

**TOWN OF YORK PLANNING BOARD  
THURSDAY, NOVEMBER 20, 2003, 8:00 P.M.  
YORK PUBLIC LIBRARY**

Co-Chairman Dave Marshall conducted the meeting in Glenn Farrell's absence. The meeting started at 8:00. Barrie Munro, Glen MacWilliams, and Tom Manzi, who voted in place of Glenn Farrell, attended. Town Planner Steve Burns represented the Planning Office. Patience Horton took Minutes. The meeting was televised. There were three motions.

**Public Input**

**Open to the public to address any issue other than issues scheduled for public hearings on this agenda.**

No one came forward to speak.

**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. Public Hearing and final decision.**

Steve Burns said that the application was ready for approval. He went over all the changes, including correction of typos, and pointed out the plan note reserving \$20,000 for additional plantings.

Mary Smith of Central Maine Power thanked Steve Burns for the productivity his office has given the project. Explaining recent changes, she said that the Town's inspector would be used in lieu of a second, environmental inspector. Two areas have revised planting plans, near Beech Ridge Road and next to DOT maintenance barn, where short vegetation, not trees, are preferred by DOT. Steve Burns added that PUC was not requiring performance bonds on projects such as this.

The Chair opened the Public Hearing. Don Blinn said that he has not been offered money for his easement. He said that CMP does not care about how the roadways look in York. He also wondered why the possibility of using the Little River strip couldn't be reopened. The public hearing was closed. Steve Burns replied to Don Blinn by explaining that the DEP could not get permits to run the line down the Little River corridor. Don Blinn unhappily explained that CMP plans to place many poles on his land through a 1952-easement deal in which the rights were sold into perpetuity for \$151.

**Motion** Barrie Munro moved that the Board approve, relative to the CMP transmission line permitting process, Rt. 1 Article 1.18.5.2; Wetlands permit 11.4.1 through 11.4.10; and the Shoreland permit that is satisfied in Article 18.4.6 a-n. In addition, in reference to

plan notes and finding of facts, the board will approve them as reviewed during this evening. Glen MacWilliams seconded the motion. The motion passed, 4-0.

Updating the progress on the Spur diagonal, Mary Smith said that from a real estate prospective, a deal had not yet been nailed down. Should it fall through, CMP will come back before the Planning Board to discuss the original route across the Stonewall Kitchen property.

### **Application**

**TAGT, LLC. 360 US Route One. Map 53/Lot 9B. Application review and public hearing continued from the November 13<sup>th</sup> Planning Board meeting. Application for Route One Use Permit and Site Plan Review to construct new wholesale and retail building.**

Steve Burns said that the driveway for this property would have to accommodate tractor-trailers. An additional business on the adjacent property could lead to big-trip generation. In that case, the "Marciano Right of Way" would be utilized, as two driveways off those properties would not be a possibility. There might be need for a traffic light in the future.

Applicant Greg Tsaris (the "GT" in TAGT) said that for the sake of expediency, he will agree to contribute the Dept of Transportation's requested \$15,000 to facilitate road improvements in front of his property. Steve Burns said that the money would be returned by the DOT, if it were not used within 3 years. Applicant Tom Adams ("TA" in TAGT) said that he felt penalized not only for an existing road problem, but also for the Marcianos' future development. Barrie Munro thought that the one creating the big-trip generator should pay. Dave Marshall said that he would rather see \$5,000 charged when the road widening is necessary.

**Motion** Dave Marshall moved that \$5,000 be charged when the road widening becomes necessary. Barrie Munro seconded the motion, which passed 3-1, with Glen MacWilliams against.

Dave Marshall opened the public hearing. Michelle Moody said that she was concerned about the wetland there, which she considered of high value with muskrats, ducks, migratory birds and dragonflies. Nor does she want more traffic signals added. She asked about the sheet flow across the parking lot. Barrie Munro moved to close the public hearing.

Bill Anderson said that there would be zero wetland fill. He showed the drainage plan, the landscaping plan, and the elevation. When lobster tanks are drained, they go into holding tanks underneath. The lower tank filters the contaminants from lobster waste.

Steve Burns said that they are waiting for input from fire, police, water, and sewer. Barrie said the landscaping was very good. Engineer Mike Livingston's certification was not included but was required.

**Motion** Dave Marshall moved that, contingent on getting the department signoffs, professional certifications on Mylar, the access easement that is available for sale, and the \$5,000 contribution to the Rt.1 widening (to be used with 24 months), the Board would approve the project subject to final signing. Barrie Munro seconded the motion.

In discussion, Glen MacWilliams said that the Board could not conditionally approve without the engineering certification signature.

The motion passed, 3-1, with Glen MacWilliams against.

### **Adjourn**

Steve Burns showed a plan of Granite Woods Phase 2, in S. Berwick, a property that spills over the York town line. A joint review of the plans between the two towns might be needed. A third town, that of the Kittery Water District, has a concern about drainage into its reservoir. Michelle Moody said that the traffic off Bell Marsh Road could impact Rt. 91 and York. The road can be closed. The matter should be discussed in workshop. The meeting ended at 8:40.