

**TOWN OF YORK PLANNING BOARD MEETING
THURSDAY, MARCH 8, 2001 - 7:00 P.M.
GRANT HOUSE**

MINUTES

BOARD MEMBERS PRESENT WERE AL BIBB, CHAIRMAN, BARRIE MUNRO, DAVE MARSHALL, GLENN FARRELL, AND TORBERT MACDONALD. OTHERS PRESENT WERE JACKIE CORMIER, ASSISTANT CEO AND CHERYL TROTT, RECORDING SECRETARY. MEMBER NOT PRESENT WAS RICHARD ARNOLD.

REVIEW AND APPROVAL OF MINUTES OF FEBRUARY 8, 2001.

MR. BIBB APPROVED THE MINUTES OF FEBRUARY 8 WITHOUT OBJECTION. MR. MUNRO AND MR. FARRELL ABSTAINED AS THEY WERE NOT IN ATTENDANCE.

APPLICATIONS

"BAYBERRY WOODS, LLC", TURNER PORTER, PRESIDENT, 852 US ROUTE ONE, ASSESSOR'S TAX MAP 94/LOT 66. REVIEW AND PUBLIC HEARING ON FINAL PLAN FOR A 10-LOT RESIDENTIAL SUBDIVISION.

MS. CORMIER STATED THE APPLICATION IS HERE FOR FINAL PLAN APPROVAL. IN HER MEMO ARE LISTED SEVERAL ISSUES AND SINCE THE WRITING OF THIS MEMO SOME ISSUES HAVE BEEN RESOLVED. THE WATER SUPPLY SYSTEM WAS ADDRESSED IN A 3-2-01 MEMO. LANDSCAPING HAS BEEN REVISED PER COMMENTS. IN REGARDS TO THE CONSERVATION EASEMENT, ASKED MMA TO REVIEW THEY WERE NOT INTERESTED SO IT WAS FORWARDED TO THE TOWN ATTORNEY. DID REVIEW AND HAD SUGGESTIONS THAT HE FORWARDED TO APPLICANT. THE REWRITTEN DOCUMENT WAS RECEIVED TODAY AT NOON. THERE IS NO LONGER A NEED FOR A WETLAND PERMIT. ALSO THE COST ESTIMATES WERE RECEIVED. OUTSTANDING ISSUES CONSIST OF THE FINAL OKAY ON THE CONSERVATION EASEMENT, DOT CURB CUT APPROVAL AND INSPECTION FEE AND PERFORMANCE GUARANTEE.

MOTION MADE BY MR. FARRELL TO ACCEPT FOR FINAL PLAN REVIEW, SECOND BY MR. MARSHALL. VOTE 5-0.

BILL ANDERSON STATED HE RECEIVED VERBAL APPROVAL ON THE CURB CUT FROM DOT, NOT YET IN WRITING.

MR. BIBB OPENED THE PUBLIC HEARING WITHOUT OBJECTION AT 7:10 P.M.

STAN MOODY, CONSERVATION COMMISSION, COMMENTED HE HAS NOT YET SEEN THE CONSERVATION EASEMENT. BELIEVES IT IS A LITTLE PREMATURE TO APPROVE FINAL PLAN WITH CONDITIONS TO A DOCUMENT THAT IS SO COMPLEX.

MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 7:12 P.M.

MR. BIBB STATED THAT THE FIRST FEW AGENDA ITEMS HAVE BEEN BEFORE THE BOARD SEVERAL TIMES AND IT MAY SEEM THE BOARD IS GOING RATHER

FAST ON THESE ITEMS AND WANTED TO EXPLAIN THAT THEY HAVE BEEN SEEN BY THE BOARD ON SEVERAL OCCASIONS.

MR. MACDONALD ASKED MS. CORMIER WHAT CONCERNS THE TOWN ATTORNEY HAD WITH THE CONSERVATION EASEMENT. MS. CORMIER STATED THAT HE DID NOT SEEM TO BE COMFORTABLE WITH THE LAYOUT. IT HAS SINCE BEEN REVISED. NOT SURE IF THERE WERE ANY EXACT ISSUES.

MOTION MADE BY MR. MUNRO TO APPROVE CONDITIONAL AS TO DESIGN TO MOVE PROCESS FORWARD. SEES NO HARM WITH PROVIDING DOT INFORMATION WHEN RECEIVED AND CONDITIONAL TO TOWN ATTORNEY APPROVING CONSERVATION EASEMENT, SECOND BY MR. MARSHALL. MR. BIBB SUGGESTED ADDING TO MOTION ALSO CONDITIONAL TO CONSERVATION COMMISSION REVIEWING AND APPROVING THE CONSERVATION EASEMENT. MR. MUNRO STATED HE WOULD LIKE TO ALSO INCLUDE IN MOTION CONDITIONAL THAT CONSERVATION COMMISSION REVIEW AND COMMENT ON CONSERVATION EASEMENT. MR. FARRELL SUGGESTED ALSO ADDING THE INSPECTION FEE AND PERFORMANCE GUARANTEE TO THE LIST OF CONDITIONS. MR. MUNRO STATED HE WOULD LIKE TO INCLUDE INSPECTION FEE AND PERFORMANCE GUARANTEE TO ABOVE MOTION.

MR. MACDONALD STATED HE IS A LITTLE UNCOMFORTABLE WITH SO MANY OUTSTANDING CONDITIONS. HE UNDERSTANDS THAT THE DEVELOPER NEEDS TO HOLD ANY DEVELOPING UNTIL SIGNATURE OF PLANS. MR. MUNRO STATED THAT FINAL SIGNING OF MYLAR IS ACTUAL FINAL APPROVAL.

VOTE 5-0 TO APPROVE WITH CONDITION OF OUTSTANDING ISSUES BEING RESOLVED.

"WHITE PINE RIDGE", UPLAND WOODS, LLC, 766 US ROUTE ONE, ASSESSOR'S TAX MAP 94/LOT 16. REVIEW AND PUBLIC HEARING FOR FINAL PLAN OF PROPOSED 17-LOT RESIDENTIAL SUBDIVISION.

MS. CORMIER STATED IN THE PAST MONTH THE APPLICANT HAS DONE A GOOD JOB WITH MEETING REQUIREMENTS. TODAY THEY HAVE HIT A STUMBLING BLOCK. REGARDING THE WATER SUPPLY SYSTEM, TODAY AT 2:30 P.M. SHE RECEIVED A COST ESTIMATE FROM THE WATER DISTRICT OF \$498,800 (WORST CASE SCENARIO). THE ISSUE NOW IS HOW THEY ARE GOING TO HANDLE THE PERFORMANCE GUARANTEE THAT IS 125% OF TOTAL ESTIMATES. NOT SURE IF CONSERVATION COMMISSION HAS REVIEWED THE CONSERVATION EASEMENT. TOWN ATTORNEY HAS REVIEWED AND HAS GIVEN HIS OKAY. POLICE CHIEF HAS SITE DISTANCE ISSUE. PERFORMANCE GUARANTEE OF \$300,000 RECEIVED ON 3-5-01.

BILL ANDERSON STATED THERE WERE A COUPLE OF MINOR ISSUES CORRECTED ON PLAN. THERE WAS A MINOR NOTE CHANGE MADE. HAS SPOKEN WITH POLICE CHIEF REGARDING TWO CONCERNS, ONE WAS THE INTERSECTION, WHICH HE BELIEVES WAS ADDRESSED AND THE OTHER WAS SNOW BANKS ON ROUTE ONE, WHICH BELIEVES WAS ALSO ADDRESSED.

MR. FARRELL ASKED WHAT THE PLANS ARE REGARDING THE WATER SYSTEM. BILL ANDERSON STATED THEY WILL BE GOING AHEAD WITH INSTALLING THE WATER SYSTEM AND WILL NEED TO GO OVER IT WITH THE WATER DISTRICT. THE ESTIMATE JUST CAME IN TODAY. THINKS IT CAN BE WORKED OUT WITH THE WATER DISTRICT AS THE PROJECT CANNOT BE DONE WITHOUT WATER.

MR. BIBB OPENED THE PUBLIC HEARING WITHOUT OBJECTION AT 7:25 P.M.

STAN MOODY, CONSERVATION COMMISSION, COMMENTED HE HAS LOOKED AT THE FIRST DRAFT OF THE CONSERVATION EASEMENT AND THERE WERE A FEW MINOR ISSUES HE BELIEVES WERE TAKEN CARE OF. LEGAL ISSUE THAT THE LAWYER BELIEVES CAN BE STRAIGHTENED OUT. A MORE GENERAL CONCERN IS ON A WHOLE THE GUIDANCE FOR CONSERVATION EASEMENTS.

MICHAEL MCKINNON STATED HE WOULD LIKE TO ADDRESS THE ISSUE OF THE WATER. IT WAS DEFINITELY A BOMBSHELL. THE PROBLEM IS NOT WITH THE LARGE SUM OF MONEY, THE PROBLEM IS WITH THE ESTIMATE PROCESS. HE IS CONCERNED WITH THE WATER DISTRICT WANTING MONEY UP FRONT BEFORE STARTING THE PROCESS, PROBLEM WITH THE TOWN ORDINANCE REQUIRING 125% ABOVE AND BEYOND. FEELS HE IS GETTING TAXED ON MONEY THAT IS BEING SET ASIDE. HAVE TRIED TO DO WHATEVER HE CAN AND WOULD LIKE TO DEAL WITH THE WATER DISTRICT ONE-ON-ONE AND CAN'T MOVE FORWARD UNTIL THIS IS RESOLVED. FEEL IT IS EXCESSIVE.

MR. BIBB STATED HE UNDERSTANDS THE CONCERN BUT THE BOARD HAS NO AUTHORITY TO CHANGE THE ORDINANCE.

MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 7:30 P.M.

MR. MACDONALD ASKED WHEN THIS APPLICATION FIRST CAME BEFORE THE BOARD. MR. BIBB STATED ABOUT 9 MONTHS AGO AND THERE HAD BEEN A SITE WALK IN EARLY SUMMER.

MR. MACDONALD ASKED WHY THE WATER DISTRICT IS JUST NOW COMING UP WITH AN ESTIMATE IF LAYOUT WAS KNOWN BACK IN EARLY SUMMER AND PERHAPS THE WATER DISTRICT HAS A GOOD REASON.

BILL ANDERSON COMMENTED THE WATER DISTRICT SAW THIS PLAN QUITE A WHILE AGO WITH A COUPLE OF DIFFERENT CONFIGURATIONS. THE WATER DISTRICT'S FIGURES TAKE INTO ACCOUNT THE POSSIBILITY OF 100% LEDGE COVERAGE. BELIEVES THIS IS ONE OF THE REASONS THAT THE ESTIMATE WAS HIGH.

MICHAEL MCKINNON STATED THE WRIGHT PIERCE ESTIMATE OF LAST AUGUST CAME IN AT \$285,000.

MR. MACDONALD STATED HE STILL DOES NOT UNDERSTAND WHY ESTIMATE IS COMING IN JUST NOW AND THAT THE APPLICANT HAS BEEN TAKEN BY SURPRISE. MICHAEL MCKINNON STATED PART OF THE \$175,000 IS OVERLAP, IT INCLUDES EXCAVATION FOR THE WATER SYSTEM. MR. MACDONALD COMMENTED THAT AT ANY RATE THE PERFORMANCE GUARANTEE WOULD BE CONSIDERED LOW.

MR. FARRELL STATED HE BELIEVES THEY CAN AT LEAST ACCEPT FOR FINAL PLAN. PURPOSE OF PERFORMANCE GUARANTEE IS TO MAKE SURE IF THE PROJECT IS NOT FINISHED IT CAN GET TAKEN CARE OF PROPERLY AND HE UNDERSTANDS COMPLAINT OF PUTTING UP MONEY TWICE.

MR. MUNRO STATED THE BOARD HAS THE AUTHORITY TO CONSIDER WAIVING IF IN FACT IS PART OF SUBDIVISION REGULATION NOT ORDINANCE. MR. FARRELL STATED HE IS SURE THE APPLICANT WOULD ONLY BE ASKING TO WAIVE THE WATER LINE PORTION. MR. MARSHALL STATED THAT TO MAKE IT SIMPLE, CONSIDER A WAIVER TO LEVEL OF WHAT ALREADY IS COVERED. MR. MUNRO STATED HE DOES NOT UNDERSTAND NUMBERS AT THIS POINT. MR. MARSHALL EXPLAINED THAT WOULD LOOK AT BONDING \$173,000 AND WORK OUT THE WATER ISSUE WITH THE WATER DISTRICT.

MS. CORMIER STATED SHE BELIEVES THE PERFORMANCE GUARANTEE IS IN THE SUBDIVISION REGULATIONS.

MR. FARRELL ASKED IF THE APPLICANT WOULD BE ASKING FOR A WAIVER. THE APPLICANT STATED THAT WAS CORRECT.

MOTION MADE BY MR. MARSHALL TO ACCEPT APPLICATION FOR FINAL REVIEW, SECOND BY MR. MUNRO. VOTE 4-1.

MR. MACDONALD STATED THAT FINAL PLAN SHOULD BE FINAL PLAN. FIRE REQUIREMENTS ARE CONTINGENT ON WATER ISSUE.

MR. FARRELL STATED THAT IT COMES DOWN TO WATER DISTRICT'S ESTIMATE AND DOESN'T CARE WHAT IT IS AS IT IS NOT THE BOARD'S CONCERN. CAN MAKE POLICE CHIEF'S CONCERN CONDITIONAL, WITH SATISFYING ISSUE. DON'T HAVE TO SPEND TIME COMING BACK TO BOARD JUST TO SAY POLICE CHIEF'S CONCERN IS SATISFIED. FIRE CHIEF'S CONCERNS WILL BE SOLVED WITH WATER SYSTEM.

MR. BIBB COMMENTED HE AGREES WITH MR. MACDONALD, GOOD POINT THAT FINAL APPROVAL SHOULD NOT HAVE 4,5, OR 6 OPEN ITEMS. MR. MACDONALD COMMENTED HE DOESN'T UNDERSTAND IF ONE ITEM IS OPEN THAT SHOULD HAVE FINAL APPROVAL. MR. FARRELL STATED HE DOES NOT SEE REASON FOR CONCERN. NOT SURE PURPOSE OF BOND IF MONEY IS ALREADY THERE.

MOTION MADE BY MR. MARSHALL TO GRANT WAIVER OF PERFORMANCE GUARANTEE TO LEVEL OF \$173,000, WHICH HAS ALREADY BEEN DISCUSSED, SECOND BY MR. MUNRO. VOTE 4-1.

MR. MARSHALL STATED HE UNDERSTANDS FINAL PLAN ISSUE AND OUTSTANDING ISSUES. A LOT OF THE ISSUES COME FROM OTHER ENTITIES WITHIN THE TOWN. HATE TO HOLD HOSTAGE FOR THINGS BEYOND THE CONTROL OF THE BOARD AND APPLICANT. MR. MACDONALD COMMENTED THE APPLICANT IS RESPONSIBLE TO MAKE SURE THAT THINGS DON'T HAPPEN AT THE LAST MINUTE. MR. MARSHALL COMMENTED HE UNDERSTANDS THAT POINT, BUT DOESN'T HAVE CONTROL OF OUTSIDE ENTITIES.

MR. MACDONALD SUGGESTED NO FINAL APPROVAL UNTIL ALL OUTSTANDING ISSUES ARE RESOLVED. IT IS OUR CONCERN, OUR SIGNATURE IS WHAT ALLOWS THINGS TO GO FORWARD. MR. MARSHALL STATED THEY CAN DISCUSS POLICY BUT PUTTING IT ON A LATER AGENDA, DOES NOT BELIEVE CAN GO RETRO. DO NOT KNOW WHAT CONFIGURATION IS GOING TO BE APPROVED UNTIL THE END, NEED THAT INFORMATION TO GET ESTIMATES. MR. BIBB STATED HE AGREES WITH MR. MARSHALL AND DOES NOT WANT TO

START NEW POLICY HERE WITH APPLICATION TONIGHT. HE IS IN FAVOR OF DISCUSSING ON A FUTURE AGENDA. DOESN'T BELIEVE APPLICATION SHOULD BE HELD UP.

MOTION MADE BY MR. FARRELL TO GRANT FINAL APPROVAL CONDITIONAL TO OUTSTANDING ISSUES BEING RESOLVED, SECOND BY MR. MARSHALL. VOTE 4-1.

"YORK ELDERLY HOUSING", YORK HOUSING AUTHORITY, 11 PINE GROVE LANE, ASSESSOR'S TAX MAP 44/LOT 50. REVIEW AND PUBLIC HEARING OF PRELIMINARY PLAN FOR 36 ELDERLY HOUSING UNITS WITH COMMUNITY BUILDING.

MS. CORMIER STATED THE APPLICATION IS HERE FOR PRELIMINARY PLAN REVIEW. ISSUES ARE WAIVER FOR SHOWING TREES ANY LARGER THAN 24", COPY OF EASEMENTS (NOT COMPLETED), SEWERAGE DISPOSAL (HAS BEEN SATISFIED), WATER SUPPLY (BELIEVES IT IS ADEQUATE BUT NEEDS MORE INFORMATION), AND FIRE CHIEF OKAY. SUGGESTED ACCEPTING AT PRELIMINARY LEVEL FOR DISCUSSION AND DOING A SITE WALK FOR PROJECT. BUILD OUT HAS BEEN PROVIDED.

PATRICIA MARTINE, YORK HOUSING AUTHORITY, STATED THAT IN REGARDS TO USE OF PINE GROVE LANE, FEELS LIMITING IT TO A ONE-WAY IS A COMPROMISE. AGREED THAT MAIN EXIT SHOULD BE THROUGH VILLAGE SHOPPING CENTER AFTER LOOKING AT THE TRAFFIC STUDY.

BOB METCALF PASSED OUT HANDOUTS TO THE BOARD (ATTACHED). DISCUSSED TRAFFIC REPORT AND SIGNAGE.

MR. BIBB COMMENTED HE DOES NOT BELIEVE THAT THE BOARD IS CONCERNED WITH ACTUAL NUMBER OF TRIPS BUT WITH SAFETY OF TRIPS THAT WILL BE TAKEN. CONCERNED WITH THAT END OF THE PARKING LOT. ASKED IF SITE DISTANCES HAVE BEEN CONSIDERED AT LONG SANDS TO THE RIGHT.

BOB METCALF ASKED IF HE IS TALKING ABOUT ISSUES WITH SNOW OR VEGETATION. THEY CAN ADDRESS THESE ISSUES BY MODIFYING THE LANDSCAPE.

MR. BIBB STATED THAT MARVIN SWAIN, DPW SUPERINTENDENT, HAS RAISED AN ISSUE THAT HE CANNOT GET EQUIPMENT ONTO PRIVATE AREA. PATRICIA MARTINE STATED THE HOUSING AUTHORITY IS WILLING TO TAKE ON RESPONSIBILITY OF MAINTENANCE IN THIS AREA.

MR. BIBB OPENED THE PUBLIC HEARING WITHOUT OBJECTION AT 8:15 P.M.

PAUL HUCKINS, RESIDENT YORKSHIRE COMMONS, STATED HE BELIEVES THIS IS A REAL GOOD THING FOR THE COMMUNITY, THESE PEOPLE ARE INTERESTED IN THE UP KEEP OF THE PROPERTY. MR. BIBB THANKED MR. HUCKINS FOR HIS CONTRIBUTIONS TO YORK AND THE COMMUNITY.

JIM BARTLETT, ABUTTER, STATED HE SUPPORTS THE PROJECT. HIS CONCERN IS WITH THE USE OF PINE GROVE LANE AND REQUESTED THIS NOT BE USED EXCEPT FOR EMERGENCY ACCESS ONLY.

STAN MOODY STATED IT IS WONDERFUL TO BE LOOKING AT ELDERLY HOUSING RIGHT IN DOWNTOWN YORK. ON THE CONSERVATION END THERE IS A SMALL PROBLEM WITH BUILDING C. BELIEVES IT WILL BE LOCATED RIGHT AT 100' AND FILL FOR THAT APPEARS TO ENCROACH ON 75' BUFFER. BELIEVES THIS NEEDS TO BE ADDRESSED.

MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 8:20 P.M.

PATRICIA MARTINE COMMENTED THAT USE OF PINE GROVE LANE BEYOND ACCESS TO THE ANTOINE PROPERTY WILL BE ONE-WAY GOING IN. MR. BIBB ASKED WHY THEY ARE PURSUING THAT ALTERNATE ENTRANCEWAY WHEN SO LITTLE TRAFFIC WILL BE USING IT. PATRICIA MARTINE STATED IT IS NOT NECESSARY, OFFICES WILL BE IN COMMUNITY BUILDING. MR. BIBB STATED THAT A SECOND ENTRANCE FOR EMERGENCY PURPOSES IS VITAL. MR. MUNRO STATED THE PRINCIPAL ISSUE IS WHETHER OR NOT THE MAIN ENTRANCE IS AN ACCEPTED MEANS. IT SEEMS UNREASONABLE TO PROCEED UNTIL THE TIME THAT THEY HAVE DECIDED YES OR NO.

MR. MACDONALD COMMENTED THAT MARVIN SWAIN IS VERY NERVOUS ABOUT TRAFFIC. PARKING LOT AS A WHOLE IS AN ISSUE. SHOULD BE A JOINT VENTURE WITH THE SHOPPING CENTER IN GETTING TAKEN CARE OF.

PATRICIA MARTINE STATED SHE HAS HAD CONVERSATIONS WITH A REPRESENTATIVE OF FRED BALDWIN, DISCUSSING MOVING THE ENTRANCE. WOULD LIKE TO FURTHER SPEAK WITH SHOPPING CENTER TO WORK ON PROBLEM.

MR. MUNRO ASKED ABOUT ELIMINATION OF PARKING SPOTS IN SOUTHERN MOST ROWS. ASKED IF THIS IS THE SECTION THEY ARE LOOKING TO REDESIGN.

MR. BIBB ASKED IF THEY HAVE LOOKED AT MR. SWAIN'S SUGGESTION OF ACCESSING FROM WOODBRIDGE. PATRICIA MARTINE STATED THERE IS A WETLAND RIGHT THERE AND ALSO A STREAM THAT IS AN ISSUE. THE COST TO DO THIS VERSUS THE TRAFFIC USAGE WOULD NOT BE FEASIBLE.

MR. MACDONALD ASKED ABOUT WAIVER FOR 24" TREES. BOB METCALF STATED THAT IT IS COST PROHIBITIVE TO DO SO, NOT SAVING TREES IN THAT AREA.

MR. MACDONALD COMMENTED THAT BY HAVING PINE GROVE LANE AS INGRESS, NOT GOING TO BE ABLE TO STOP PEOPLE FROM USING. MR. FARRELL STATED THAT WILL BECOME AN ISSUE WHEN PINE GROVE LANE IS REBUILT WHEN PUTTING IN THE WATER SYSTEM. MR. BIBB COMMENTED HE SEES NO REASON TO USE PINE GROVE LANE EXCEPT FOR EMERGENCY USE.

MR. FARRELL ASKED WHAT THE SIGHT DISTANCES ARE FROM PINE GROVE LANE TO LONG SANDS. NEED TO FIND OUT WHAT THEY ARE. ASKED IF STILL USING WRIGHT PIERCE OR TOWN ENGINEER. MS. CORMIER STATED THEY ARE USING WRIGHT PIERCE AND JOHN TREAT, DEPENDING ON CIRCUMSTANCES.

MR. FARRELL STATED HE THINKS FROM WHAT THEY ARE SAYING THEY CAN MAKE IT SAFE BASED ON TRAFFIC.

MR. MARSHALL STATED THAT OVERALL IT IS A GOOD LOCATION FOR THIS PROJECT AS LONG AS PINE GROVE LANE BE USED FOR EMERGENCY USE ONLY.

MR. BIBB ASKED THE BOARD IF IT IS GENERAL CONSENSUS THAT THEY BELIEVE THE ENTRANCE CAN BE MADE SAFE. MR. MARSHALL STATES YES. MR. FARRELL STATES YES. MR. MACDONALD STATED IN THE WINTER SNOW IS THE MAJOR ISSUE AND IN THE SUMMER LANDSCAPING IN THE MAJOR ISSUE. MR. MUNRO STATES YES.

MOTION MADE BY MR. MACDONALD TO ACCEPT FOR PRELIMINARY PLAN REVIEW, SECOND BY MR. MUNRO. VOTE 5-0.

MR. MACDONALD STATED THE NEED TO MAKE SURE THAT MARVIN SWAIN IS HAPPY. NEED TO CHECK 75' SETBACK AND WORK WITH MR. BALDWIN TO MAKE PARKING LOT ENTRANCE WAY WORK.

MOTION MADE BY MR. MACDONALD TO APPROVE PRELIMINARY PLAN, SECOND BY MR. MUNRO. VOTE 5-0.

"YORK VILLAGE ELEMENTARY SCHOOL", TOWN OF YORK SCHOOL DISTRICT, 124 YORK STREET, ASSESSOR'S TAX MAP 49/LOT 48. REQUEST TO ADD/REBUILD ATHLETIC FIELDS.

MS. CORMIER ASKED PERMISSION FROM THE BOARD TO PASS OUT A COPY OF A PETITION IN REGARDS TO THIS APPLICATION (ATTACHED). BOUNDARY LINES ARE NOT STAMPED OR SIGNED - ASKING FOR A WAIVER FOR SCALE - NO NEW RESTROOM FACILITIES ARE BEING PROPOSED. TOWN ENGINEER HAS REVIEWED THE STORMWATER DRAINAGE PLAN AND HAS SOME ISSUES. ASKING FOR A WAIVER FOR HIGH INTENSITY SOIL SURVEY. NO PROPOSED SCREENING OR BUFFERING, EXCEPT FOR EXISTING CHAIN LINK FENCE THAT IS NOT ACCEPTABLE UNDER TODAY'S CONDITIONS.

MR. MUNRO STATED HE CONFESSES HE IS UNCLEAR AS TO WHAT IS NEW IN RELATIONSHIP TO ORIGINAL APPROVAL. MS. CORMIER STATED SHE WAS NOT AWARE THAT THERE WAS AN ORIGINAL APPROVAL. MR. MUNRO STATED HE BELIEVES IT WAS FOR MORE PLAYGROUND SPACE. MR. MARSHALL COMMENTED THIS IS DIFFERENT.

MR. BIBB ASKED ABOUT OVERALL SITE PLAN FOR LOCATION THEY COULD LOOK AT AS AN AMENDMENT. ASKED IF SUGGESTING LOOK AT THE WHOLE SITE. MR. MACDONALD COMMENTED THEY TAKE ONE STEP BACK AND ASKED WHAT THE BOARDS' JURISDICTION IS HERE.

MS. CORMIER STATED SHE BELIEVES BECAUSE IT IS A PUBLIC BUILDING THERE WAS CONCERN FOR THE PUBLIC TO BE INVOLVED IN REVIEW.

MR. MACDONALD ASKED IF THERE ARE ANY ORDINANCE CITATIONS. NOT SURE WHY APPLICATION IS HERE. MS. CORMIER STATED SHE WAS INSTRUCTED TO PRESENT IT TO THE BOARD BY STEVE BURNS AND IT MAY BE BECAUSE IT IS A PUBLIC BUILDING.

MR. BIBB STATED HE HAS A PROBLEM WITH DEVELOPING A NEW SITE PLAN FOR THE ENTIRE SITE.

MR. MACDONALD COMMENTED THAT WHAT IS DISTURBING IS THE PARKS & RECREATION DEPARTMENT PROPOSAL WAS PASSED BY THE SCHOOL COMMITTEE. HE IS INTERESTED IN CLARIFYING THE RELATIONSHIP BETWEEN THE PARKS & RECREATION DEPARTMENT AND THE SCHOOL. HE QUESTIONED IF THE BOARD HAS JURISDICTION TO REVIEW THE FIELDS. MR. MUNRO COMMENTED THE PLANNING BOARD REVIEWS THEIR BUILDINGS. MR. BIBB SUGGESTED THEY REVIEW CHANGES AS AMENDMENTS TO SITE PLAN.

MR. MACDONALD MADE AN ANALOGY IN REGARDS TO THE FINESTKIND FISH MARKET. THIS CASE HAS A MAJOR SET OF ISSUES AND DOESN'T FEEL IT FITS INTO AMENDMENT OF EXISTING. RECONFIGURING ALL LAND BESIDES SCHOOL BUILDING. QUESTIONED PARKING TO ACCOMMODATE THREE FIELDS. THESE ARE CLAY FIELDS AND WILL NEED MAJOR DRAINAGE RECONFIGURATION.

MR. FARRELL STATED IF THE BOARD IS NOT GOING TO REVIEW SCHOOL BUILDINGS, HE DOESN'T WANT TO SIGN PLAN STATING ALL HAS BEEN REVIEWED.

MR. MACDONALD COMMENTED THAT RECENTLY THE BOARD HAS TAKEN A STANCE ON TREE PRESERVATION. WHY GIVING A FREE PASS TO HERITAGE TREES JUST BECAUSE THIS IS A PUBIC BUILDING. QUESTIONED IF THE BOARD HAS THE RIGHT TO REVIEW THIS. ASKED HOW APPLICATION GOT THIS FAR WITHOUT HAVING A HANDLE. MR. FARRELL STATED THAT STEVE BURNS FELT IT NEEDED TO COME BEFORE BOARD. SUGGESTED POLLING THE BOARD TO SEE IF THEY SUPPORT TREES BEING TAKEN DOWN. MR. MACDONALD STATED THEY CAN STILL HAVE TWO FIELDS WITHOUT CUTTING TREES. MR. FARRELL COMMENTED THAT THIS PLAN BEFORE THEM WILL NOT WORK WITHOUT CUTTING TREES.

MR. MACDONALD SUGGESTED SENDING IT BACK TO STEVE BURNS TO EXPLAIN WHY IT NEEDS TO COME TO BOARD. MR. BIBB STATED ALL SCHOOL ISSUES HAVE COME BEFORE THIS BOARD. MR. FARRELL STATED THAT THEY DO SO FOR SAFETY AND WELFARE ISSUES.

MR. BIBB SUGGESTED HOLDING A PUBLIC HEARING AND THEN PROPOSE NO ACTION. SEND BACK TO STEVE BURNS FOR FURTHER CLARIFICATION.

HENRY SCIPIONE, SUPERINTENDENT OF SCHOOLS, COMMENTED THIS IS AN EXTENSION OF THE MIDDLE SCHOOL PROJECT, TO ESTABLISH ATHLETIC FIELDS. HAVE RECEIVED VOTERS PERMISSION FOR SUM OF MONEY, WAS APPROVED IN MAY 2000. SITES ARE DESIGNED AROUND SCHOOL NEED. SCHOOL AND PARK & RECREATION DEPARTMENT AT TIMES ARE MERGED.

RICK LICHT STATED THIS IS A PUBIC INTEREST PROJECT. OVERVIEW OF PROJECT WAS DISCUSSED. APPLICATION IS FOR REMOVAL OF 1 1/2 ACRES OF TREES AND TO BUILD THREE FIELDS. PICTURES ARE SHOWN OF EXISTING SITE, 20% OF WHICH IS EXISTING WOODS. THIS IS A MAJOR RECONSTRUCTION. TWO FIELDS COULD BE USED AT THE SAME TIME. DOES NOT BELIEVE PARKING WILL REALLY BE AN ISSUE. AN IRRIGATION SYSTEM WILL BE PUT INTO PLACE AND USED 3-4 MOS. OUT OF THE YEAR. NO INCREASE IN DRAINAGE, ACTUALLY SHOWS DECREASE. THERE IS NO PROPOSED LIGHTING.

MR. MACDONALD COMMENTED THAT WITH MINOR REMOVAL OF TREES THERE COULD BE TWO FIELDS. RICK LICHT STATED THEY HAVE DIRECTION FROM SCHOOL BOARD TO INCREASE THE NUMBER OF FIELDS.

MR. MACDONALD COMMENTED THAT USE WOULD BE APRIL THRU JUNE FOR SCHOOL USE. RICK LICHT STATED THE PARKS & RECREATION DEPARTMENT WOULD USE IT FOR SUMMER PROGRAMS.

MR. MARSHALL ASKED IF THIS IS PART OF AN OVERALL PROGRAM, QUESTIONED IF IT MEETS NEEDS OF ENTIRE SCHOOL PROGRAM. RICK LICHT COMMENTED THAT IN DISCUSSION HAVE HAD, COULD USE MORE FIELDS THAN WHAT IS BEING PROPOSED.

HENRY SCIPIONE STATED THAT WITH THE BOG ROAD PROPOSAL THAT IS POSSIBLY GOING TO BE LOOKED AT DOES NOT CONNECT WITH SCHOOL PROPOSALS. THIS PROPOSAL IS IN PROXIMITY TO THE EXISTING SCHOOLS, IN ESSENCE IT REPLACES WHAT WAS THERE. MR. MARSHALL COMMENTED IT REPLACES WHAT IS BEING TAKEN AWAY AT MIDDLE SCHOOL.

MR. BIBB OPENED PUBLIC HEARING WITHOUT OBJECTION AT 9:40 P.M.

MIKE LEE STATED HE HAS GREAT CONCERN WITH THE TREES, HAS GENERATED A PETITION AND STATED THE TOWN DOES NEED MORE RECREATIONAL FIELDS. THE QUESTION HERE TONIGHT IS DO WE PUT THIS ADDITIONAL FIELD IN AT THE LOSS OF HISTORIC TREES. ORIGINALLY CUTTING WAS DONE TO DEAL WITH SAFETY. LOST 288 TREES TO PARKING LOT, ROAD AND SAFETY ISSUES. THIS IS NOT WHAT WAS VOTED FOR AND IT CHANGES THE CHARACTER OF YORK. THERE IS OTHER AVAILABLE LAND AND DOES NOT BELIEVE A SEARCH HAS BEEN CONDUCTED PROPERLY. A PUBLIC HEARING WOULD BE A GREAT IDEA ON THE ATHLETIC FIELD ISSUE.

CHUCK MORANIS, YORK PARKS AND RECREATION, COMMENTED HE ENCOURAGES THE BOARD TO HAVE A PUBLIC HEARING ON THIS PROPOSAL. IT IS MISLEADING TO SAY THAT FIELDS ARE BEING ADDED THIS WOULD REPLACE WHAT HAS BEEN LOST AT THE MIDDLE SCHOOL.

STAN MOODY, CONSERVATION COMMISSION, STATED IT IS DISAPPOINTING THAT ANYONE WOULD CONSIDER CUTTING DOWN TREES OF THIS VALUE FOR SHORT-TERM GOAL. IN 5-6 YEARS, CERTAINLY IN 10 YEARS, WE WILL NEED TO BUILD ANOTHER SCHOOL. LONG-TERM ISSUE IS THE NEED TO FIND THE ROOM. IN RESPONSE TO JURISDICTION TO REVIEW, ANY IMPROVEMENT TO SITE WITH BUILDING OVER 5,000 SQ. FT. EVEN THOUGH NOT TO ACTUAL BUILDING.

MIKE CONNOR STATED HE TAKES TO DEBATE THAT THIS HAS BEEN A HASTY DECISION. THERE HAS BEEN A CONTINUOUS SEARCH. BOG ROAD PROPERTY HAS AN \$800,000 PRICE TAG AND THE VOTERS APPROVED \$465,000. THIS WAS A POLICY DECISION AT THE SCHOOL BOARD LEVEL, WHAT AUTHORITY DOES PLANNING BOARD HAVE.

MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 9:55 P.M.

MR. BIBB STATED THAT IT IS STILL HIS OPINION TO TAKE NO ACTION, SEND BACK TO SEE UNDER WHAT AUTHORITY ARE ACTING ON. MR. MACDONALD

COMMENTED HE IS SURE THAT THEY SHOULD TAKE NO ACTION TONIGHT. MR. MUNRO STATED HE CAN'T CITE THE ARTICLE, BUT IT IS HIS PERSONAL UNDERSTANDING THAT THE BOARD CAN ACT ON FORM OF DECISION IN REGARDS TO PRESERVATION OF NATURAL RESOURCES, WHICH IN THIS CASE WOULD BE THE TREES. MR. MACDONALD COMMENTED HE WOULD BACK WHAT MR. MUNRO SAID. NEED TO PRESERVE SMALL TOWN CHARACTER OF YORK.

MOTION MADE BY MR. FARRELL TO TABLE APPLICATION WHILE AWAITING FURTHER INFORMATION, SECOND BY MR. MUNRO. VOTE 5-0.

"COASTAL RIDGE ELEMENTARY SCHOOL", TOWN OF YORK SCHOOL DISTRICT, 1 COASTAL RIDGE DRIVE, ASSESSOR'S TAX MAP 39/LOT 2. REQUEST TO REBUILD EXISTING ATHLETIC FIELDS.

MS. CORMIER STATED THAT THIS APPLICATION HAS AN APPROVED SITE PLAN. THERE ARE SOME SMALL ISSUES - ONE BEING THE WATER SUPPLY. SOIL EROSION AND CONTROL HAS BEEN REVIEWED AND COMMENTED ON. THE APPLICANT IS ASKING FOR A WAIVER OF SCALE LOCATION MAP AND HIGH INTENSITY SOIL SURVEY. IT IS IN SHORELAND OVERLAY DISTRICT, OUTSIDE OF SETBACK.

RICK LIGHT GAVE AN OVERVIEW OF PLAN. INTENT IS TO TAKE EXISTING FIELD, WHICH IS CURRENTLY IN HORRIBLE SHAPE, MAKE IT A PLAYABLE SURFACE AND ALSO ADD A T-BALL FIELD. IMPROVE UPON AND EXPAND EXISTING. THERE WILL BE A SMALL TREE REMOVAL AREA. NO ISSUE WITH SETBACK AND NO IRRIGATION PROPOSED.

MR. BIBB OPENED THE PUBLIC HEARING WITHOUT OBJECTION AT 10:10 P.M.

STAN MOODY COMMENTED THERE IS NOT NEAR AS MUCH IMPACT AS YORK VILLAGE ELEMENTARY APPLICATION AS LONG AS THIS IS NOT GOING TO BE AN INCREMENTAL START.

MR. BIBB CLOSED THE PUBIC HEARING WITHOUT OBJECTION AT 10:12 P.M.

MR. MACDONALD ASKED ABOUT THE SEPTIC SYSTEM UNDER LAYING THE PROPOSED FIELDS. RICK LIGHT COMMENTED THERE ARE TWO LEACH FIELDS THEY ARE AWARE OF. THERE WILL BE CLOSE SUPERVISION DURING CONSTRUCTION AND ARE NOT GOING TO BE LOWERING THE GRADE. MR. MACDONALD ASKED IF THEY HAVE EVALUATED THE OPERATION OF THESE SYSTEMS.

MOTION MADE BY MR. FARRELL TO ACCEPT APPLICATION FOR FINAL REVIEW, SECOND BY MR. MUNRO. VOTE 5-0. MOTION MADE BY MR. MARSHALL TO APPROVE WAIVERS, SECOND BY MR. MUNRO. VOTE 5-0.

MS. CORMIER STATED THE TOWN ENGINEER HAD COMMENTS. RICK LIGHT STATED THEY WERE MINOR IN NATURE AND RECOMMENDED A CONDITIONAL APPROVAL.

MOTION MADE BY MR. MUNRO TO APPROVE SHORELAND PERMIT, SECOND BY MR. FARRELL.

MR. MACDONALD ASKED IF TIM DECOTEAU HAD MEASURED THIS - MS. CORMIER STATED MARK BADGER HAD. VOTE 5-0.

MR. MUNRO ASKED ABOUT ISSUE TO REFERENCE FORMALLY APPROVED PLAN. RICK LIGHT COMMENTED HE THOUGHT IT HAD BEEN ADDRESSED AND WILL REFERENCE THAT THIS IS AN AMENDMENT TO PREVIOUSLY APPROVED PLAN.

MOTION MADE BY MR. FARRELL TO APPROVE CONDITIONALLY, SECOND BY MR. MUNRO. VOTE 5-0. THESE CONDITIONS INCLUDED APPROVAL FROM YORK WATER DISTRICT FOR EXTENDED WATER SUPPLY, FIRE CHIEF APPROVAL. PLAN MUST BE REVISED TO SATISFACTORILY ADDRESS THE TOWN'S ENGINEERS CONCERNS REGARDING THE EROSION AND SEDIMENTATION CONTROL MEASURES. THE PLAN MUST BE REVISED TO INCLUDE A REFERENCE TO THE PREVIOUSLY APPROVED SITE PLAN.

"SPRING POND ESTATES, REQUEST FOR AMENDMENT", WALTER WOODS, STYLES LANE AND SPRING POND CIRCLE, ASSESSOR'S TAX MAP 32/LOT 3A. REQUEST TO ADD A DWELLING UNIT WITHIN EXISTING COMMUNITY CENTER BUILDING.

MS. CORMIER STATED SHE IS IN RECEIPT OF A TWO-PAGE LETTER FROM THE HOMEOWNER'S ASSOCIATION EXPRESSING CONCERN WITH THE PROPOSED REVISION (ATTACHED).

WALTER WOODS COMMENTED THE EXISTING STRUCTURE IS A 2 1/2 STORY BUILDING - PICTURES ATTACHED WOULD BE AGE RESTRICTED WITH SAME GUIDELINES.

MR. BIBB OPENED THE PUBLIC HEARING WITHOUT OBJECTION AT 10:25 P.M.

JOSEPHINE MCGILLICUDDY, SPOKESPERSON FOR HOMEOWNER'S ASSOCIATION, STATED THEIR CONCERNS ARE OUTLINED IN THE TWO-PAGE LETTER. BY TAKING SPACE FOR TWO BEDROOMS IT IS NOT WHAT RESIDENTS THOUGHT THEY BOUGHT INTO. RESIDENTS DO NOT WANT TRANSIENTS AND/OR RENTALS, ALTHOUGH 90-DAY RENTALS WOULD BE ACCEPTABLE.

WALTER WOODS STATED THERE WOULD BE AN AGE RESTRICTION TO 55 OR OLDER AND THE UNIT IS NOT AGE RESTRICTED AT THIS TIME. KITCHEN IS NOT EXACTLY 103 SQ. FT. THERE IS NO STOVE, THERE IS A MICROWAVE/CONVENTIONAL OVEN. MR. BIBB ASKED ABOUT THE SQUARE FOOTAGE OF THE KITCHEN.

WALTER WOODS STATED HE HAD TO MAKE STAIRCASE 75"-80" WIDER TO MEET FIRE CODES AND PLANS WERE SUBMITTED TO THE BOARD. MR. MUNRO STATED THEY NEED TO DETERMINE WHAT A KITCHEN IS BY DEFINITION.

VIRGINIA POE, HOMEOWNER, COMMENTED SHE HAS A REAL CONCERN REGARDING RENTAL UNITS AND THOUGHT SHE WAS CONSIDERED A BUYER OF AN INDIVIDUAL HOMES. THE PROBLEM WITH RENTALS IS IN TERMS OF MAINTAINING PROPERTY VALUES.

MS. CORMIER STATED SHE RECEIVED A LETTER FROM RUTH CASTO IN SUPPORT OF PROPOSAL.

VIRGINIA POE ASKED ABOUT TENANTS ABIDING TO BY-LAWS AS THEY ARE NOT PART OF THE ASSOCIATION. MR. MARSHALL ASKED IF THIS IS STATED. WALTER WOODS STATED CURRENT RESIDENTS ARE NOT PART OF HOMEOWNERS ASSOCIATION. APARTMENT WILL GO ALONG WITH BY-LAWS. THERE WILL BE BY-LAWS SPECIFIC FOR THIS BUILDING. MR. MUNRO ASKED IF THE RENTAL AGREEMENT STATES THE NEED TO ABIDE TO BY-LAWS.

MR. MARSHALL ASKED THE APPLICANT IF HE IS ADVERSE TO YEAR ROUND RENTALS. WALTER WOODS STATED THAT CURRENTLY HE HAS 30-DAY RENTAL WITH HOMES. MR. MARSHALL STATED THAT SHORT-TERM RENTALS WERE APPROVED WITH CONGREGATE CARE FACILITY.

JOSEPHINE MCGILlicuddy STATED SHE HAS TALKED WITH WALTER WOODS AND HE CURRENTLY HAS DECIDING VOTES AS SIX UNITS ARE UNOCCUPIED. SHE WOULD LIKE TO SEE YEARLY RENTAL AS SHE LOVES THE HOMES AND THE AREA.

MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 10:40 P.M.

MR. MACDONALD ASKED TO HAVE CLARIFICATION ON AN AGREEMENT BETWEEN SPRING POND AND YORK HOSPITAL REGARDING DUTIES AND OBLIGATIONS STATED IN ITEM 9 ON PAGE 3 AND ASKED IF THIS AREA IS BEING AFFECTED BY PROPOSAL. WALTER WOODS STATED THE AREA AGREED UPON IS THERE.

MR. MARSHALL ASKED WHAT WAS IN EXISTING SPACE, RENTAL OFFICE. ASKED IF EVERYTHING HAS BEEN MET. MR. FARRELL COMMENTED THERE IS NO SINK, STOVE, OR FRIDGE IN KITCHEN. WALTER WOODS STATED THERE IS NO SINK, FRIDGE AND HAS CONVENTIONAL MICROWAVE.

JOSEPHINE MCGILlicuddy COMMENTED THERE IS A 5'X7' ROOM DOWNSTAIRS WITH A DESK AND CHAIRS. BELIEVES OSHA STANDARDS REQUIRE A SINK AND A DORM SIZE FRIDGE. MR. FARRELL STATED THE PLAN STATES THE ROOM IS 59 SQ. FT. JOSEPHINE MCGILlicuddy STATED THAT WOULD BE MORE CORRECT. WALTER WOODS STATED THAT THIS IS FOR PRIVATE MEETINGS.

MR. MACDONALD COMMENTED THAT WHEN CONVERTED TO ELDERLY CONGREGATE HOUSING, TYPE OF DWELLING NOT IDENTIFIED AS OWNED OR RENTED.

MR. FARRELL STATED THERE IS ONE OUTSTANDING ISSUE, THE 103 SQ. FT. KITCHEN. DO NOT HAVE. NEED TO RECONFIGURE MEDICAL SPACE, DIFFICULTY WITH HAVING TO GO OUTSIDE TO GET TO SECOND FLOOR. GOOD IDEA TO KEEP INDOOR STAIRCASE. MR. MARSHALL ASKED APPLICANT TO SUBMIT RECONFIGURATION OF THIS. MR. BIBB ASKED FOR RECONFIGURATION TO ONE BEDROOM APARTMENT WITH INDOOR STAIRCASE. AGE RESTRICTION OF 55 OR OLDER. 90 DAY OR LONGER RENTAL. KITCHEN AS ON ORIGINAL APPROVAL. WALTER WOODS STATED THAT PLAN SUBMITTED WAS AS IS, SQUARE FOOTAGE WAS INCORRECT.

MR. BIBB SUGGESTED ASKING FOR AN AMENDMENT TO CHANGE TO AS EXISTING WITH APPROVAL OF HOMEOWNERS ASSOCIATION. MR. MARSHALL SUGGESTED LOOKING AT RECONFIGURING TO AS CLOSE TO ORIGINALLY

APPROVED AS POSSIBLE AND ASK FOR CHANGE. ALSO SUGGEST ADDING STOVE TO KITCHEN.

MOTION MADE BY MR. MARSHALL TO TABLE APPLICATION, SECOND BY MR. MUNRO. VOTE 5-0.

"4-LOT SUBDIVISION OF WALTER WOODS, REQUEST FOR AMENDMENT", WALTER WOODS, STYLES LANE, ASSESSOR'S TAX MAP 94/LOT 84X. REQUEST FOR CLARIFICATION OF PREVIOUSLY APPROVED SUBDIVISION, TO ADD DWELLING UNIT WITHIN BARN STRUCTURE. ALSO REQUEST SHORELAND PERMIT FOR LOT #3.

MS. CORMIER STATED THAT MR. WOODS BELIEVES THIS WAS NOT A 4-LOT SUBDIVISION - SHOULD HAVE BEEN A 3-LOT WITH EXCESS LAND. SHE BELIEVES MR. WOODS NEEDS TO REAPPLY AND STATED WHAT HE WANTS TO DO. THERE WAS NO SHORELAND PERMIT FOR LOT 3 AND IS NOW ASKING FOR ONE. NOT SURE WHAT IS GOING TO BE CONSTRUCTED ON LOT 3.

MR. FARRELL STATED THE NEED TO HAVE A SHORELAND PERMIT IN FRONT OF THEM IN ORDER TO APPROVE.

WALTER WOODS COMMENTED THAT IN A LETTER SUBMITTED ON 5-11-00 SHORELAND PERMIT WAS OMITTED FOR LOT 3. MR. BIBB ASKED MR. WOODS WHAT HE PLANS TO BUILD ON LOT 3. WALTER WOODS STATED HE WILL BE PROPOSING A 17-UNIT BUILDING FOR PEOPLE 55 AND OLDER.

MR. BIBB STATED WILL HAVE TO WAIT FOR SHORELAND PERMIT WHEN APPLIED FOR.

MOTION MADE BY MR. FARRELL TO TABLE APPLICATION, SECOND BY MR. MUNRO. VOTE 5-0.

MR. MUNRO COMMENTED TO WALTER WOODS HE COME IN A VERY STRAIGHTFORWARD WAY FROM NOW ON AND DO EXACTLY WHAT HAS BEEN APPROVED AND WHAT WAS ON PLAN NOTES.

"YORK CORNER PLACE", DUANE JELLISON, 1 YORK STREET, ASSESSOR'S TAX MAP 48/LOTS 20 AND 21. REQUEST TO VOID PREVIOUSLY APPROVED SITE PLAN FOR ROUTE ONE USE PERMIT AND SEPARATE PREVIOUSLY APPROVED COMBINED LOTS.

MS. CORMIER STATED THAT IN 1995 DUANE JELLISON RECEIVED APPROVAL TO DEMOLISH A SINGLE FAMILY HOME AND COMBINE PROPERTIES. IN 1997 THE PLAN EXPIRED AND HE OBTAINED AN ADDITIONAL ROUTE ONE USE PERMIT AND AGAIN DID NOT COMPLETE. HE IS NOW REQUESTING FOR THAT REQUEST TO BE VOIDED. IT IS A BIT CONFUSING.

DUANE JELLISON COMMENTED THAT IN 1995 HE RECEIVED A USE PERMIT FOR AN ADDITION, PRIOR TO THAT COPY OF DEED AND LAND SWAP PART OF SUBMITTAL, NOT PART OF APPROVAL. HE WANTED TO SQUARE OFF PROPERTY. THE USE PERMIT HAS EXPIRED AND NEEDS TO RESOLVE MATTER IN ORDER TO MOVE FORWARD.

MR. BIBB OPENED PUBLIC HEARING WITHOUT OBJECTION AT 11:15 P.M. MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 11:16 P.M.

MOTION MADE BY MR. MARSHALL TO GRANT APPLICATION REQUEST, SECOND BY MR. MUNRO. VOTE 5-0.

"RICHARD ROSS USE PERMIT", STEPHEN CAMPBELL, 1537 US ROUTE ONE, ASSESSOR'S TAX MAP 10/LOT 7B. REQUEST CHANGE OF USE FROM RESTAURANT TO RETAIL, AND OBTAIN ROUTE ONE USE PERMIT.

MS. CORMIER STATED THIS IS CURRENTLY THE YANKEE WHALER RESTAURANT AND THE APPLICANT WOULD LIKE TO CHANGE IT TO A RETAIL BUSINESS AT THE SAME LOCATION WHICH WOULD MAKE IT LESS NON-CONFORMING. REQUESTING A WAIVER FOR STORM WATER MANAGEMENT, WILL BE NO INCREASE SINCE THERE WILL BE NO NEW STRUCTURE.

MOTION MADE BY MR. MUNRO TO ACCEPT FOR REVIEW, SECOND BY MR. MARSHALL. VOTE 5-0.

MR. BIBB OPENED THE PUBLIC HEARING WITHOUT OBJECTION AT 11:18 P.M.
MR. BIBB CLOSED THE PUBLIC HEARING WITHOUT OBJECTION AT 11:19 P.M.

MR. BIBB STATED IT SEEMS THAT EVERYTHING BEING DONE WILL BE FOR THE BETTER.

MR. MACDONALD ASKED IF THEY ARE REQUESTING WAIVERS FROM THE FIRE CHIEF AND POLICE CHIEF. MS. CORMIER STATED THAT MARVIN SWAIN STATED IT IS AN IMPROVEMENT TO WHAT EXISTS. FIRE AND POLICE CHIEF COMMENTS NOT AVAILABLE.

MOTION MADE BY MR. MUNRO TO APPROVE THE WAIVERS, SECOND BY MR. FARRELL. VOTE 5-0.

MR. BIBB STATED THAT IN REGARDS TO THE LANDSCAPING THEY WOULD BE ADDING PLANTINGS OUT FRONT. MR. MUNRO STATED THEY WOULD ALSO BE ENCLOSING THE TRASH RECEPTACLE.

MOTION MADE BY MR. MARSHALL TO APPROVE APPLICATION, SECOND BY MR. FARRELL. MS. CORMIER COMMENTED APPROVAL CONDITIONAL TO FIRE AND POLICE CHIEF OKAY. MR. MARSHALL STATED WISHES TO ADD TO ABOVE MOTION. VOTE 5-0.

MR. BIBB ADJOURNED THE MEETING WITHOUT OBJECTION AT 11:25 P.M.