get a bigger idea about the impact on the historic resources. The Planning Board has the power to request a professional opinion from the Historic District Commission or the Maine Historic Preservation commission.

Motion: Al Cotton moved to close the public hearing. Kathleen seconded. The motion passed 5-0.

**Gold Rock LLC—1932 U.S. Rte. 1; Map/Lot: 0200-0028**  
**Application is for a revision of an existing Planning Board approved site plan that includes shifting the septic tank and field location, minor building modifications and stormwater basin adjustments.**

Motion: Al Cotton moved to accept the application for review. Pete Smith seconded. The motion passed 5-0.

Isaiah Plante, Kimbel Surveying and Design: A lot line adjustment has added 1.13 acres to the parcel. The location of the septic tank and field has been submitted as a field change. The lean-to along the front of the building was eliminated and will now be grass. The exterior stairs and covered landings were added to the plan. The stormwater base was adjusted to raise the bed above the ledge. The slopes on the site were reduced from 3:1 to 2:1 for easier maintenance and more stability. All the stormwater from that building's roof will be collected by gutters, the stormwater basin, and underground pipes. A utility pole has been added. There is a proposed sign location. Stormwater design was reviewed and accepted by the town engineer. The erosion sedimentation control plan has been updated. The covered storage area in the front was taken out. The detention pond by Rte. 1 was taken out and trees planted there.

Motion: Pete Smith moved to open the public hearing for 1932 U.S. Rte. 1, Map/Lot: 0200-0028. Al Cotton seconded. The motion passed 5-0. No one came forward to speak.

Motion: Pete Smith moved to approve this application for 1932 U.S. Rte. 1, Map/Lot: 0200-0028. Al Cotton seconded. The motion passed 5-0.

**Oak Ridge Terrace—140 Pine Hill Road; Map/Lot 0100-0020**  
**Application is for a sketch plan that seeks to create a five lot cluster subdivision and one commercial lot.**

Motion: Pete Smith moved to accept the application for review. Kathleen Kluger seconded. The motion passed 5-0.

Ken Wood with Attar Engineering, Eliot, represented the sketch plan. This is a 21.9 acre parcel located off Pine Hill Road with potential for a 5-unit cluster subdivision and a commercial building.

This land is “connected” to a lot that the Land Trust currently oversees. Dylan Smith has received a conservancy letter that states their concerns about stormwater, slopes, and soil. There is a historic house that is up behind the property. It is owned by Dawn Hill. Applicant Walter Wood had already spoken to her about a vegetative screen.

A resource map has been submitted for the Planning Board to examine and determine if 50% of the land can be considered open space.

The board recommended breaking the application into two applications, one for the cluster subdivision and one for the solo lot on Rte.1 to use as a business.

A site walk is planned for Wednesday, May 31, 2017 at 10:00, meeting at the Rough.

Motion: Pete Smith moved that we close the sketch plan. Al Cotton seconded. The motion passed 5-0.

## **Minutes**

Motion: Al Cotton moved to accept the April 27, 2017, Minutes as written. Pete Smith seconded. The motion passed 4-0-1 with Kathleen Kluger abstaining.

## **Other Business**

Approval of the Union Bluff Findings of Fact was postponed.

## **Adjourn**

Motion: Al Cotton moved to adjourn. Pete Smith seconded. The time was 10:19