



# Town of York

186 York Street  
York, Maine 03909-1314

Town Manager/  
Selectmen  
(207)363-1000

Town Clerk/  
Tax Collector  
(207)363-1003

Finance/  
Treasurer  
(207)363-1004

Code Enforcement  
(207)363-1002

Planning  
(207)363-1007

Assessor  
(207)363-1005

Police Department  
(207)363-1031

Dispatch  
(207)363-2557

York Beach Fire  
Department  
(207)363-1014

York Village Fire  
Department  
(207)363-1015

Public Works  
(207)363-1011

Harbor Master  
(207)363-1000

Senior Center/  
General Assistance  
(207)363-1036

Parks and  
Recreation  
(207)363-1040

Fax  
(207)363-1009  
(207)363-1019

www.yorkmaine.org

## BOARD OF SELECTMEN'S MEETING AGENDA

6:20/7:00PM MONDAY, NOVEMBER 16, 2015  
YORK LIBRARY

**6:20PM:** Executive Session – Quarterly Review and Check-In with Town Manager

**6:50PM:** Committee Interviews

### Call to Order

### Opening Ceremonies

#### A. Minutes

1. June 8, 2015 Meeting Minutes
2. June 22, 2015 Meeting Minutes

#### B. Chairman's Report

#### C. Manager's Report

#### D. Awards

1. Bid Award: Special Services Vehicle

#### E. Reports

1. Summer 2015 Gift Shop Overview
2. Parks and Recreation Board

F. Citizens' Forum – The Citizens' Forum is open to any member of the audience for comments on any matter. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager's Office.

#### G. Public Hearings

1. Proposed Changes to the Traffic Safety Ordinance and Parking Permit Program (Increasing the cost of Parking Meters, Parking Passes and Parking Fines)

**H. Endorsements**

1. Games of Chance
2. Business Licenses
  - a. Joseph Hogan DBA: Sentry Hill for Food Service; located 2 Victoria Court
  - b. Boardman Ellis VFW Post #6977 for Food Service, Special Amusement, Coin-Operated Amusement and Liquor Licenses; Located at 75 Cape Neddick Road
  - c. Hannaford Bros. Company, LLC DBA: Hannaford Food and Drug #8384 for Food Service; Located at 5 Hannaford Drive
  - d. Mark Graziano DBA Anthony's Food Shop, Inc. for Food Service; Located at 679 US Route One
  - e. David and David Rowland DBA; Some Brewing Co., LLC for Liquor License; Located at 1 York Street Unit 3

**I. Old Business**

1. Discussion and Possible Action: Amending the Traffic Safety Ordinance and Parking Permit Program
2. Discussion and Possible Action: Connector Road Engineering
3. Discussion and Possible Action: Vernal Pool Violation
4. Discussion: Beach Management Topic #1 - Trash
5. Discussion and Possible Action: Special General Referendum Request – Building Height Amendment
6. Discussion and Possible Action: Long Beach Drainage Projects

**J. New Business**

1. Discussion: Fire Tower Issues on Mount Agamenticus – Ownership, Consolidation, etc.
2. Discussion and Possible Action: Required Legal Training
3. Discussion: FY17-21 Capital Program Update
4. Discussion and Possible Action: Letter of Credit Release for 1950 US Route One
5. Historic District Commission Appointment

**K. Future Agendas**

**L. Other Business**

**M. Citizens' Forum**

**Adjourn**

**BOARD OF SELECTMEN'S  
MEETING MINUTES  
6:00PM/7:00PM MONDAY, JUNE 8, 2015  
YORK LIBRARY**

**6:00PM:** Quarterly Meeting with Planning Board

- Review Comprehensive Plan Priorities
- Handout: Ordinance Amendments in Process at the Planning Board

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Todd Frederick, Dawn Sevigny-Watson, Town Manager Stephen H. Burns and members of the press and public.

**Call to Order**

Chairman Robert E. Palmer, Jr. called the meeting to order at 7:00PM.

**Opening Ceremonies**

- A. **Minutes**
- B. **Chairman's Report**
- C. **Manager's Report**

Town Manager Stephen H. Burns reminded citizens of a Vector-borne Diseases Workshop being held at the Library on June 22<sup>nd</sup>. Mr. Burns also stated that the Clay Hill Road bridge that was under construction re-opened last Saturday, which was a week earlier than planned. Mr. Burns reminded people that the Organug Road water line project is starting in two weeks and to seek alternate routes. He also mentioned that the Church Street and Shore Road project is nearing completion and should be done by the end of the month.

D. **Awards**

- 1. FY16 Paving Bid

Director of Public Works Dean Lessard explained that the Greater Portland Council of Governments solicited paving bids for York and Cumberland counties and received one bid that was from Pike Industries for \$83.00/ton. Libby-Scott,

Inc., the Town's existing paving contractor submitted a bid of \$71.90 directly to the Town of York prior to the GPOCG bid opening.

Moved by Mr. Macdonald, seconded by Mr. Frederick to award the FY2016 paving bid to Libby-Scott, Inc. Vote 5-0, motion passes.

**E. Reports**

**F. Citizens' Forum** – The Citizens' Forum is open to any member of the audience for comments on items listed on this meeting agenda. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager's Office.

Public Comment: Jim Bartlett

**G. Public Hearings**

1. New Business Licenses:
  - a. Ocean Hospitality, Inc. DBA: Best Western York Inn; Located at 2 Brickyard Lane (Innkeeper)
  - b. Donald and Ann MacAulay DBA: Faircrest Motel; Located at 865 US Route One (Innkeeper)

Moved by Mr. Macdonald, seconded by Mr. Speers to open the public hearing. Without objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the public hearing. Without objection, so ordered.

**H. Endorsements**

1. Business Licenses: Ocean Hospitality DBA: Best Western York Inn (Innkeeper) Located at 2 Brickyard Lane, Bradford Leigh DBA: Cat N' Nine Tails Country Store (Food Service) Located at 1294 US Route One, Dan Poulin DBA: Fat Tomato Grill (Food Service and Liquor) Located at 241 York Street, Joseph Glözbein DBA: Kingdom Concessions (Special Amusement) Located at 23 Railroad Avenue, Mark Anastas DBA: Liquid Dreams Surf Shop (Food Service) Located at 171 Long Beach Avenue, Gregory P. Tsairis DBA: Maine Lobster Outlet, LLC (Food Service) Located at 360 US Route One, Nicole Hill DBA: Molly O's Restaurant (Food Service) Located at 2 Main Street, John Lamarre DBA: Roast-N-Crumb (Food Service) Located at 519 US Route One Unit #5, Carle L. Brown DBA:

Ruby's Wood Grill (Food Service, Liquor, Coin-Operated Amusement and Special Amusement) Located at 433 US Route One, Kathleen and Jose Perez DBA: Sweet Josie's Candy Shoppe (Food Service) Located at 7 Railroad Avenue, Two Pars, Inc. DBA: The Union Bluff Meeting House (Food Service, Liquor, Innkeeper and Special Amusement) Located at 4 Beach Street, Jim and Mike Manos DBA: York Beach Dairy Bar (Food Service) Located at 97 Long Beach Avenue

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following licenses: Ocean Hospitality DBA: Best Western York Inn (Innkeeper) Located at 2 Brickyard Lane, Bradford Leigh DBA: Cat N' Nine Tails Country Store (Food Service) Located at 1294 US Route One, Dan Poulin DBA: Fat Tomato Grill (Food Service and Liquor) Located at 241 York Street, Joseph Glozbein DBA: Kingdom Concessions (Special Amusement) Located at 23 Railroad Avenue, Mark Anastas DBA: Liquid Dreams Surf Shop (Food Service) Located at 171 Long Beach Avenue, Gregory P. Tsairis DBA: Maine Lobster Outlet, LLC (Food Service) Located at 360 US Route One, Nicole Hill DBA: Molly O's Restaurant (Food Service) Located at 2 Main Street, John Lamarre DBA: Roast-N-Crumb (Food Service) Located at 519 US Route One Unit #5, Carle L. Brown DBA: Ruby's Wood Grill (Food Service, Liquor, Coin-Operated Amusement and Special Amusement) Located at 433 US Route One, Kathleen and Jose Perez DBA: Sweet Josie's Candy Shoppe (Food Service) Located at 7 Railroad Avenue, Two Pars, Inc. DBA: The Union Bluff Meeting House (Food Service, Liquor, Innkeeper and Special Amusement) Located at 4 Beach Street, Jim and Mike Manos DBA: York Beach Dairy Bar (Food Service) Located at 97 Long Beach Avenue subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 5-0, motion passes.

## **I. Old Business**

### **1. Discussion and Possible Action: Bring Your Own Bag "BYOB" – Proposed Ordinance**

Victoria Simon of Bring Your Own Bag York talked about the proposed ordinance regarding single-use plastic bags. The Town Manager suggested the proposed ordinance be reviewed by the Town Attorney in anticipation of a public hearing in the future.

Moved by Mr. Macdonald, seconded by Mr. Speers to send the proposed Single-Use Plastic Carry Out Bag Ordinance to the Town Attorney for review, and if deemed ready then schedule a Public Hearing on July 27<sup>th</sup>. Vote 5-0, motion passes.

### **2. Discussion and Possible Action: U.S. Fish and Wildlife Service's Request Regarding Invasive Species**

David Tibbetts of the US Fish and Wildlife Service is seeking the Town's assistance in inventorying invasive species along the roads in York. It is believed that much of the spreading on invasive plants happens through road maintenance activities,

thus the focus on roadsides. Mr. Tibbetts will be working with the Public Works Department to help better educate them about the invasive species and modify some of their work practices to reduce the spreading of the plants.

Moved by Mr. Macdonald, seconded by Mr. Speers to request the Conservation Commission assist US Fish and Wildlife with completion of a roadside inventory of invasive plants. Vote 5-0, motion passes.

### 3. Discussion and Possible Action: Beach Signs

Parks and Recreation Director Michael Sullivan presented the Board with option for the rainfall advisory signs that will be posted at the beaches.

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the rainfall advisory signs to read;

#### Precautionary Rainfall Advisory

It is recommended to avoid swimming and water contact for 24-48 hours after heavy rainfall Swimming and water contact are not advised at this time

Vote 5-0, motion passes.

### 4. Discussion and Possible Action: Route One Urban Compact – Municipal Response

This discussion was regarding the Maine Department of Transportation's ongoing push for Urban Compact designation of Route One in York between York Corner and Cape Neddick Village. The Town Manager made a sound technical argument to Maine Department of Transportation that was rejected; Senator Hill submitted a bill intended to stop the designation and that was also rejected – With those two attempts rejected, the Town Manager believes it would be best to leave the issue where it is and accept the designation. There were capital funds approved in May for the heavy-duty plow truck for Route One maintenance and there is a plan in place to cover outsourcing of some of the Town's winter maintenance.

### 5. Preference Votes: Special Budget Referendum

Article One: Purchasing of 9 Hannaford Drive; Board of Selectmen recommends approval (5-0)

## J. New Business

### 1. Discussion and Possible Action: Board/Committee Appointments a. Board of Appeals

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Ted Mottola as a Regular Member (Beach Representative) to the Board of Appeals, with a term expiring June 30, 2018. Vote 5-0, motion passes.

b. Planning Board

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Amy Phalon as a Regular Member to the Planning Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

c. Conservation Commission

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Kelli Gardner and Michael Morgillo as Regular Members to the Conservation Commission, with terms expiring June 30, 2017. Vote 5-0, motion passes.

d. Long Sands Bathhouse Committee

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Heidi Hayes as a Regular Member to the Municipal Building Committee for the Long Sands Bathhouse committee. Vote 5-0, motion passes.

2. Discussion and Possible Action: Bicycle/Pedestrian Committee

Moved by Mr. Macdonald, seconded by Mr. Speers to establish a Town of York Bicycle and Pedestrian Committee as called for in the Comprehensive Plan, Section 2.4.6. The initial focus of the Committee will be to establish a Master Plan to support safe and accessible bicycling and walking in the Town as described in the Board of Selectmen Standing Committee Charter for Town of York Bicycle and Pedestrian Committee that was presented at this meeting. Also to direct the Town Manager to initiate actions necessary to solicit volunteers and arrange for interviews of applicants by the Board. Vote 5-0, motion passes.

3. Discussion and Possible Action: York Housing Authority – Request for Quitclaim Deed

Moved by Mr. Macdonald, seconded by Mr. Speers to direct the Town Manager to prepare a ballot question for the November General Referendum to ask the voters if they will release any remaining rights in the parcel in question by quitclaim to York Housing. Vote 5-0, motion passes.

6. Discussion and Possible Action: Selectmen’s Policy Manual – Section 1 Overview

The Board chose the following policies that they would like to discuss:

- Board of Selectmen Code of Ethics
- Transaction of Business
- Public Participation at Selectmen’s Meetings
- Legal Counsel Policy

7. Special Event Permits
  - a. York Days Craft Fair
  - b. Amidon Family Dentistry York Days 5K
  - c. Four on the Fourth Road Race
  - d. Turkey Trot 5K
  - e. November Lighting of the Nubble
  - f. Christmas in July – Lighting of the Nubble
  - g. Art Association’s Summer Jazz Concert
  - h. Churchill Ranch Wedding
  - i. Long Sands “Fun Run”
  - j. Tour de Cure
  - k. BikeMaine Tour

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following Special Event Permit Applications subject to all, if any, conditions given by Department Heads: York Days Craft Fair – August 1 and 2, 2015, Amidon Family Dentistry York Days 5K – July 26, 2015, Four on the Fourth Road Race – July 4, 2015, Turkey Trot 5K – November 28, 2015, November Lighting of the Nubble – November 28, 2015, Christmas in July: Lighting of the Nubble – July 26, 2015, Art Association’s Summer Jazz Concert – July 3, 2015, Churchill Ranch Wedding – July 27, 2015, Long Sands “Fun Run” – October 3, 2015, Tour de Cure – July 12, 2015, BikeMaine Tour – September 19, 2015. Vote 5-0, motion passes.

**K. Future Agendas**

Mr. Macdonald stated that he would like there to be a Green Enterprise Recreation Zone workshop after the July 11<sup>th</sup> Special Budget Referendum that is moving the new public safety site to Hannaford Drive and out of that zone.

**L. Other Business**

**M. Citizens’ Forum**

Public comment: Helen Rollins

**Adjourn**

Moved by Mr. Macdonald, seconded by Mr. Frederick to adjourn the meeting at 9:30PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery  
Assistant to the Town Manager

**BOARD OF SELECTMEN'S  
MEETING AGENDA  
6:00PM/7:00PM MONDAY, JUNE 22, 2015  
YORK LIBRARY**

**6:00PM:** Committee Interviews and Executive Session: Pursuant to MRSA Title 1, Section 405.6.A – Consideration of Appointment and Pursuant to MRSA Title 1, Section 405.6.C – Real Estate (American Legion Property)

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Todd Frederick, Dawn Sevigny-Watson, and Town Manager Stephen H. Burns.

Moved by Mr. Speers, seconded by Mr. Macdonald to enter into Executive Session. Without objection, so ordered.

Moved by Mr. Speers, seconded by Ms. Sevigny-Watson to exit out of Executive Session. Without objection, so ordered.

**7:00PM:** Regular Meeting

**Present:** Chairman Robert E. Palmer, Jr., Vice-Chairman Jonathan O. Speers, Torbert Macdonald, Todd Frederick, Dawn Sevigny-Watson, Town Manager Stephen H. Burns and members of the press and public.

**Call to Order**

Chairman Robert E. Palmer, Jr. called the meeting to order at 7:00PM.

**Opening Ceremonies**

- A. **Minutes**
- B. **Chairman's Report**
- C. **Manager's Report**

Town Manager Stephen H. Burns stated that his office received word from the York Sewer District that they will be installing public sewer during the Town's Main Street project. Mr. Burns also gave a FY15 Budget update: 92% of the way through FY15 – 95% of projected revenue has been received – 86% of projected

expenses have been spent. Mr. Burns also congratulated firefighter, Jon Gay for his work in the approval in a Safety Enhancement Grant for \$2,000 towards a gear washer.

**D. Awards**

1. Bid Award: #2 Heating Oil

The Town recently solicited bid requests for #2 Heating Oil deliveries of approximately 11,000 gallons to four Town Buildings from July 1, 2015 through June 30, 2016. In addition to the Town building deliveries, 500 gallons was also included for our Emergency Heating Assistance Program.

Moved by Mr. Frederick, seconded by Mr. Speers to award the 2016 Fiscal Year Town Building #2 Heating Oil Bid to Estes Oil and Propane for \$2.25 per gallon. Vote 5-0, motion passes.

2. Bid Award: Propane

The Town recently solicited bid requests for Propane deliveries of approximately 5,500 total gallons to six Town owned buildings from July 1, 2015 to June 30, 2016.

The Town received four bids but some prices were dependent on the rent vs. own status of the tanks. The Board of Selectmen asked the Town Manager's Office to research the price of purchasing all rented propane tanks and to move this to the next agenda.

3. Bid Award: Wood Pellets

The Town recently solicited bid requests for Wood Pellet deliveries of approximately 22 total tons to the Grant House, which is the only town-owned building equipped with a pellet boiler. The Town received only one bid in response.

The Board of Selectmen had questions regarding the most appropriate type of pellets to be used and asked for more research to be done to find the best solution and have the award brought back to them at the next meeting.

4. Bid Award: Streetlight Consultant

The Town recently released a Request for Proposals for an Energy Consultant for the Town of York LED Street Light Project. Three proposals were received – Celtic Energy, LightSmart and Dubois & King.

Mr. Macdonald disclosed that his nephew works for Celtic Energy and he would be abstaining from this vote.

Moved by Mr. Speers, seconded by Mr. Frederick to approve the \$20,000 bid ward for an Energy Consultant for the Town's LED Street Light Project to Celtic Energy. Vote 4-0-1, Mr. Macdonald abstained, motion passes.

**E. Reports**

1. Wayne Martin, Chair – Police Station Municipal Building Committee

Chairman of the Police Station Municipal Building Committee Wayne Martin gave the Board and public a brief overview of the Committee's progress to date. He also stressed the need to get public attention on the Special Budget Referendum.

**F. Citizens' Forum** – The Citizens' Forum is open to any member of the audience for comments on any matter. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager's Office.

Public Comment: Judy Romano  
Carol Allen

**G. Public Hearings**

1. New Business License: The Velveteen Habit (Special Amusement)

Moved by Mr. Macdonald, seconded by Mr. Speers to open the public hearing. Without objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the public hearing. Without objection, so ordered.

**H. Endorsements**

Business Licenses:

1. 281 Long Beach Ave., LLC DBA: The Sand Dollar (Innkeeper) Located at 281 Long Beach Avenue
2. Benjamin Goldman DBA: The Velveteen Habit – Farmhouse Restaurant (Special Amusement) Located at 37 Ogunquit Road

Moved by Mr. Macdonald, seconded by Mr. Frederick to approve the following Business Licenses: 281 Long Beach Ave., LLC DBA: The Sand Dollar (Innkeeper) Located at 281 Long Beach Avenue and Benjamin Goldman DBA: The Velveteen

Habit – Farmhouse Restaurant (Special Amusement) Located at 37 Ogunquit Road, subject to taxes, fees and inspections being current and compliant with the usual noise stipulation. Vote 5-0, motion passes.

**I. Old Business**

1. Discussion and Possible Action: Definition of Capital

The Board and Town Manager had a brief discussion regarding coming to an internal agreement on proposed new language in the Selectmen’s Policy that defines “Capital”.

2. Discussion: Overview of Proposed FY17-21 Capital Planning Process

Mr. Burns gave an overview of his anticipated changes for the FY17-21 Capital Planning process, of which he plans to start in August. Some changes will be improved engagement with our utility districts, 10-year picture rather than only 5-year, and looking at different purchasing/financing possibilities.

**J. New Business**

1. Discussion: Overview of Bog Road Field Phase II

The May 2015 referendum voters approved \$150,000 for Phase II of the Bog Road Athletic Field Project. Director of Parks and Recreation Mike Sullivan was recently contacted by the administrating agency for a grant he applied for and while the Town’s application scored high among those submitted, the funding available to Maine communities was reduced by the Park Service. The Town will be receiving 50% (\$75,000) of the amount requested.

2. Discussion and Possible Action: Department Organization Changes

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the creating of a Code Enforcement Department, with the Code Enforcement Officer, Amber Harrison, becoming the new Department Head. Vote 5-0, motion passes.

3. Discussion: Parking Policy with Respect to Revenue Generation

This was a continuation of a discussion the Board previously had regarding parking meter revenues and it being the most controllable of the non-property tax revenues available to the Town. Possible ways to increase revenues would be to increase the meter rates, expand the number of metered parking spaces, and/or alter the parking permit program fees. With direction from the Board, Mr. Burns will do more research into the current number of metered spaces and what other communities are doing/have done.

4. Discussion and Possible Action: Selectmen's Policy Manual – Section 1 Detailed Review

Board members previously submitted comments and suggested edits to Section 1 of the Selectmen's Policy Manual to the Town Manager's Office. The Board suggested edits to the Code of Ethics Policy, Transaction of Business Policy and Public Participation at Selectmen's Meetings Policy and Legal Counsel Policy – all of which the Town Manager's Office will create and will be brought back in front of the Board for a vote.

5. Discussion and Possible Action: Verizon Request to Improve Cell Reception in York Beach

The Board of Selectmen entered into a contract with Verizon several years ago to construct a communications tower at the then-proposed new police station site off Ridge Road. With the demise of that project, Verizon is looking for other suitable options to improve wireless communications in the York Beach area. Verizon has asked if the Town would consider a flag pole antenna at the York Beach Ball Field or to replace the existing tower at the current Police Station at 36 Main Street.

Moved by Mr. Macdonald, seconded by Mr. Speers to direct the Town Manager to work with Verizon to create a proposal to replace the existing tower at the Police Station/Senior Center with a new tower not more than 100' in height and to return to the Board with a design proposal and a lease /contract proposal. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to direct the Town Manager to start the Request for Proposals process to develop competitive bids for this site. Vote 5-0, motion passes.

6. Cliff Path Committee Appointments

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Thoams Rose, Robert Gordon and Robert Luttman as regular members to the Cliff Walk Committee, with terms expiring June 30, 2019. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Diane Kleist and Elizabeth Bardwell as regular members to the Cliff Walk Committee, with terms expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Mary Andrews as a regular member to the Cliff Walk Committee, with a term expiring June 30, 2017. Vote 5-0, motion passes.

Moved by Mr. Speers, seconded by Mr. Frederick to appoint Edward Little as a regular member to the Cliff Walk Committee, with a term expiring June 30, 2016. Vote 5-0, motion passes.

7. Board and Committee Reappointments

- a. Board of Appeals
- b. Assessment Review Board
- c. Cable TV Regulatory Board
- d. Energy Efficiency Steering Committee
- e. Harbor Board
- f. Historic District Commission
- g. Municipal Social Services Review Board
- h. Planning Board
- i. Senior Citizens' Advisory Board
- j. Sohier Park Committee
- k. Tax Task Force

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Victor Manougian as an alternate member to the Board of Appeals, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Greg Gosselin as a regular member to the Assessment Review Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Robert Michael Seagroves as a regular member to the Cable TV Regulatory Commission, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Wayne Boardman as a regular member to the Energy Efficiency Committee, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint David Webber as a regular member to the Harbor Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Frederick Scott Stevens as a regular member to the Historic District Commission, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Kathleen Vinet as a regular member to the Municipal Social Services Review Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Gordon Eldridge as a regular member to the Planning Board, with a term expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Jacqueline Valentino, Jeanette McGrath and Carollyn Anderson as regular members to the Senior Citizens' Advisory Board, with terms expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Evelyn Lipka, and Lorraine Moulton as regular members to the Sohier Park Committee, with terms expiring June 30, 2018. Vote 5-0, motion passes.

Moved by Mr. Macdonald, seconded by Mr. Frederick to reappoint Thomas Carnicelli and Harry Kluger as regular members to the Tax Task Force, with terms expiring June 30, 2018. Vote 5-0, motion passes.

8. Pole Location Permit – Nubble Road

Moved by Mr. Macdonald, seconded by Mr. Frederick to approve the Pole Location Permit for one pole on Nubble Road, in a northerly direction, 28 feet from pole #33. Vote 5-0, motion passes.

9. Special Event Permit – York Days Fireworks

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following Special Event Permit Application subject to all, if any, conditions five by Department Heads: York Days Fireworks – August 2, 2015. Vote 5-0, motion passes.

K. Future Agendas

L. Other Business

M. Citizens' Forum

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Frederick to adjourn the meeting at 9:50PM. Without objection, so ordered.

Respectfully Submitted,

Melissa M. Avery  
Assistant to the Town Manager



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 12, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Acceptance of the bid for a 2016 Chevrolet Tahoe Special Services 4x4 Vehicle	

RECOMMENDATION: The Board of Selectmen to approve the bid for a 2016 Chevrolet Tahoe Special Services 4X4 from Quirk Auto Group of Hallowell Maine.

PROPOSED MOTION: I move to award the bid for the purchase of a 2016 Chevrolet Tahoe Special Services 4x4 Vehicle to Quirk Auto Group of Hallowell Maine in the amount of \$29,024.00 from the capitol cruiser account of the Police Department

FISCAL IMPACT: \$29,024.00

DEPARTMENT LINE ITEM ACCOUNT: Capitol Cruiser Account

BALANCE IN LINE ITEM IF APPROVED: \$59,567.22

PREPARED BY: Captain Charles J Szeniewski    REVIEWED BY: 



# TOWN OF YORK, MAINE

## Police Department

**Douglas P. Bracy**  
Chief of Police

### Memorandum

**Mailing Address:**  
36 Main Street  
York, Maine 03909

**Dispatch:**  
Non-Emergency  
(207) 363-4444

**Administration:**  
(207) 363-1031

**Facsimile:**  
(207) 361-6818

[www.yorkpolice.org](http://www.yorkpolice.org)

**Committed  
to excellence**

**Date:** November 16, 2015  
**To:** Board of Selectmen  
**Cc:** Town Manager Steven Burns  
**From:** Captain Charles J Szeniewski *CJS*  
**RE:** Chevrolet Tahoe Special Services 4X4 Bid Acceptance

The Police Department is replacing a 2010 Chevrolet Tahoe Special Services Vehicle. The vehicle is currently being used by the Accident Reconstruction Team and the Patrol Supervisors. The current vehicle has 116,000 miles presently and will have approximately 120,000 miles at the time of the trade. Maintenance due to the age, road miles and engine miles is a concern and starting to become costly. The vehicle we are looking to purchase is a 2016 Chevrolet Tahoe Special Services 4x4 vehicle.

A bid request for the Chevrolet Tahoe was sent out to five Chevrolet dealerships. One bid was received by the November 9, 2015 1200 PM deadline and was opened in the Town Manager's Office on November 10, 2015 at 2:00 PM.

Quirk Auto Group of Hallowell Maine submitted a total bid price of \$29,024.00. This price reflects a base price of \$46,452.00 a dealer discount of \$8241.00 and a trade allotment of \$ 9187.00 the trade-in value for the 2010 Chevrolet Tahoe.

It is my recommendation that the Board of Selectmen award the bid to Quirk Auto Group of Hallowell, Maine for the purchase of a 2016 Chevrolet Tahoe Special Services 4x4 vehicle at a cost of \$29,024.00



**Notice of Public Hearing  
Town of York - Board of Selectmen  
Monday, November 16, 2015  
7:00 PM  
York Public Library**

The York Board of Selectmen will conduct a Public Hearing on **Monday, November 16, 2015** at **7:00PM** regarding proposed changes to the **Traffic Safety Ordinance** and **Parking Permit Program** regarding increases to fees for Parking Passes, Parking Meters and Parking Fines as proposed by the York Police Department.

Any questions or comments will be welcome at the hearing, and written comments may be submitted in advance to the Town Manager's Office.

Printed copies of the text of these amendments are available with the Town Clerk's Office and the Town Manager's Office at the Town Hall; Digital copies are also available on the Town's web page ([www.yorkmaine.org](http://www.yorkmaine.org)).



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 13, 2015

ACTION

DATE ACTION REQUESTED: November 16, 2015

DISCUSSION ONLY

SUBJECT: Games of Chance

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Annually the Board of Selectmen approves a blanket letter that is required by the State of Maine, which lists establishments within the Town of York wishing to engage in "Games of Chance", giving them the ability to schedule raffles, bingo games and other events that include games of chance.

RECOMMENDATION:

PROPOSED MOTION: I move to approve the 2016 Blanket Letter of Approval for Games of Chance

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

PREPARED BY:

*Melvin M. Frey*

REVIEWED BY: \_\_\_\_\_

November 16, 2015

Maine State Police Licensing Division  
164 State House Station  
Augusta, ME 04333-0164

RE: Blanket Letter of Approval to Operate Games of Chance

To Whom It May Concern:

The Town of York Board of Selectmen voted at their November 16, 2015 meeting to approve a Blanket Letter of Approval to Operate Games of Chance and/or Bingo/Beano Games for the following organizations for calendar year **2016**:

- American Legion Post #56
- American Legion Auxiliary
- Elks Lodge #2788
- Knights of Columbus Council #11940
- Parents for York Wrestling
- Saint Christopher's Church
- VFW Post # 6977
- York Beach Fire Department
- York Village Fire Department
- York Chamber of Commerce
- York Jr. Wildcats
- York Kiwanis
- York Little League
- York Music Boosters
- York Rotary Club
- York Athletic Boosters
- York High School Activities

Please feel free to contact me should you need anything further.

Sincerely,

Melissa M. Avery  
Assistant to the Town Manager  
[mmavery@yorkmaine.org](mailto:mmavery@yorkmaine.org)  
Town of York, Maine  
186 York Street  
York, ME 03909  
(207) 363-1000

**ESTABLISHMENTS REQUESTING LETTER OF APPROVAL  
FOR GAMES OF CHANCE**

American Legion Post #56  
TBD  
York, ME 03909

York Chamber of Commerce  
1 Stonewall Lane  
York, ME 03909

American Legion Auxiliary  
9 Hannaford Drive  
York, ME 03909

York Jr. Wildcats  
c/o York Middle School  
30 Organug Road  
York, Maine 03909

Elks Lodge #2788  
1704 U.S. Route One  
P.O. Box 711  
York, ME 03909

York Kiwanis  
P.O. Box 454  
York, Maine 03909

Knights of Columbus Council #11940  
P.O. Box 172  
York Harbor, ME 03911

York Little League  
P.O. Box 696  
Cape Neddick, ME 03902

Parents for York Wrestling  
c/o York High School  
1 Robert Stevens Dr.  
York, ME 03909

York Music Boosters  
c/o York High School  
1 Stevens Drive  
York, Maine 03909

Saint Christopher's Church  
4 Barrell Lane  
York, ME 03909

York Rotary Club  
P.O. Box 806  
York, ME 03909

VFW Post #6977  
P.O. Box 201  
York Beach, ME 03910

York Village Fire Department  
1 Firehouse Drive  
York, ME 03909

York Beach Fire Department  
P.O. Box 70  
York Beach, ME 03910

York High School Activities  
1 Robert Stevens Drive  
York, ME 03909

York Athletic Boosters  
c/o York High School  
1 Roberts Stevens Drive  
York, ME 03909



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 13, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Business License Applications	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: All appropriate departments have given approval; See "Department Approvals" on page two of the application.

RECOMMENDATION: Approve the Business License(s) attached.

PROPOSED MOTION: I move to approve the following licenses:

- *Joseph Hogan DBA: Sentry Hill for Food Service; located 2 Victoria Court*
- *Boardman Ellis VFW Post #6977 for Food Service, Special Amusement, Coin-Operated Amusement and Liquor Licenses; Located at 75 Cape Neddick Road*
- *Hannaford Bros. Company, LLC DBA: Hannaford Food and Drug #8384 for Food Service; Located at 5 Hannaford Drive*
- *Mark Graziano DBA Anthony's Food Shop, Inc. for Food Service; Located at 679 US Route One*
- *David and David Rowland DBA; Some Brewing Co., LLC for Liquor License; Located at 1 York Street Unit 3*

All subject to taxes, fees and inspections being current and compliant with the usual noise stipulations.

PREPARED BY: Melissa M. Avery  
Melissa M. Avery, Assistant to the Town Manager

REVIEWED BY: \_\_\_\_\_

THE TOWN OF

# YORK, MAINE

186 York Street, York, Maine 03909

## BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Some Brewing CO LLC

Street Address: 1 York st unit 3 York, ME 03909

Business Owner: David & David J. Rowland Business Manager: David A. Rowland

Mailing Address: 1 York st. unit 3 York, ME 03909 Mailing Address: 22 Trafton str York, ME 03909

Phone Number: 207-351-8162 Phone Number: 518-578-8792

E-mail Address: somebrewingco@gmail.com E-mail Address: davidrowland@somebrewingco.com

Please indicate who is to be the Primary Contact with the Town:  OWNER or  MANAGER

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

### Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: \_\_\_\_\_

C – Code Enforcement Inspection Required F – Fire Department Inspection Required P – Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	SMB-44	2-29190	1166144
Expiration Date(s):	12-9-15	11-25-2015	-
Classification(s):	Small Brewery	Brewery	Retailer

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner:  Have you ever been convicted of a Felony? YES  NO

Signature

Business Manager:  Have you ever been convicted of a Felony? YES  NO

Signature

(If either person has a Felony conviction, please attach an explanation of the circumstances)

**FOR OFFICE USE ONLY**

FEES	Amount	Map - Lot: 0048 - 0020
Application and First License (\$60)	60.-	Processed By: <u>mmawery</u>
Subsequent Licenses (\$30 each)		Received Date: <u>11/5/2015</u>
New License Fee (\$50)		Amount Received: \$ <u>60.-</u>
License Amendment (\$25)		Check # <u>1099</u> or Cash <input type="checkbox"/>
Other: _____	-	
TOTAL DUE		LICENSE #: _____ - _____
		\$ <u>60.-</u>

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<input checked="" type="checkbox"/> N/A		YES NO
Fire	<input type="checkbox"/> N/A	<u>11/12/2015 D. Appar</u>	YES <input checked="" type="radio"/> NO
Police	<input type="checkbox"/> N/A	<u>11/9/2015 O. Davis</u>	YES <input checked="" type="radio"/> NO
Tax Collector	<input type="checkbox"/> N/A	<u>11/6/2015 M. Szeniakowski</u>	YES <input checked="" type="radio"/> NO
<b>Board of Selectmen</b> _____ Town Manager for the Board of Selectmen _____ Date _____			YES NO

THE TOWN OF

# YORK, MAINE

186 York Street, York, Maine 03909

## BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: ANTHONY'S Food SHOP, INC

Street Address: 679 US Route 1 York ME 03909

Business Owner: MARK GRANAU Business Manager: Sam

Mailing Address: Sam AS ABOVE Mailing Address: \_\_\_\_\_

Phone Number: 207 363 2322 X100 Phone Number: \_\_\_\_\_

E-mail Address: MARK@ANTHONY'S FoodSHOP E-mail Address: \_\_\_\_\_

Please indicate who is to be the Primary Contact with the Town:  OWNER or  MANAGER

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

\_\_\_ Bed and Breakfast License (C/F)

\_\_\_ Innkeeper License (C/F)

Number of Rooms: \_\_\_

### Food and Beverage:

Food Service License (C/F)

\_\_\_ Liquor License (F/P)

\_\_\_ Bottle Club License (F/P)

Number of Seats: 24

### Entertainment:

\_\_\_ Special Amusement License (F/P)

\_\_\_ Dance Hall License (F/P)

\_\_\_ Bowling Alley License (F)

\_\_\_ Coin-Operated Amusement License (P)

\_\_\_ Bingo, Beano and Games of Chance

### Miscellaneous:

\_\_\_ Transient Seller's License

\_\_\_ Flea Market License

\_\_\_ Junkyard, Auto Graveyard/Recycling License

\_\_\_ Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	1-864	503	11803
Expiration Date(s):	11/31/2016	10/8/2016	3/31/2016
Classification(s):	Dept of AG	RETAIL LIQUOR	TOBACCO

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: [Signature] Have you ever been convicted of a Felony? YES / NO  NO

Business Manager: \_\_\_\_\_ Have you ever been convicted of a Felony? YES / NO  
 Signature  
 (If either person has a Felony conviction, please attach an explanation of the circumstances)

**FOR OFFICE USE ONLY**

FEES	Amount	Map - Lot: 0091 - 0008-C
Application and First License (\$60)	60.-	Processed By: mmavery
Subsequent Licenses (\$30 each)	-	Received Date: 10/26/15
New License Fee (\$50)	-	Amount Received: \$ 60.-
License Amendment (\$25)	-	Check # 34075 or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
<b>TOTAL DUE</b>	\$ 60.-	

Department Approvals	Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	11/3/2015 KNEWELL	YES <input checked="" type="radio"/> NO
Fire	11/12/2015 DAPGAR	YES <input checked="" type="radio"/> NO
Police		YES <input type="radio"/> NO
Tax Collector	10/26/2015 MSZENIAWSKI	YES <input checked="" type="radio"/> NO
<b>Board of Selectmen</b>	_____ Date _____	YES NO

Town Manager for the Board of Selectmen

THE TOWN OF

# YORK, MAINE

186 York Street, York, Maine 03909

## BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: HANNAFORD Food & Drug # 8384

Street Address: 5 HANNAFORD DRIVE

Business Owner: HANNAFORD BUS. Co, LLC Business Manager: HEATHER TRADILLA

Mailing Address: P.O. Box 1000 ATTN: J. BOULET Mailing Address: 5 HANNAFORD DRIVE  
PORTLAND, ME 04104 MS 9806, 1652 YORK, ME 03909

Phone Number: 207-885-3321 Phone Number: 207-363-5357

E-mail Address: JANE.BOULET@delhaize.com E-mail Address: \_\_\_\_\_

Please indicate who is to be the Primary Contact with the Town:  OWNER or  MANAGER

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

\_\_\_ Bed and Breakfast License (C/F)

\_\_\_ Innkeeper License (C/F)

Number of Rooms: \_\_\_\_\_

### Food and Beverage:

Food Service License (C/F)

\_\_\_ Liquor License (F/P)

\_\_\_ Bottle Club License (F/P)

Number of Seats: \_\_\_\_\_

### Entertainment:

\_\_\_ Special Amusement License (F/P)

\_\_\_ Dance Hall License (F/P)

\_\_\_ Bowling Alley License (F)

\_\_\_ Coin-Operated Amusement License (P)

\_\_\_ Bingo, Beano and Games of Chance

### Miscellaneous:

\_\_\_ Transient Seller's License

\_\_\_ Flea Market License

\_\_\_ Junkyard, Auto Graveyard/Recycling License

\_\_\_ Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	1-3984	A-800	PH50001082
Expiration Date(s):	12-31-15	10-14-15	12-31-15
Classification(s):	Food & Fuel Agency Liquor		Rx

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: Julie Knap Signature Have you ever been convicted of a Felony? YES  NO

Business Manager: John M. Alder Signature Have you ever been convicted of a Felony? YES  NO   
 (If either person has a Felony conviction, please attach an explanation of the circumstances)

**FOR OFFICE USE ONLY**

FEES	Amount	Map - Lot: 0054 - 0023
Application and First License (\$60)	60.-	Processed By: <u>Immavery</u>
Subsequent Licenses (\$30 each)	-	Received Date: <u>9/10/2015</u>
New License Fee (\$50)	-	Amount Received: \$ <u>60.00</u>
License Amendment (\$25)	-	Check # <u>5422</u> or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
TOTAL DUE	\$ <u>60.-</u>	

Department Approvals	Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>9/17/2015 K. Newell</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Fire	<u>10/27/2015 D. Pagar</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Police	<u>X N/A</u>	YES <input type="radio"/> NO <input type="radio"/>
Tax Collector	<u>9/10/2015 M. Speniawski</u>	YES <input type="radio"/> NO <input checked="" type="radio"/>
Board of Selectmen	_____ Town Manager for the Board of Selectmen	YES <input type="radio"/> NO <input type="radio"/>
	_____ Date	



Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	5027	3098	0100318 11178
Expiration Date(s):	12/28/15	12/31/15	12/31/2019 10/31/15
Classification(s):	eating place	liquor license	Resale Certificate Dancing Prepared Food per se

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: \_\_\_\_\_  
Signature

Have you ever been convicted of a Felony? YES / NO

Business Manager: Joseph Ford  
Signature

Have you ever been convicted of a Felony? YES (NO)

(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES		Amount	Map - Lot: <u>0019 - 0005</u>
Application and First License (\$60)		<u>60.-</u>	Processed By: <u>mmavery</u>
Subsequent Licenses (\$30 each)		<u>90.-</u>	Received Date: <u>10/14/15</u>
New License Fee (\$50)		<u>-</u>	Amount Received: \$ <u>150.00</u>
License Amendment (\$25)		<u>-</u>	Check # <u>5563</u> or Cash <input type="checkbox"/>
Other: _____		<u>-</u>	LICENSE #: _____ - _____
TOTAL DUE		\$ <u>150.-</u>	
Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>__</u> N/A	<u>10/28/15 K Newell</u>	YES (NO)
Fire	<u>__</u> N/A	<u>10/29/15 J Bridges</u>	YES (NO)
Police	<u>__</u> N/A	<u>10/22/15 O. Davis</u>	YES (NO)
Tax Collector	<u>X</u> N/A		YES NO
Board of Selectmen _____ Town Manager for the Board of Selectmen _____ Date _____			YES NO

NO-14-108

THE TOWN OF

# YORK, MAINE

186 York Street, York, Maine 03909

## BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: SENTRY HILL

Street Address: 2 VICTORIA COURT

Business Owner: JOSEPH HOGAN Business Manager: ELLEN HALL

Mailing Address: 250 GARDNER RD LEWISTON, ME Mailing Address: 2 VICTORIA CT YORK, ME

Phone Number: 207-782-4797 Phone Number: 207-363-5116

E-mail Address: DE.HOGAN@CONTINUUMMAINE.COM E-mail Address: ELLEN.HALL@SENTRYHILLYORKHARBOR.COM

Please indicate who is to be the Primary Contact with the Town:  OWNER or  MANAGER

Is the Business Owner same as the prior year?  YES  NO

Please indicate which Licenses or Local Approvals you seek:

### Lodging:

- Bed and Breakfast License (C/F)
- Innkeeper License (C/F)
- Number of Rooms: \_\_\_\_\_

### Food and Beverage:

- Food Service License (C/F)
- Liquor License (F/P)
- Bottle Club License (F/P)
- Number of Seats: \_\_\_\_\_

### Entertainment:

- Special Amusement License (F/P)
- Dance Hall License (F/P)
- Bowling Alley License (F)
- Coin-Operated Amusement License (P)
- Bingo, Beano and Games of Chance

### Miscellaneous:

- Transient Seller's License
- Flea Market License
- Junkyard, Auto Graveyard/Recycling License
- Other: \_\_\_\_\_

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	14-108	01-0570480	
Expiration Date(s):	10/15	N/A	
Classification(s):	FOODS&BEV	VM <sup>2</sup> TAX ID	

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: Joseph F. Hoyan Signature Have you ever been convicted of a Felony? YES  NO

Business Manager: [Signature] Signature Have you ever been convicted of a Felony? YES  NO   
(If either person has a Felony conviction, please attach an explanation of the circumstances)

**FOR OFFICE USE ONLY**

FEES	Amount	Map - Lot: 0057 - 0079
Application and First License (\$60)	60	Processed By: mmavery
Subsequent Licenses (\$30 each)	-	Received Date: 10/9/2015
New License Fee (\$50)	-	Amount Received: \$ 60.00
License Amendment (\$25)	-	Check # 80964 or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
TOTAL DUE	\$ 60.00	
Department Approvals	Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	10/10/2015 IC Newell	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Fire	10/20/2015 DA Pappas	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Police	X N/A	YES <input type="checkbox"/> NO <input type="checkbox"/>
Tax Collector	10/13/15 MSzeniewski	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Board of Selectmen	_____ Town Manager for the Board of Selectmen	_____ Date
		YES <input type="checkbox"/> NO <input type="checkbox"/>



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 9, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Parking Revenue Increase	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Attached is the recommendation of potential fee increases for parking meters, parking permits and parking violations. Also attached are the amendments for the parking permit program and the Traffic Safety Ordinance.

RECOMMENDATION: I recommend the Board increase the hourly meter fees, parking permit fees and parking violation fees. The hourly meter fees increase to \$2.00 per hour. The parking permit fees increase to \$40.00 regular resident permit and \$20.00 for a senior parking permit. The meter and violation fee penalty increase to \$30.00 per violation.

PROPOSED MOTION: I move that the Traffic Safety Ordinance, Section 18: Violations and Penalties for Parking Tickets (tags) bullet points 1, 2 and 7 be amended with the following fee increase; Meters \$30.00, overtime \$30.00, other violations \$30.00 per violation. I move to amend the Traffic Safety Ordinance, "Schedule E – Parking Meters" to increase the hourly fee to \$2.00 per hour for all posted meters. I move to amend the Permit Parking Program Ordinance, Section 4-A with the following fee increase; resident parking permit required fee \$40.00, senior citizen 65 years and over required fee \$20.00 per calendar year.

FISCAL IMPACT: Potential revenue increase \$291,160

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY:  Captain Charles J. Szeniewski REVIEWED BY: 

## **Parking Potential Revenue Increase**

2015 meter fee collected \$244,650 at \$1.00 an hour  
2016 meter fee increase \$489,300 at \$2.00 an hour

Increase \$244,650

2015 parking permit full price 2,854 at \$35.00 = \$99,890  
2016 increase permit full price 2,854 at \$40.00 = \$114,160

Increase \$14,270

2015 senior parking permits 1,656 at \$15.00 = \$24,840  
2016 increase senior permits 1,656 at \$20.00 = \$33,120

Increase \$8,280

2015 tickets issued 4,792 at \$25.00 = \$119,800  
\* 2016 tickets issued 4,792 at \$30.00 = \$143,760

\* This line is estimated based on 2015 tickets issued.

Increase \$23,960

**Total potential revenue increase = \$291,160**

# Proposed Amendments

to be considered by the

**Board of Selectmen**

## Amendments

1. Permit Parking Program
2. Traffic Safety Ordinance

**Draft Amendments to be voted in May 2015**

DRAFT – November 5, 2015

Page 1

## **Amendment #1** *Permit Parking Program*

Explanation of Amendment: The purpose of this amendment is to set the fees that are charged for parking permits. The increase is in conjunction with the meter and violation tickets proposed fee increase.

Amendment: Amend section 4-A of the Permit Parking Program ordinance with the following fee increases:

#### **4. Issuance / Costs:**

- A. A permit may be issued to a resident for use in designated resident parking permit zones, upon application and payment of the required fee of ~~\$35.00~~ *\$40.00* per calendar year. Senior Citizens, 65 years and over, can purchase permits for ~~\$15.00~~ *\$20.00* each.

## **Amendment #2** *Traffic Safety Ordinance*

Explanation of Amendment: The purpose of this amendment is to set the fees charged per hour for parking meters. The fee for meter and overtime violations, as well as other violations, will increase under the proposed amendment.

Amendment: Amend Section 18: Violations and Penalties for Parking Tickets (“Tags”) bullet points 1, 2 and 7 with the following fee increases:

### **Section 18: Violations and Penalties for Parking Tickets (“Tags”)**

Any person violating any of the provisions of this Ordinance shall be punished by a fine of not less than \$15 and not more than \$250 for each offense to be recovered for the use of the Town; provided, however, that persons receiving “tags” for illegal parking may waive all court action and pay to the Chief of Police at the Police Station the applicable penalty set forth herein below in full satisfaction of such violation:

- Meters - The sum of ~~\$25~~-\$30, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$50, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued. (March 26, 2007)
- Overtime - The sum of ~~\$25~~ \$30, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$50, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued.
- Hydrant - The sum of \$100, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$200, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued.
- Handicap - The sum of \$250,
- Permit Parking - The sum of \$50, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$100, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued. (April 27, 2004)

- Horse Drawn Vehicles - The sum of \$50, if paid within 10 days of the time when notice of violation was given or the sum of \$100, if paid more than 10 days after the time when notice of violation was received, but before a Court Summons is issued
- Other Violations - The sum of ~~\$25~~ \$30, if paid within 10 days of the time when such “tag” was attached to the vehicle or the sum of \$50, if paid more than 10 days after the time when such “tag” was attached to the vehicle, but before a Court Summons is issued. (May 20, 2002).

**Amendment:** Amend “Schedule E-Parking Meters” with the Following fee increases:

- A. Vehicle parking shall be controlled by parking meters in the locations listed below. Enforcement will begin on May 15<sup>th</sup> and continue through October 15<sup>th</sup> each calendar year, between the hours of 8:00 A.M. and 10:00 P.M.

	<u># Of Meters</u>	<u>Rate</u>
Long Beach Avenue	340	<del>\$1.00</del> \$2.00/HR
Parking Lot Across from Fire Station	48	<del>\$1.00</del> \$2.00/HR
Meters on Beach Street	19	<del>\$1.00</del> \$2.00/HR
Railroad Ave. and Ocean Ave.	45	<del>\$1.00</del> \$2.00/HR

## MEMO



**TO:** Board of Selectmen  
**FROM:** Stephen H. Burns, Town Manager   
**DATE:** November 12, 2015  
**RE:** Alternative Idea Received – Parking Passes

It was suggested that perhaps an alternative manner in which the Board could amend the Parking Permit Program Ordinance would be to do away with senior passes completely, and in their place offer free Parking Permits to seniors who are York Residents. The seniors who are not York residents presumably are here in second homes and could most likely afford the price of \$40/year. The Clerk's Office already checks age for parking passes to verify that aspect of eligibility, and also need to verify residence for people with regard to voting, so again, this is work they are geared up to handle.

There is no way to know the revenue impact of this concept. Mary-Anne Szeniaswki does not maintain data that would accommodate this analysis. Her best guess is that maybe half of the senior passes are currently sold to residents. If this is the case then the proposal is revenue-neutral.

I am forwarding this to ensure you have time to consider the option in advance of your discussion.



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 11, 2015

ACTION

DATE ACTION REQUESTED: November 16, 2015

DISCUSSION ONLY

SUBJECT: Award Conceptual Design of York Beach Access Road

### DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

A summary of the relevant history for this project is as follows:

- On May 29, 2009 the voters approved up to \$2,000,000 to fund the acquisition of land for a new York Beach access road and Public Safety Building.
- On May 21, 2011 the voters approved \$1,626,882 for the design and construction of the proposed Route 1 - York Beach Connector Road.
- On May 18, 2013 the voters rejected the appropriation of \$525,000 for a Traffic Signal and Road improvements on Route 1 at the proposed police station connector Road.
- On May 16, 2015 the voters approved a Traffic Signal and Road improvements on Route 1 at the proposed police station connector Road.
- On July 21, 2015 the KACTS Policy committee unanimously approved Federal and State Transportation funds for a new signalized intersection and road improvements on Route 1 at the proposed beach access road. The total project cost is \$677,500 (80% federal, 10% state & 10% local)
- On August 24, 2015 The Board of Selectmen approve the development of an RFP and Solicit proposals from interested engineering firms for the planning, surveying, preliminary design engineering including signalized intersection design, environmental permitting, construction bid documents and project management services for a York Beach access road from Ridge Road to US Route 1 utilizing a portion of the previously designed access road and a portion of the existing Wild Kingdom Road and its US Route 1 entrance.
- DPW solicited bids from four engineering firms with knowledge of the project. Proposal results are as follows:
  1. Ransom Consulting, Inc. \$0 - Proposes to do the work at No Cost
  2. Gorrill Palmer \$3,500 plus reimbursable expenses
  3. CLD Consulting Engineers \$5,640 plus reimbursable expenses
  4. Civil Consultants No Bid

**RECOMMENDATION:** Approve the award of the conceptual planning and layouts of a new alignment for the connector road between Ridge Road and US Route 1 utilizing a portion of the previously designed access road and a portion of the existing Wild Kingdom Road and its US Route 1 entrance to Ransom Consulting, Inc. at no cost to the Town.

**PROPOSED MOTION:** I move to approve the award of the conceptual planning and layouts of a new alignment for the connector road between Ridge Road and US Route 1 utilizing a portion of the previously designed access road and a portion of the existing Wild Kingdom Road and its US Route 1 entrance to Ransom Consulting, Inc. at no cost to the Town.

FISCAL IMPACT: \$0

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: Dean Lessard

REVIEWED BY: 

**AGREEMENT  
BETWEEN  
CLIENT AND ENGINEER  
FOR  
PROFESSIONAL SERVICES**

This is an Agreement effective as of \_\_\_\_\_, 2015 ("Effective Date") between Town of York, Maine ("CLIENT") and CLD Consulting Engineers, Inc. ("ENGINEER").

CLIENT retains ENGINEER to perform professional services in connection with your property located at 414 Ridge Road (Map 0094 – Lot 0077), York, Maine (Assignment).

CLIENT and ENGINEER, in consideration of their mutual covenants as set forth herein, agree as follows:

**I. ENGINEERING SERVICES**

For the agreed fee, ENGINEER agrees to perform the attached Scope of Work, dated November 9, 2015. Date of completion shall be twenty one (21) days from the Effective Date.

**II. COMPENSATION AMOUNTS**

CLIENT herein agrees to pay ENGINEER the professional services fee not to exceed \$ 5,640 (Five Thousand Six Hundred Forty Dollars), plus costs and expenses. CLIENT and ENGINEER agree the fee can be increased, but only with the approval of the CLIENT or its project representative. Fees will be charged based upon the cumulative hours worked on the project by ENGINEER's employees times the Standard Hourly Rates for each employee for all services performed on the project.

**III. STANDARD TERMS AND CONDITIONS**

The ENGINEER shall use the same care and skill ordinarily used by members of ENGINEER's profession practicing under similar circumstances at the same time and in the same locality. ENGINEER makes no warranties, express or implied, under this Agreement or otherwise, in connection with ENGINEER's services.

- ENGINEER is an independent contractor.
- Invoices are due and payable within 30 days after receipt of ENGINEER's invoice; therefore, the amounts due ENGINEER will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day. ENGINEER may after 7 days' notice to CLIENT suspend services until ENGINEER has been paid in full for all amounts due for services.
- **TO THE FULLEST EXTENT PERMITTED BY LAW, THE TOTAL LIABILITY, IN THE AGGREGATE, OF ENGINEER AND ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND**

CONSULTANTS, OR ANY OF THEM TO CLIENT AND ANYONE CLAIMING BY, THROUGH, OR UNDER CLIENT, FOR ANY AND ALL INJURIES, CLAIMS, LOSSES, DAMAGES AND EXPENSES, WHATSOEVER ARISING OUT OF, RESULTING FROM, OR IN ANY WAY RELATED TO ENGINEER'S SERVICES, THE PROJECT OR THIS AGREEMENT, FROM ANY CAUSE OR CAUSES WHATSOEVER, INCLUDING BUT NOT LIMITED TO THE NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, MISREPRESENTATION, BREACH OF CONTRACT OR WARRANTY, EXPRESS OR IMPLIED, OF ENGINEER OR ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND CONSULTANTS, OR ANY OF THEM, SHALL NOT EXCEED THE TOTAL AMOUNT OF THE FEE RECEIVED BY THE ENGINEER FOR SERVICES PERFORMED UNDER THIS AGREEMENT.

- Dispute Resolution – CLIENT and ENGINEER agree that they shall first submit any and all claims, counterclaims, disputes, and other matters in question between them arising out of or relating to this Agreement or the breach thereof (“disputes”) to non-binding mediation prior to the initiation of legal proceedings. Mediation shall commence within thirty (30) days of the notice of claim, counterclaim, dispute or other matter, unless the CLIENT and ENGINEER mutually agree in writing to a different commencement date. Mediation shall be before a single mediator. CLIENT and ENGINEER shall submit non-confidential mediation statements fourteen (14) days prior to the mediation. CLIENT and ENGINEER shall each attend the mediation. Mediation shall be completed within sixty (60) days of notice of the claim, counterclaim, dispute or other matter. This provision shall survive completion or termination of this Agreement; however, neither CLIENT nor ENGINEER shall seek mediation of any claim or dispute arising out of this Agreement beyond the period of time that would bar the initiation of legal proceedings to litigate such claim or dispute under the applicable law.
- Hazardous Environmental Conditions – It is acknowledged by CLIENT and ENGINEER that ENGINEER’s scope of services does not include any services related to a "Hazardous Environmental Condition," i.e. the presence at the site of asbestos, PCBs, petroleum, hazardous waste, or radioactive materials in such quantities or circumstances that may present a substantial danger to persons or property exposed thereto in connection with the Assignment. In the event ENGINEER or any other party encounters a Hazardous Environmental Condition, ENGINEER may, at its option and without liability for consequential or any other damages, suspend performance of services on the portion of the Assignment affected thereby until CLIENT, in the opinion of the ENGINEER, has rectified the situation.
- To the fullest extent permitted by law, CLIENT and ENGINEER each agree to indemnify and hold each other harmless from liability for losses, damages or expenses arising from third party claims to the extent caused by each party’s respective negligence relating to this Agreement. In the event the losses, damages, or expenses are caused by the joint or concurrent negligence of the CLIENT and ENGINEER, they shall be borne by each party in proportion to its own negligence or other negligent entities and individuals.
- Termination of Agreement - Either CLIENT or ENGINEER may at any time, upon seven days prior written notice in certified mail, return receipt requested to the other party, terminate this Agreement. Upon such termination, CLIENT shall pay to ENGINEER all amounts owing to ENGINEER under this Agreement, for all work performed up to the effective date of termination, plus reasonable termination costs to the ENGINEER, within thirty (30) days of receipt of the written notice. Such certified written notice shall be provided to the following:
  - a. for the CLIENT, (Dean Lessard, Director of Public Works); and,
  - b. for the ENGINEER, (Rick Lundborn, Branch Manager).
- Force Majeure – ENGINEER shall not be liable for any loss or damage due to failure or delay in rendering any service called for under this Agreement resulting from any cause beyond ENGINEER’s reasonable control.

- Documents, including but not limited to electronic documents and digital renderings, prepared or furnished by ENGINEER under this Agreement shall not be re-used by CLIENT or anyone by or through CLIENT without the express written consent of ENGINEER. ENGINEER shall retain an ownership interest therein in the documents prepared or furnished by ENGINEER. Any reuse of these documents is at the sole risk of CLIENT or reusing party. CLIENT agrees to indemnify, and hold ENGINEER harmless from all claims, damages, and expenses including attorney's fees and costs, arising out of such reuse of documents by CLIENT or by others acting by or through CLIENT.
- Controlling Law - This Agreement is to be governed by Maine law. Maine state courts shall have exclusive jurisdiction for all legal actions initiated by or against ENGINEER.
- CLIENT's sole remedy against ENGINEER AND ENGINEER'S OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, AND CONSULTANTS, shall be limited to CLD Consulting Engineers, Inc.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the Effective Date of which is indicated on page 1.

CLIENT:

Town of York, Maine

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date Signed: \_\_\_\_\_

Address for giving notices:

186 York St.

York, ME 03909

\_\_\_\_\_

ENGINEER:

CLD CONSULTING ENGINEERS, INC.

For the Firm: 

Print Name: Richard R. Lundborn, PE

Title: Branch Manager

Date Signed: November 9, 2015

Address for giving notices:

316 U.S. Route 1, Suite D

York, ME 03909

\_\_\_\_\_

**SCOPE OF WORK  
FOR  
PROFESSIONAL SERVICES  
York Access Road – Route 1  
York, Maine**

November 9, 2015

This scope of work is supplemental to the Agreement between the Town of York, Maine ("CLIENT") and CLD Consulting Engineers, Inc. ("ENGINEER").

**I. SCOPE OF WORK**

Summary: The Town is seeking a conceptual design for a Town roadway at 414 Ridge Road, (Map 0094 – Lot 0077), York, Maine, which will be partly based on the prior SMRT design plans. Our conceptual roadway layout will merge with the existing roadway on 23 Railroad Avenue (Map 0094 – Lot 0082), and then the combined roadway will lead to a proposed signalized intersection on Route 1.

We understand this conceptual plan will be presented to the York Wild Kingdom and the York Board of Selectmen for their review and input. Presuming timely execution of the Agreement, a draft copy of the conceptual design will be available for review in advance of the December 7, 2015 meeting; with a finalized version prepared for use at the meeting.

The following is a description of the scope of work to be completed under this agreement:

- Develop existing conditions base plan utilizing the Town's GIS information, including tax map Right-of-Way and property lines, and prior design plans from SMRT.
- Create one concept plan for a signalized intersection for combined use by the Town of York and York Wild Kingdom.
- Prepare one conceptual plan to show limits of paved areas and grading for a realigned access road between Route 1 and Ridge Road.
  - Provide horizontal and vertical roadway profile (based on GIS).
  - The work will not include any detailed drainage evaluation.
- Effort will be taken to limit disturbance to existing wetlands, or wetlands buffers, to the areas previously disturbed under the SMRT design.
- Provide a construction cost estimate for the conceptual design.

The above is intended to be a concept for use in outlining where to perform future topographic survey and wetland delineation needed to properly design the shared Route 1 signalized entrance. It will also act as a good starting point for the development of a full design for this access, but it will not be a full design and will not be adequate for construction.

## **II. ASSUMPTIONS**

- Monumentation, as called for in relevant documentation, can be found and readily identified in the immediate lot area.
- CLIENT acknowledges that vegetation may need to be cut in order to perform requested services.
- All historical documents or plans the CLIENT has or has knowledge of shall be provided to ENGINEER prior to the work being performed. ENGINEER may make copies for their records.

## **III. SERVICES NOT INCLUDED**

- Drainage Analysis and Stormwater control design
- Permit Applications and Fees
- On-site soils evaluations, wetland locations classifications
- Topography survey work
- This scope of work does not include any guarantee of possible required permitting approvals.



PO Box 1237, 15 Shaker Road  
Gray, Maine 04039  
207.657.6910

November 10, 2015

Town of York  
c/o Dean Lessard  
186 York Street  
York, ME 03909

Subject: Proposal for Traffic Services  
Realignment of Access Road  
York, Maine

Dear Dean,

Gorrill Palmer (GP) is pleased to present this proposal to provide a conceptual plan of the realignment of the access road between Ridge Road and Route 1. It is our understanding that the Town would like to reevaluate the current proposed location of the access road such that it terminates at the Route 1 end where Animal Park Road currently intersects Route 1. This would include signalization of the Route 1 intersection. This realignment will require creating a new intersection of Animal Park Road with the new access road at some point prior to the intersection of the proposed access road and Route 1. The challenges to such a realignment include; topography, wetlands and vernal pools, budget, and maintaining access for the park to all of its amenities which may need to be accessed by vehicles not currently roadworthy.

We are familiar with the project since we recently assisted the Town with previous work on the access road as well as designing a new signalized intersection of the access road with Route 1.

Based on our understanding, we offer the following scope of services:

#### **Scope of Services**

1. Review available information for the current layout of the access road, wetland and vernal pool locations, and topography of the general area.
2. Complete a site visit to review the overall site and identify potential restrictions or obstacles.
3. Meet with the Town and Animal Park to discuss their needs, thoughts, and concerns of a relocated access road.
4. Submit an initial concept plan to the Town for review and comment. The conceptual layout will be on available plans or aerial photography.
5. Revise the conceptual plan based on comments received and resubmit to the Town for their use.

This scope of services assumes topography, wetlands, vernal pools, survey and previous plans for layout are available to us in electronic format.

#### **Schedule**

We are prepared to begin work upon receipt of the signed contract and anticipate completion of the scope of services within three weeks (subject to receipt of information from others). However, there are many factors outside GP's control which may affect our ability to complete the services to be



provided under this Agreement. GP will perform these services with reasonable diligence and expediency consistent with sound professional practices.

**Fee**

GP will complete the scope of services presented in this proposal for a fixed fee of \$3,500 plus reimbursable expenses such as printing/copying, facsimiles, travel expenses, etc.

**Closing**

GP appreciates the opportunity to submit this proposal for your consideration and looks forward to discussing the project with you in the near future. We have enclosed a copy of the executed Professional Services Agreement. If acceptable please sign both and return one.

If you have any questions please contact our office.

Sincerely,  
Gorrill Palmer

A handwritten signature in cursive script that reads "Randy Dunton".

Randy Dunton, P.E., PTOE  
Senior Engineer

A handwritten signature in cursive script that reads "Donald Ettinger".

Donald Ettinger, P.E.  
Principal

RED/JN 3091/Proposal 11-10-15



Consulting  
Engineers  
and Scientists

November 9, 2015

Project 151.06167

Mr. Dean Lessard  
Director of Public Works  
186 York Street  
York, Maine 03909

RE: Request for Proposal  
US Route 1/Ridge Road Connector Conceptual Design  
York, Maine

Dear Dean:

Ransom Consulting, Inc. (Ransom) appreciates the opportunity to submit this proposal to provide the Town of York conceptual layouts of a new alignment for a connector road between Ridge Road and US Route 1. It is Ransom's understanding that the Town's goal is to select an alignment extending from the existing entrance off Ridge Road (previous Police Station entrance), and extend the road through Town owned property and ultimately into the York Wild Kingdom's property to outlet onto US Route one at the existing entrance to the York Wild Kingdom.

#### **PROJECT UNDERSTANDING**

The Town of York is seeking proposed road alignment concepts for a "new" connector road between Ridge Road and US Route 1 (approximately 4,300 feet). The road alignment is to replace the previously designed and partially constructed road that was part of the Police Station project. The Town's intent is to maintain the existing entrance off Ridge Road at least up to the site of the Police Station and possibly further depending on site conditions and new alignment concepts. The road will then transition off Town property and onto the Wild Kingdom's property. The exact location is to be determined based on negotiations between the Town and the Wild Kingdom, site topography (contours), site features (wetlands, vernal pools, ledge outcrops), utility corridors, and competing use of the road by the public and private use (Wild Kingdom). It is our understanding that the Town will be responsible for closing out the original Police Station project by removing stockpiles, removing building foundations, and reestablishing wetlands and vernal pools.

400 Commercial Street, Suite 404, Portland, Maine 04101, Tel (207) 772-2891, Fax (207) 772-3248  
Pease International Tradeport, 112 Corporate Drive, Portsmouth, New Hampshire 03801, Tel (603) 436-1490  
12 Kent Way, Suite 100, Byfield, Massachusetts 01922, Tel (978) 465-1822  
2127 Hamilton Avenue, Hamilton, New Jersey 08619, Tel (609) 584-0090  
60 Valley Street, Building F, Suite 106, Providence, Rhode Island 02909, Tel (401) 433-2160

[www.ransomenv.com](http://www.ransomenv.com)

Mr. Dean Lessard  
Director of Public Works

## **SCOPE OF SERVICES**

Ransom will provide the following scope of services in the preparation of conceptual road layouts.

1. Obtain GIS files from the Town of York that will be used as base plans for the conceptual planning. It is anticipated that the GIS data will include topography (contours), wetland areas, land development types and parcel maps.
2. Obtain CAD files of the current connector road to be overlaid onto the GIS plans. The Town should be able to obtain a release from SMRT.
3. Prepare a base plan of the two properties.
4. Conduct a site walk with the Town and representatives of the Wild Kingdom to understand the lay of the land, access conditions at US Route 1, and determine the limitations of a shared use of a public road with a private entity.
5. Prepare conceptual layout route alternatives based on minimization of wetland impacts, road construction impacts (i.e. ledge out crops) and incorporation of the Wild Kingdom's work activities (animal waste disposal, accommodation of patron parking, and site access). It is anticipated that a minimum of three layout concepts to a maximum of five will be prepared.
6. Meet with Town officials and Wild Kingdom representatives to present and discuss the pros and cons of the different alternatives.
7. Present the conceptual road alignments to the Board of Selectmen at their scheduled meeting. It is anticipated that a minimum of two meetings will be required. The presentation will be displayed on plan boards.
8. Advise the Town officials as to the environmental permitting requirements that may be required for the different alignments.
9. When a conceptual alignment is selected, Ransom will provide a colored plan for public display.
10. Provide the selected conceptual alignment in CAD format as a base for future design efforts.

## **WORK SPECIFICALLY EXCLUDED OR PROVIDED BY OTHERS**

1. Additional field survey of boundaries or topography/site features is not anticipated at this level of effort.

Mr. Dean Lessard  
Director of Public Works

2. No traffic analysis is anticipated at this time for the road demands at either US Route 1 or Ridge Road.
3. Negotiations with the Wild Kingdom for land rights, acquisition or easements will be handled directly by the Town with the use of the conceptual plans.

Ransom has enjoyed a long working relationship with the Town of York and in an effort to give something back to the Town for the opportunities we have received, Ransom is offering that we provide the conceptual planning described above at no cost to the Town. We hope this shows our commitment to productively working with the Town on a much needed project.

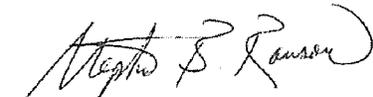
We trust that this proposal addresses the needs of the Town for the preparation of a conceptual plan for public presentation and negotiations.

Sincerely,

RANSOM CONSULTING, INC.



Stephen J. Bradstreet, P.E.  
Principal/Senior Project Manager



Stephen B. Ransom  
President



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 13, 2015

ACTION

DATE ACTION REQUESTED: November 16, 2015

DISCUSSION ONLY

SUBJECT: Violations At the Connector Road/Police Station Site

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Jay Clement of the U.S. Army Corps of Engineers has directed us to quickly resolve the violations at the York Beach site. E-mail communications in this regard are attached. He is looking to get the rock piles removed, the disturbed area restored with loam, and the plantings completed. Earth work should be completed in the coming months, and plantings in the spring. This is all spelled out in a restoration plan by Stantec.

We have been fortunate that the Corp and MDEP have been patient to date, but now we need to act. There is money in the budgets of the project to pay for this work, and there is an agreement with PC Construction to contributed, though I don't know the details of that agreement. I will seek guidance from Mary Costigan in this regard. The critical matter is initiating the required actions.

RECOMMENDATION: I recommend the Board initiate full resolution of the violations at our York Beach site, without delay.

PROPOSED MOTION: I move to direct the Town Manager to immediately initiate actions required to implement the restoration plan to correct violations cited by the U.S. Army Corps of Engineers, including submittal of a timeline for specific actions, and solicitation of bids for the restoration work. All necessary work to be completed by June 30, 2016. Further, the Manager shall work with the Town Attorney to address the responsibilities of PC Construction for payment.

FISCAL IMPACT: uncertain at this time

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

Eastern portion: \$770,000

Western portion: \$1,470,000

Prepared by Stephen H. Burns, Town Manager:



---

## Stephen H. Burns

---

**From:** Stephen H. Burns  
**Sent:** Wednesday, November 4, 2015 7:48 AM  
**To:** 'Richardson, Marybeth'; Clement, Jay L NAE  
**Cc:** Ken@attarengineering.com; Dean Lessard; Douglas P. Bracy; Coppi, Chris  
**Subject:** RE: York Public Safety Facility (UNCLASSIFIED)

Marybeth,

I'll be sure to keep Chris in the communications loop on this.

Take care,

Steve

Stephen H. Burns  
Town Manager  
Town of York, Maine  
186 York Street, York, ME 03909  
e: sburns@yorkmaine.org  
p: (207) 363-1000

-----Original Message-----

**From:** Richardson, Marybeth [mailto:Marybeth.Richardson@maine.gov]  
**Sent:** Wednesday, November 4, 2015 7:36 AM  
**To:** Stephen H. Burns <sburns@yorkmaine.org>; Clement, Jay L NAE <Jay.L.Clement@usace.army.mil>  
**Cc:** Ken@attarengineering.com; Dean Lessard <dlessard@yorkmaine.org>; Douglas P. Bracy <dbracy@yorkpolice.org>; Robert Palmer Jr <rpalmer@yorkmaine.org>; Robert Palmer <rpalmer3@maine.rr.com>; Jonathan Speers <jspeers@yorkmaine.org>; Jonathan Speers <jonathanspeers@yahoo.com>; Coppi, Chris <Chris.Coppi@maine.gov>  
**Subject:** RE: York Public Safety Facility (UNCLASSIFIED)

Hi Steve and Jay:

Please keep Chris Coppi in the loop on this matter. He'll be handling it for DEP. Thanks.

Marybeth Richardson, Regional Licensing and Compliance Manager DEP Southern Maine Regional Office,  
Bureau of Land Resources  
312 Canco Road  
Portland, ME 04103  
(p) 207-592-1692  
Marybeth.richardson@maine.gov

-----Original Message-----

**From:** Stephen H. Burns [mailto:sburns@yorkmaine.org]  
**Sent:** Tuesday, November 03, 2015 4:00 PM  
**To:** Clement, Jay L NAE  
**Cc:** Richardson, Marybeth; Ken@attarengineering.com; Dean Lessard; Douglas P. Bracy; Robert Palmer Jr; Robert Palmer; Jonathan Speers; Jonathan Speers

Subject: RE: York Public Safety Facility (UNCLASSIFIED)

Jay,

Understood. I will be away from the office the day following the Selectmen's meeting of November 16th, but you'll hear from me on the 17th.

Thanks.

Steve

Stephen H. Burns  
Town Manager  
Town of York, Maine  
186 York Street, York, ME 03909  
e: sburns@yorkmaine.org  
p: (207) 363-1000

-----Original Message-----

From: Clement, Jay L NAE [mailto:Jay.L.Clement@usace.army.mil]  
Sent: Tuesday, November 3, 2015 3:46 PM  
To: Stephen H. Burns <sburns@yorkmaine.org>  
Cc: Richardson, Marybeth <Marybeth.Richardson@maine.gov>; Ken@attarengineering.com; Dean Lessard <dlessard@yorkmaine.org>; Douglas P. Bracy <dbracy@yorkpolice.org>; Robert Palmer Jr <rpalmer@yorkmaine.org>; Robert Palmer <rpalmer3@maine.rr.com>; Jonathan Speers <jspeers@yorkmaine.org>; Jonathan Speers <jonathanspeers@yahoo.com>  
Subject: RE: York Public Safety Facility (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Active communication in this matter is important Steve. I would like to have this definitively resolved in the form of a locked in restoration schedule immediately after the meeting on the 16th. The Selectmen's office has had more than ample time to address the issue. I do not believe it is too late in the season to undertake the work you propose, perhaps to restore it vegetatively, but not to remove the overburden and then stabilize it prior to final grade and stabilization/ planting in the spring. All of this would go into your construction schedule.

Jay

-----Original Message-----

From: Stephen H. Burns [mailto:sburns@yorkmaine.org]  
Sent: Tuesday, November 03, 2015 2:32 PM  
To: Clement, Jay L NAE <Jay.L.Clement@usace.army.mil>  
Cc: Richardson, Marybeth <Marybeth.Richardson@maine.gov>; Ken@attarengineering.com; Dean Lessard <dlessard@yorkmaine.org>; Douglas P. Bracy <dbracy@yorkpolice.org>; Robert Palmer Jr <rpalmer@yorkmaine.org>; Robert Palmer <rpalmer3@maine.rr.com>; Jonathan Speers <jspeers@yorkmaine.org>; Jonathan Speers <jonathanspeers@yahoo.com>  
Subject: [EXTERNAL] RE: York Public Safety Facility (UNCLASSIFIED)

Hi Jay,

Regarding the violations at the site in York Beach, the short answer is that I will have the matter on the Selectmen's agenda in two weeks (November 16th) to request authorization to initiate removal of the piles of rock, sand and loam and to reestablish the buffer in accordance with the plan prepared by Stantec.

The overall plan as I hope it will unfold is as follows. We will be removing and scrapping the rebar from the planned foundation how this week, and will be filling the hole to minimize any site hazard. Gorham Sand & Gravel will be entering the site soon to remove some construction equipment they left on the site. The storage unit will be moved to the new Police Station site. We'll also clean up and remove any other materials left or stockpiled at the site. With these tasks out of the way, we will hire a company to crush the rock to make gravel, which will be stockpiled on the police station building site, away from the buffer. This will get the rock and sand piles out of the buffer. As I understand it, the loam pile is to be spread on the buffer as part of the mitigation plan. Excess material, if any, will be removed from the buffer. I suspect it is too late in the season to restore the loam and to plant, so I anticipate undertaking this work in the spring. We still have an agreement with PC Construction with respect to mitigation, though I'm not exactly clear how that will play out. The long and short of it is that the earth piles will be out of the way in the coming few months and the restoration plantings should follow early next year.

The Board of Selectmen is still interested in completing the connector road from Ridge Road to Route One, although they want to change the Route One intersection north to the entrance of York's Wild Kingdom. At their meeting on November 16th I expect them to be issuing an award to an engineering firm to create a new conceptual design so they can better understand cost, permitting and timing issues associated with a change in road alignment. The change in alignment would occur from approximately the area west of the top of the knoll where the road intersects the electric transmission lines. There are open discussions with Joe Barberi at York's Wild Kingdom about his needs if this is to transpire, but this is the goal at this time.

The Board of Selectmen, at this time, do not have a firm plan for a proposed use at the former building site. It seems to be suitable for a number of possible uses, but at this time nothing has been decided. We are trying to get our Police Station project moving again in the new location and thoughts of developing this site have been put on hold, other than the road itself.

This is where things stand at the moment. I do appreciate everyone's patience with the Town in the matter. It seems like we stepped on every possible landmine along the way as this project unfolded and then came unraveled. My goal is to get us back in the good graces of all permitting agencies, to create the connector road the voters approved, and to eventually use the remaining Town property for public purposes that we can all support.

I hope this response is acceptable to you and to Marybeth. Please let me know regardless and I'll do everything possible to make things right.

Take care,

Steve

Stephen H. Burns  
Town Manager  
Town of York, Maine  
186 York Street, York, ME 03909  
e: sburns@yorkmaine.org  
p: (207) 363-1000

-----Original Message-----

From: Clement, Jay L NAE [mailto:Jay.L.Clement@usace.army.mil]  
Sent: Friday, October 16, 2015 9:21 AM  
To: Stephen H. Burns <sburns@yorkmaine.org>  
Cc: Richardson, Marybeth <Marybeth.Richardson@maine.gov>; Ken@attarengineering.com  
Subject: York Public Safety Facility (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Steve:

It's been quite a while since we received our last update on this project from Rob Yandow. As you probably know, there are some long-outstanding compliance issues with the construction that's been left uncompleted to date. Bill Bullard, retired now from the DEP, and I had been pretty lenient and patient but it's really been way too long now. Can you give me and Bill's former supervisor an update on where the town stands with completing this project?

Jay Clement  
Senior Project Manager  
US Army Corps of Engineers  
Maine Project Office  
207-623-8367

In order for us to better serve you, we would appreciate your completing our Customer Service Survey located at [Blockedhttp://cp.mcafee.com/d/k-Kr6xAi3zqb33zXPbXzVKVIsed78VOZS3oUsqehPBS63oVVxxNMQsFCNMUQszxP8VUTgwT650kmH4GHIEvM04SmH4GHIEvM04SZt14QsIKfZvxNEVuj7nuWZOWqb2v8KnpKOZR4kRHFGTvpVkffGhBrwqrhdECXCXCM0tBKIJHL\\_O-8o-W5N863nIywIgp0A1xE2Do80B0k3Mod1AtY0a6UzChgC6fE1gSdN7eSJ\\_K2wPooYsUa25fm7eK0aMU4NIqjb0KEOvcppbTK91w5R6jVzb9uZN81O3wEcz02N51m0pvv1wp2t0I2M66g70s4zL4qy855wCaxw5wf5Uq2g9FkcBnngAj6oC1q9d0q4w64w64xKYMA35hEbx8b6k0760i18qv84W67gM61Ebx84xVvN0p51EKjyWcjGcxWEFght6hiEEbN52Uqp0kazoAC90b69soQnycH3x81Mo6228qO2ONW35RoL3wM6yPO8F0O9aEcn2E42UUC2iG328Qd9RI Mo2jPdNjMI4Np1463gKw6CzAi0tU3yg9rm0oG1j4zozFrz-IvWLMC2CWrr-SaFrBp7CPhOUC-r1oQAq80fm9kQg1pIwvaNEw6dt-poQg2-SAvapoQg6yw9wMi2Ewc30qbxEQ76yASMUrgQuLF0oc1oym](http://cp.mcafee.com/d/k-Kr6xAi3zqb33zXPbXzVKVIsed78VOZS3oUsqehPBS63oVVxxNMQsFCNMUQszxP8VUTgwT650kmH4GHIEvM04SmH4GHIEvM04SZt14QsIKfZvxNEVuj7nuWZOWqb2v8KnpKOZR4kRHFGTvpVkffGhBrwqrhdECXCXCM0tBKIJHL_O-8o-W5N863nIywIgp0A1xE2Do80B0k3Mod1AtY0a6UzChgC6fE1gSdN7eSJ_K2wPooYsUa25fm7eK0aMU4NIqjb0KEOvcppbTK91w5R6jVzb9uZN81O3wEcz02N51m0pvv1wp2t0I2M66g70s4zL4qy855wCaxw5wf5Uq2g9FkcBnngAj6oC1q9d0q4w64w64xKYMA35hEbx8b6k0760i18qv84W67gM61Ebx84xVvN0p51EKjyWcjGcxWEFght6hiEEbN52Uqp0kazoAC90b69soQnycH3x81Mo6228qO2ONW35RoL3wM6yPO8F0O9aEcn2E42UUC2iG328Qd9RI Mo2jPdNjMI4Np1463gKw6CzAi0tU3yg9rm0oG1j4zozFrz-IvWLMC2CWrr-SaFrBp7CPhOUC-r1oQAq80fm9kQg1pIwvaNEw6dt-poQg2-SAvapoQg6yw9wMi2Ewc30qbxEQ76yASMUrgQuLF0oc1oym)

CLASSIFICATION: UNCLASSIFIED

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact [town@yorkmaine.org](mailto:town@yorkmaine.org). This footnote also confirms that this email message has been checked for the presence of computer viruses.

CLASSIFICATION: UNCLASSIFIED

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact [town@yorkmaine.org](mailto:town@yorkmaine.org). This footnote also confirms that this email message has been checked for the presence of computer viruses.



**Stantec**

May 1, 2013

Mr. Jay Clement  
U.S. Army Corps of Engineers  
Maine Project Office  
675 Western Ave #3  
Manchester, ME 04351

Mr. Bill Bullard  
Division of Land Resource Regulation  
Maine Department of Environmental Protection  
312 Canco Road  
Portland, ME 04103

**Subject: Revised Vernal Pool Buffer and Wetland Restoration Plan  
York Police Station Project, York, Maine**

Dear Jay and Bill:

On behalf of the Town of York (Town), Stantec Consulting (Stantec) is providing the attached Revised Vernal Pool Buffer, Stormwater Buffers, and Wetland Restoration Plan associated with the York Police Station project (project). The restoration plan has been developed to address unpermitted impacts to wetlands, a vernal pool buffer, stormwater buffers, and mapped Shoreland Zone. The restoration plan follows the U.S. Army Corps of Engineers' (Corps) recommendations and requirements discussed at a site meeting on September 18, 2012, and outlined in an e-mail from Jay Clement to the Town and Stantec, on September 20, 2012. The plan also addresses the Maine Department of Environmental Protection (MDEP) and the Town's Planning Department requirements for restoration of stormwater buffers and mapped Shoreland Zone, respectively. Subsequent revisions to the plan have been made based on additional discussions with the Corps, MDEP, and the Town, as described below. In keeping with the requirements discussed with the agencies and the Town, we have included the following information in this cover letter: a discussion of the history of the unauthorized/non-compliant buffer and wetland alterations and an outline of the path and timetable for completing the restoration work. An alternatives analysis and a discussion of future development plans for the un-restored portion of the buffer, prepared by the Town, are provided as a separate attachment to this letter.

#### **History of Unauthorized Impacts**

In June 2012, the contractor for the Town began clearing and preparing the project site for construction of the police station and associated access road. In August 2012, unauthorized impacts occurred at the project site, including impacts to one wetland, clearing within multiple stormwater buffers, and clearing and grubbing of the upland buffer surrounding a Corps-jurisdictional vernal pool. The activities also included impacts to the Town of York's mapped Mixed Use Shoreland Zone. The MDEP and the Corps were informed of the violations in mid-August 2012. On August 17, 2012, the Town issued a Corrective Order related to the unpermitted impacts and construction work on the project was halted soon after the violations were discovered. Stantec performed a site visit to the project area on August 21, 2012, to assess the scale of the impacts. During the site visit, Stantec located the edge of disturbance with a Global Positioning System (GPS) receiver and determined that an area approximately 2.75 acres in size was impacted.

On August 27, 2012, a meeting was held on-site that included representatives from the Town, PC Construction (the Town's construction contractor), Stantec, and SMRT (the Town's engineer), along with Bill Bullard from MDEP and Stephen Burns from the Town's Code Enforcement office. During the meeting, additional impacts to stormwater buffers at the west end of the road were also discussed. After this meeting, it was agreed that the Town would restore the impacted buffers and wetland areas. Stantec began preparing a restoration plan that included restoration of the wetland area, the stormwater buffers, and the impacts to the upland buffer surrounding the vernal pool. This plan was prepared to satisfy the requirements of MDEP, the Corps, and the Town. Stantec submitted a draft of this plan to the agencies and the Town on September 14, 2012.

On September 18, 2012, the Town arranged a meeting with Jay Clement from the Corps, along with Stantec and SMRT. Members of the Town's Code Enforcement office were unable to attend. At this meeting, the Town proposed restoring less of the 2.75-acre impacted area, as the Town was hoping to maintain a portion of the area for potential future uses. These future uses are discussed in the attached memo from York Town Manager Rob Yandow. The Corps agreed in principal to this plan, as confirmed in an email from Jay Clement on September 20, 2012. The Corps' approval was pending the submission of an alternatives analysis describing why the Town needed the impacted area and potential future uses. Stantec then began work on preparing a revised restoration plan based on this new approach.

On September 25, 2012, Stantec and SMRT received an email from Stephen Burns from the Town's Code Enforcement office stating that the revised plan did not rectify the Shoreland Zoning violations. Stantec and SMRT revised the plan to include the entire impacted portion of the mapped Mixed Use Shoreland Zone in the restoration area. This plan was further revised to the current design based on additional input from the Town regarding potential future uses of the cleared area. A conceptual restoration plan was presented as a draft to MDEP, the Corps, and the Town's Code Enforcement office on October 12, 2012, at which point the three entities agreed in principal to the design.

On October 29, 2012, Stantec submitted a revised restoration plan to the Corps and MDEP. Upon review of the plan, the Corps requested minor revisions to the plan, as detailed in an email from Jay Clement dated October 30, 2012. The email also requested that either the Town provide an enhanced alternatives analysis and description of proposed uses of the un-restored area, or increase the size of the buffer restoration. To address this request, the Town has prepared a description of proposed use of the un-restored area, along with an analysis of alternatives, which is attached to this letter.

#### **Restoration Timetable**

**Wetland Restoration:** In late-November 2012, the Town completed the wetland restoration component of the larger buffer restoration effort. A description of the work performed, along with representative photographs, was provided to MDEP and the Corps in a letter from Stantec dated December 20, 2012. Completion of the wetland restoration work prior to formal acceptance of the attached restoration plan was approved by both MDEP and the Corps.

**Vernal Pool Buffer and Stormwater/Shoreland Zone Buffer Restoration:** Restoration of the vernal pool buffer and the stormwater/Shoreland Zone buffers will be initiated when construction activities are resumed at the police station site, which is dependent on approval of the project from the Town planning board. The restoration will begin with removal of the loam and rock piles from the primary buffer restoration area. Loam spreading, seeding, planting, and mulching will be performed immediately following removal of the rock and loam piles. Restoration activities are expected to be completed before the end of the 2013 growing season, pending planning board approval.

Please feel free to contact me if you have further questions or comments about the information in this letter or in the attached restoration plan.

Sincerely,  
**STANTEC CONSULTING**



**Bryan Emerson**  
Project Manager

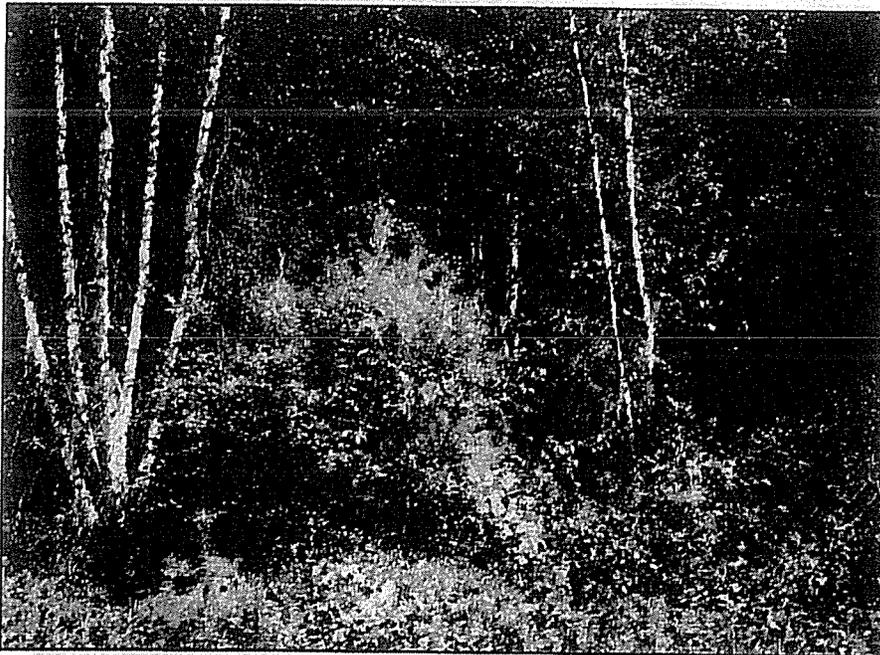
Attachment: Vernal Pool Buffer, Stormwater Buffers, and Wetland Restoration Plan  
Memo from Rob Yandow: Proposal for Use in Un-Restored Buffer Area

Cc: Stephen Burns, Community Development Director, Town of York  
Rob Yandow, Town Manager, Town of York  
Andrew Johnston, SMRT  
David Lay, SMRT  
Doug Stewart, Stantec  
File 195600823

# Revised Vernal Pool Buffer, Stormwater Buffers and Wetland Restoration Plan

York Police Station  
York, Maine

October 2012 (Revised May 2013)



**Prepared For:**  
Town of York  
186 York Street  
York, ME 03909

**Prepared By:**  
Stantec Consulting  
30 Park Drive  
Topsham, ME 04086

## TABLE OF CONTENTS

<b>1.0</b>	<b>PROJECT DESCRIPTION .....</b>	<b>1</b>
<b>2.0</b>	<b>UPLAND BUFFER AND WETLAND IMPACTS .....</b>	<b>1</b>
2.1	VERNAL POOL BUFFER IMPACTS .....	1
2.2	STORMWATER BUFFERS B-11 AND B-12 IMPACTS .....	1
2.4	WETLAND 3 IMPACTS .....	2
<b>3.0</b>	<b>PRE-DISTURBANCE CONDITIONS .....</b>	<b>2</b>
3.1	WETLAND 3 .....	2
3.2	VERNAL POOL BUFFER & STORMWATER BUFFERS B-11 & B-12 .....	2
3.3	STORMWATER BUFFER B-4 .....	3
<b>4.0</b>	<b>RESTORATION REQUIREMENTS .....</b>	<b>3</b>
<b>5.0</b>	<b>WETLAND AND UPLAND BUFFER RESTORATION .....</b>	<b>3</b>
5.1	RESTORATION GOALS .....	3
5.2	RESTORATION SCOPE .....	4
5.3	RESTORATION ACTIVITIES .....	4
5.3.1	Construction Oversight .....	4
5.3.2	Restoration of Wetland 3 .....	4
5.3.3	Primary Buffer Restoration Area .....	6
5.3.4	Relocation and Redesign of Stormwater Buffer B-12 .....	8
5.3.5	Restoration of Stormwater Buffer B-4 .....	9
<b>6.0</b>	<b>MONITORING AND REPORTING .....</b>	<b>9</b>
6.1	SUCCESS STANDARDS .....	9
6.2	MONITORING SCHEDULE .....	10
6.3	MONITORING METHODS .....	10
6.4	REPORTING .....	10

### Tables:

- Table 1: Recommended Shrub Plantings for Wetland 3 Restoration Area.
- Table 2: Typical Wetland Seed Mix for Wetland Restoration Area
- Table 3: Recommended Tree and Shrub Plantings for the Primary Buffer Restoration Area
- Table 4: Typical Seed Mix for Upland Buffer Areas
- Table 5: Recommended Tree and Shrub Plantings for Stormwater Buffer B-4

### Appendices

- Appendix A: Representative Photographs
- Appendix B: Figures
  - Figure 1: Project Location Map
  - Figure 2: Pre-Construction Conditions
  - Figure 3: Altered Vernal Pool Buffer and Stormwater Buffers B-11 and B-12
  - Figure 4: Primary Buffer Restoration Area
  - Figure 5: Altered Stormwater Buffer B-4
- Appendix C: Invasive Species Control Plan

## 1.0 PROJECT DESCRIPTION

The Town of York is constructing a new access road that will be located between U.S. Route 1 and Ridge Road in York, ME, as well as a new public safety building for the York Police Department (Figures 1 and 2). The public safety building will be located along the eastern side of the proposed access road and will include an access drive and parking area. In June 2012, the proposed project received both a Maine Site Location of Development Act/Natural Resource Protection Act Tier II Wetland Alteration (Site Location) permit (L-25623-26-A-N/L-25623-TE-B-N) and a U.S. Army Corps of Engineers (Corps) Programmatic General Permit (NAE-201-01928). The project also received approval under the Maine Permit-By-Rule program for impacts that would be associated with two stream crossing and impacts to a Significant Vernal Pool (SVP) buffer, which are the result of new road construction. Under these permits, the project received approval to alter 16,630 square feet (SF) of forested wetlands, 4,920 SF of stream bed, and 12 percent of the critical terrestrial habitat associated with the SVP. A wetland compensation plan was developed to mitigate for these resource impacts, as well as for impacts to the critical terrestrial habitat of three additional non-significant vernal pools that were under Corps jurisdiction. Preservation of a property located on Bell Marsh Road in York, which includes wetlands and vernal pools, was proposed and accepted by the regulatory agencies as mitigation for impacts to resources.

## 2.0 UPLAND BUFFER AND WETLAND IMPACTS

Following approvals from the regulatory agencies, the contractor for the Town of York began clearing and preparing the site for construction of the public safety building. Activities at the building site included vegetation clearing, blasting to remove ledge/rock, removal of topsoil, and site grading. The contractor also began initial preparation of the road corridor, which was limited to clearing and grubbing. During the course of these initial site preparation activities, planned upland buffers along the road corridor and a portion of a wetland located northeast of the road corridor were altered. In mid-August 2012, the Maine Department of Environmental Protection (MDEP) received notification regarding potential unpermitted impacts. Subsequently, on August 16, 2012, the project's Third-Party Inspector provided notification to the Corps regarding these impacts. On August 17, 2012, the Town of York (Town) Code Enforcement Office issued a Corrective Order related to these unpermitted impacts, which are described below.

### 2.1 VERNAL POOL BUFFER IMPACTS

The vernal pool buffer is associated with vernal pool VP07KW and located northwest of the public safety building site (Figure 3). This forested buffer was intended to remain intact and to function as critical terrestrial habitat for vernal pool VP07KW, a non-significant vernal pool under Corps jurisdiction. On August 21, 2012, Stantec Consulting (Stantec) conducted a site visit and used a Global Position System (GPS) Trimble® unit to establish the area of the buffer that had been altered. This area is approximately **119,871 SF (2.75 acres)** in size, and has been cleared of vegetation, grubbed, and has had the topsoil removed (Figure 3). Following these activities, topsoil and blasted rock were stockpiled within this area (Photos 1-2).

### 2.2 STORMWATER BUFFERS B-11 AND B-12 IMPACTS

Stormwater buffers B-11 and B-12 are located to the northwest of the public safety building site and adjacent to the new access road (Figure 3). Both buffers are also within the vernal pool habitat buffer described in Section 2.1. In accordance with the Site Location permit, these two stormwater buffers and 10 others were intended to remain forested to treat runoff from the new access road. All of stormwater buffer B-12 (approximately **5,664 SF**) was impacted, as was approximately **133 SF** of stormwater buffer B-11. The area of impact associated with these two stormwater buffers is included within the approximately 2.75 acres of impacts identified in Section 2.1.

### 2.3 Stormwater Buffer B-4 Impacts

Stormwater buffer B-4 is located near the western end of the new access road (Figure 5). This buffer was intended to remain forested to treat runoff from the access road. During a site visit conducted on August 27, 2012, SMRT and Stantec determined that all of Buffer B-4 (approximately 1,500 SF) was cleared of vegetation (Photo 3).

### 2.4 WETLAND 3 IMPACTS

Wetland 3, which includes vernal pool VP07KW, is located to the northwest of the public safety building site and south of Wild Kingdom Road (Figure 3). Approximately 1,979 SF of Wetland 3 was cleared of vegetation (Photos 4-5). Clearing occurred along the southwestern edge of the wetland, and a bark-mulch erosion control berm was placed inside of the wetland edge. The vernal pool depression was not directly altered by the clearing activities.

## 3.0 PRE-DISTURBANCE CONDITIONS

Following are descriptions of pre-disturbance conditions in altered portions of the buffers and Wetland 3.

### 3.1 WETLAND 3

Wetland 3 is a small, mixed scrub-shrub and emergent wetland that is located southwest of the covered bridge on Wild Kingdom Road (Photo 9). It is hydrologically connected to a larger wetland system located to the northeast via a culvert under the road. The shrub layer, where present, is comprised of highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), speckled alder (*Alnus incana*), and red maple (*Acer rubrum*). The herbaceous layer is dominated by cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), soft rush (*Juncus effusus*), sedges (*Carex* sp.), royal fern (*Osmunda regalis*), common cat-tail (*Typha latifolia*), fowl manna grass (*Glyceria striata*), white meadowsweet (*Spiraea alba*), common arrowhead (*Sagittaria latifolia*), swamp dewberry (*Rubus hispida*), and wool-grass (*Scirpus cyperinus*). Soils within this wetland are fine sandy loam with a gleyed matrix. At the time of the 2007 delineation, soils exhibited redoximorphic features within seven inches of the mineral soil surface. Hydrologic indicators included saturation to soil surface and water-stained leaves.

The wetland includes a documented vernal pool (Photos 10-12). Stantec surveyed this pool on April 25, 2008. At the time of the vernal pool survey, the pool had more than 12 inches of surface water. Three wood frog (*Lithobates sylvaticus*) egg masses and 15 spotted salamander (*Ambystoma maculatum*) egg masses were observed. Adult green frog (*Lithobates clamitans*) and spring peepers (*Pseudacris crucifer*) also were observed within the pool.

### 3.2 VERNAL POOL BUFFER & STORMWATER BUFFERS B-11 & B-12

Based upon pre-disturbance observations and data collected to support the permit application process, the upland buffer associated with vernal pool VP07KW was an early to mid-successional forest (Photos 6-8). Trees in this buffer were generally sapling-sized with an average diameter-at-breast-height (DBH) of one to three inches. This area was historically cleared, as evidenced by stumps and skidder/equipment trails. Dominant trees included eastern white pine (*Pinus strobus*), red maple (*Acer rubrum*), sweet birch (*Betula lenta*), and gray birch (*Betula populifolia*), along with scattered northern red oak (*Quercus rubra*), eastern hemlock (*Tsuga canadensis*), red spruce (*Picea rubens*), and American beech (*Fagus grandifolia*). Dominant shrubs included sheep laurel (*Kalmia angustifolia*), highbush blueberry, chokecherry (*Prunus virginiana*), and alder-buckthorn (*Frangula alnus*). Wintergreen (*Gaultheria procumbens*), lowbush blueberry (*Vaccinium angustifolium*), Canada mayflower (*Maianthemum canadense*), and wild sarsaparilla (*Aralia nudicaulis*) occurred commonly in the herbaceous layer.

### .3.3 STORMWATER BUFFER B-4

Based upon the surrounding habitat, stormwater buffer B-4 was a second-growth forested community prior to disturbance. Red maple, gray birch, sweet birch, and eastern white pine dominated the canopy with a smaller component of eastern hemlock and northern red oak. Seedlings of these canopy species formed much of the understory. Species including bracken fern (*Pteridium aquilinum*), Canada mayflower, and partridge-berry (*Mitchella repens*) were present in the herbaceous layer.

### 4.0 RESTORATION REQUIREMENTS

Specific buffer and wetland restoration requirements were set forth by MDEP at an August 27, 2012, on-site meeting, and by the Corps at a September 18, 2012, on-site meeting and in a subsequent e-mail. The Town of York Community Development Department, which handles code enforcement, also required restoration of portions of the Shoreland Overlay District Mixed-Use Subdistrict (refer to Figure 3) that were impacted. Restoration will be required to meet the requirements of MDEP Site Location and Stormwater permits, the Corps General Permit, and the standards of the Town of York Zoning Ordinance. Those requirements are summarized below:

1. Top priority is to restore the area of unauthorized wetland alteration (i.e., a portion of Wetland 3). This shall be accomplished in the fall of 2012.
2. The bark mulch erosion control berm previously placed within the wetland shall be fully removed and relocated to the upland, immediately outside the area of wetland restoration.
3. Coarse woody debris, presently stockpiled on site, and stones will be used as appropriate within the restoration area to provide habitat diversity and structure.
4. A 100-foot buffer around the vernal pool boundary is the target for long-term restoration. This will conform to the minimum standards found in the Corps' Maine General Permit and shall be accomplished no later than the end of the 2013 growing season.
5. A 100-foot buffer around the wetland to the northwest of the altered area (Wetland 2) will be restored in order to meet the minimum requirements of the Town's Shoreland Zoning Ordinance.
6. The impacted stormwater buffers located along the proposed road will be relocated or restored to a vegetated state as required in the Site Location permit in order to adequately treat stormwater runoff generated from the project.
7. The revised buffer restoration plan (i.e., this document) shall contain a timetable for both immediate restoration of the wetland and longer-term restoration of the surrounding uplands.

### 5.0 WETLAND AND UPLAND BUFFER RESTORATION

The following plan addresses the restoration of Wetland 3 and the vernal pool and stormwater buffers to meet the requirements outlined above in Section 4. Restoration areas are shown on Figures 4 and 5.

#### 5.1 RESTORATION GOALS

The principal goals for the restoration are to:

1. Re-establish scrub-shrub vegetation in affected portions of Wetland 3.
2. Re-establish forested conditions in a 100-foot wide vernal pool buffer, a 100-foot wide adjacent wetland/Shoreland Zone buffer, and in designated stormwater buffers B-4 and B-11 that were recently cleared.

3. Relocate and redesign stormwater buffer B-12.
4. Protect these buffers and Wetland 3 from future disturbance.

## .5.2 RESTORATION SCOPE

The restoration plan includes the following steps:

1. Within cleared portions of Wetland 3, remove the erosion control berm, add coarse woody debris, seed, and plant shrubs to re-establish vegetation.
2. Remove fill and stockpiled rock and soil within 100 feet of the vernal pool, within 100 feet of Wetland 2, and in stormwater buffer B-11, down to the approximate original ground. These buffers are hereafter referred to as the "Primary Buffer Restoration Area" and are shown on Figure 4.
3. Relocate stormwater buffer B-12 into the restored vernal pool buffer, and redesign as a Buffer with Stone Berm Level Lip Spreader, as approximately indicated on Figure 4.
4. Redistribute topsoil across the Primary Buffer Restoration Area to approximately pre-existing grades.
5. Distribute coarse woody debris from topsoil stockpiles across the Primary Buffer Restoration Area.
6. Seed the Primary Buffer Restoration Area and stormwater buffer B-4 to stabilize the soils and provide native plant cover.
7. Plant the Primary Buffer Restoration Area and stormwater buffer B-4 with native woody stock that will re-establish forest and understory cover.
8. Install signs around the Primary Buffer Restoration Area and Wetland 3 to protect these areas from future disturbance.<sup>1</sup>
9. Monitor Wetland 3 and all restored buffer areas to determine the success of restoration efforts.

## .5.3 RESTORATION ACTIVITIES

### .5.3.1 Construction Oversight

A wetland scientist experienced with wetland and upland restoration will be on-site to monitor the site restoration activities and to help achieve the specifications of this plan. The wetland scientist primarily will be responsible for providing the site contractor with recommendations and guidance on re-soiling, final grading (i.e., matching pre-existing grades), planting, seeding, and coarse woody debris placement.

### .5.3.2 Restoration of Wetland 3

#### Schedule

Restoration work at Wetland 3, as described below, will be initiated in the fall of 2012. Signage may be completed in 2013 in association with the buffer restoration work.

#### Removing Erosion Control Berm:

The erosion and sedimentation control bark mulch berm previously installed in the cleared portion of Wetland 3 and the vernal pool buffer will be removed from the wetland and placed in uplands approximately 5-10 feet from the wetland edge.

---

<sup>1</sup> The stormwater buffers will be marked in accordance with the requirements of Maine Site Location of Development Act/Natural Resource Protection Act Tier II Wetland Alteration permit (L-25623-26-A-N/L-25623-TE-B-N).

**Distributing Coarse Debris:**

The topsoil stockpiles located on-site contain coarse woody debris in the form of stumps, logs (greater than 12 inches in diameter), and root masses. Some of this coarse woody debris, along with a few large rocks and boulders, will be spread randomly across cleared portions of Wetland 3 prior to planting, to cover approximately one to three percent of the total cleared wetland area. This will provide structural diversity and microhabitat for wildlife, in particular for amphibians and small mammals.

**Planting Woody Stock**

The wetland restoration area, totaling 1,979 SF, will be planted with a mix of native shrubs similar to what is present in the undisturbed portion of the wetland. Shrubs will be planted at a density of approximately 600 plants per acre. Table 1 provides a summary of suggested species and number of plants needed. The actual number of each species to be installed may vary depending on availability at the time of planting. Installation will follow the methods described in Section 5.3.3 below.

**Table 1: Recommended Shrub Plantings for Wetland 3 Restoration Area.**

Type	Species	Common Name	NWI Status	~ Number of Plants Needed
Shrubs	<i>Alnus incana ssp. rugosa</i>	Speckled alder	FACW	8
	<i>Ilex verticillata</i>	Common winterberry	FACW	8
	<i>Vaccinium corymbosum</i>	Highbush blueberry	FACW	8
	<i>Salix bebbiana</i>	Long-beaked willow	FACW	6
<b>Total Plants:</b>				<b>30</b>

**Seeding and Mulching:**

The wetland restoration area will be seeded with a native seed mix. It is anticipated that the New England Wetmix® available from New England Wetland Plants, Inc. (Table 2), or similar mix, will be used. The seed mix will be applied per the manufacturers recommendations. Seeding and mulching methods will follow those described in Section 5.3.3 below.

**Table 2: Typical Wetland Seed Mix for Wetland Restoration Areas  
New England Wetmix®, Example Species Diversity\***

Species	Common Name
<i>Alisma plantago-aquatica</i>	Mud plantain
<i>Asclepias incarnata</i>	Swamp milkweed
<i>Symphotrichum novi-belgii</i> (syn. <i>Aster novi-belgii</i> )	New York aster
<i>Bidens cernua</i>	Nodding bur marigold
<i>Carex comosa</i>	Bristly/Cosmos sedge
<i>Carex crinita</i>	Fringed sedge (Nodding)
<i>Carex lupulina</i>	Hop sedge
<i>Carex lurida</i>	Lurid sedge (Shallow)
<i>Carex scoparia</i>	Blunt broom sedge
<i>Carex vulpinoidea</i>	Fox sedge
<i>Eupatorium maculatum</i>	Spotted joe pye weed
<i>Eupatorium perfoliatum</i>	Boneset
<i>Glyceria canadensis</i>	Rattlesnake grass
<i>Glyceria striata</i>	Fowl manna grass
<i>Juncus effusus</i>	Soft rush
<i>Mimulus ringens</i>	Square stemmed monkey flower
<i>Onoclea sensibilis</i>	Sensitive fern
<i>Scirpus atrovirens</i>	Green bulrush
<i>Scirpus cyperinus</i>	Wool grass
<i>Schoenoplectus tabernaemontani</i> (syn. <i>Scirpus validus</i> )	Soft stem bulrush

\*Recommended application: 18 pounds per acre

Installing Signage:

The installation of signs around the vernal pool habitat buffer will include Wetland 3. See Section 5.3.3 below for details.

*5.3.3 Primary Buffer Restoration Area*

Schedule

Restoration work in the Primary Buffer Restoration Area, as described below, will be initiated when construction activities resume for the York Police Station. It is expected that the restoration work will be completed by the end of the 2013 growing season, pending approval of the project by the Town planning board.

Removing Blast Rock:

The recent fill and stockpiles of blast rock and stone will be removed from the Primary Buffer Restoration Area at the time of the restoration. This material will either be used on site for project construction or will be moved to the cleared and filled area between the proposed police station and the Primary Buffer Restoration Area, depending on the timing of restoration and project construction. Re-located stockpiles will be protected from erosion using Best Management Practices (e.g., erosion control berms, blankets, temporary seeding).

Redistributing Topsoil:

Following removal of rock piles and fill, stockpiled topsoil will be redistributed across the Primary Buffer Restoration Area to approximately match pre-existing grades. The interface between the fill and original ground should be apparent upon fill removal. Approximately 12 to 24 inches of topsoil will be spread evenly over the restoration area to re-create the pre-disturbance grading and contours. To minimize potential erosion and sedimentation, earthwork will not occur during or immediately following heavy rain events.

Distributing Coarse Debris:

The topsoil stockpiles include coarse woody debris in the form of stumps, logs (greater than 12 inches in diameter), and root masses. This coarse woody debris, along with a few large rocks and boulders, will be spread randomly across the Primary Buffer Restoration Area to cover approximately one to three percent of the total area. This will provide structural diversity and microhabitat for wildlife, in particular for amphibians and small mammals.

Planting Woody Stock:

The Primary Buffer Restoration Area, totaling approximately 37,490 SF (+/- 0.86 acre), will be planted with a mix of native trees and shrubs similar to what was present prior to disturbance. Trees and shrubs will be planted at a density of approximately 425 plants per acre, at a ratio of 70 percent trees and 30 percent shrubs. Table 3 provides a breakdown of tree and shrub plantings and the suggested species and number of plants needed to achieve this density.

**Table 3: Recommended Tree and Shrub Plantings for the Primary Buffer Restoration Area**

Type	Species	Common Name	~ Number of Plants Needed
Trees	<i>Acer rubrum</i>	Red maple	40
	<i>Betula lenta</i>	Sweet birch	20
	<i>Betula populifolia</i>	Gray birch	40
	<i>Quercus rubra</i>	Northern red oak	40
	<i>Picea rubens</i>	Red spruce	40
	<i>Pinus strobus</i>	Eastern white pine	40
	<i>Tsuga canadensis</i>	Eastern hemlock	40
		<i>Total Trees:</i>	<i>260</i>
Shrubs	<i>Corylus cornuta</i>	Beaked hazelnut	40
	<i>Hamamelis virginiana</i>	Witch-hazel	40
	<i>Kalmia angustifolia</i>	Sheep laurel	30
		<i>Total Shrubs:</i>	<i>110</i>
	<b>Total Plants:</b>	<b>370</b>	

Trees and shrubs will be installed singly or in small groups evenly distributed at approximately 10-foot spacing. At the time of planting, the majority of the trees will range in height from approximately 3 to 4 feet with approximately 10 percent ranging from 5 to 6 feet in height. Shrubs will range from 12 to 36 inches at the time of planting. Actual heights will vary by species and age of available plants. It is anticipated that planting stock will primarily consist of container-grown material.

Trees and shrubs will be planted by hand. Holes will be dug up to 50 percent wider than and as deep as the root mass of the plants. The planting holes will be backfilled with topsoil around the roots and lightly compacted around the plants to remove air pockets. Each plant will be watered immediately following installation unless the soil is sufficiently saturated at the time of planting. Tree guards may be installed on deciduous tree species to protect from browsing and girdling. Bark mulch at least three feet in diameter will be placed around the base of plants for moisture and weed control purposes. As needed, plants may be watered for the first several weeks after installation if natural soil moisture is insufficient or rain is not in the immediate forecast.

The planting schedule for the restoration sites will depend on approval of this plan and the completion of ground preparation activities. Planting will occur only when conditions are favorable for plant survival, which is typically either early fall (September 1 through mid-October) or in the spring (prior to June 20). Summer planting is acceptable, though watering on a weekly basis would likely be required to make up for the typical lack of summer rainfall. The actual planting schedule will be communicated to MDEP and the Corps once the completion of site preparation activities can be accurately predicted. Following the completion of planting, a summary of the number of plants by species installed in each buffer area will be provided to MDEP and the Corps.

#### Seeding and Mulching:

The Primary Buffer Restoration Area will be seeded with a native seed mix. It is anticipated that the New England Conservation/Wildlife Mix® available from New England Wetland Plants, Inc. (Table 4), or a similar mix, will be used. The seed mix will be applied per manufacturer recommendations. If applied by hydroseeding methods, supplemental watering or mulching may not be required at the time of seeding. If applied by hand (i.e., shoulder-mounted broadcaster), seeded areas will be covered with a thin layer of weed-free straw mulch to retain soil moisture and promote seed germination. Straw mulch will be applied over the seed at a rate of approximately 2 bales per 1,000 SF for a total of approximately 75 bales. Seeded areas may be watered for the first several weeks after seeding, as needed, if natural soil moisture in the restoration area is insufficient or rain is not in the immediate forecast.

If timing of activities allow, seeding will occur following planting at each of the buffer areas but only when conditions are favorable for germination and growth (typically spring, early summer, and early fall). For erosion control purposes, seeding may need to occur before planting. If seeding occurs after approximately October 1, seeding rates will be increased by as much as 50 percent. A cover crop of annual ryegrass (*Lolium multiflorum*) also will be applied during late-season seeding to provide more immediate cover to the areas.

**Table 4: Typical Seed Mix for Upland Buffer Areas  
New England Conservation/Wildlife Mix®, Example Species Diversity\***

Species	Common Name
<i>Andropogon gerardii</i>	Big bluestem
<i>Asclepias syriaca</i>	Common milkweed
<i>Aster novae-angliae</i>	New England aster
<i>Chamaecrista fasciculata</i> (Cassia f.)	Partridge pea
<i>Desmodium canadense</i>	Showy tick trefoil
<i>Elymus virginicus</i>	Virginia wild rye
<i>Eupatorium maculatum</i>	Spotted joe pye weed
<i>Euthamia graminifolia</i> (Solidago g.)	Grass leaved goldenrod
<i>Festuca rubra</i>	Creeping red fescue
<i>Helopsis helianthoides</i>	Ox eye sunflower
<i>Panicum clandestinum</i>	Deer tongue
<i>Panicum virgatum</i>	Switch grass
<i>Rudbeckia laciniata</i>	Tall/Green headed coneflower
<i>Schizachyrium scoparium</i>	Little bluestem
<i>Solidago juncea</i>	Early goldenrod
<i>Sorghastrum nutans</i>	Indian grass

\*Recommended application: 25 pounds per acre

#### Installing Signage:

Following the completion of planting and seeding, signs will be installed at 100-foot intervals along the edge of the Primary Buffer Restoration Area. The signs will be mounted on sturdy metal or cedar posts. The signs will indicate that the habitat buffer and wetland are protected and that no vegetation removal or disturbance beyond the boundary of the signs is allowed. The stormwater buffers will be marked in accordance with the requirements of Maine Site Location of Development Act/Natural Resource Protection Act Tier II Wetland Alteration permit (L-25623-26-A-N/L-25623-TE-B-N).

#### 5.3.4 Relocation and Redesign of Stormwater Buffer B-12

##### Schedule

Stormwater buffer B-12 will be relocated to inside the Primary Buffer Restoration Area, specifically within the 100 foot vernal pool buffer (Figure 4). As indicated in Section 5.3.3 above, it is expected that restoration of this area will be completed by the end of the 2013 growing season, pending approval of the project by the Town planning board. Installation of the redesigned stormwater buffer B-12 will follow this same schedule.

##### Redesign of Stormwater Buffer B-12

In order to conform to the standards of the MDEP Stormwater Manual, stormwater buffer B-12 will be revised to a Buffer with Stone Berm Level Lip Spreader. For additional information regarding the design of this buffer, refer to addendums to the Stormwater Management Report prepared by SMRT.

### 5.3.5 Restoration of Stormwater Buffer B-4

#### Schedule

Restoration work in Stormwater Buffer B-4, as described below, will be initiated in the spring of 2013 and will be completed before July 1, 2013.

#### Planting Woody Stock:

The planting density for stormwater Buffer B-4, which totals 1,500 SF, will be 600 plants per acre. Because of the small size of this area, only tree species will be planted. Table 5 provides a summary of suggested species and number of plants needed. The actual number of each species to be installed may vary depending upon availability at the time of planting. Methods for planting will follow those described in Section 5.3.3 above.

#### Seeding and Mulching:

Stormwater buffer B-4 will be seeded with a native seed mix. It is anticipated that the New England Conservation/Wildlife Mix® available from New England Wetland Plants, Inc. (see Table 4 above), or a similar mix, will be used. Seeding and mulching will follow methods described in Section 5.3.3.

**Table 5: Recommended Tree and Shrub Plantings for Stormwater Buffers B-4 and B-5**

Buffer	Species	Common Name	~ Number of Plants Needed
B-4	<i>Acer rubrum</i>	Red maple	6
	<i>Betula populifolia</i>	Gray birch	6
	<i>Pinus strobus</i>	Eastern white pine	6
		<b>Total Trees:</b>	<b>18</b>

## 6.0 MONITORING AND REPORTING

### 6.1 SUCCESS STANDARDS

Post-restoration monitoring is necessary to determine whether the restored upland buffers and wetland are achieving/approaching pre-disturbance conditions. Restoration efforts in the upland buffer areas and wetland will be determined to be successful if at the end of the monitoring period, the following conditions are met.

1. **Woody Plant Density:** In the Primary Buffer Restoration Area, there are at least 400 native, non-invasive trees and shrubs per acre that are healthy and vigorous and in 75 percent of the planted area. In the restored wetland and in Stormwater Buffer B-4, there are at least 500 native, non-invasive trees and shrubs per acre that are healthy and vigorous and in 75 percent of the planted area. Native, woody volunteer species will be counted toward this density standard.
2. **Percent Areal Plant Cover:** There is at least 75 percent areal cover by native, non-invasive herbaceous plant species. In the wetland restoration area, at least 60 percent of the areal cover shall consist of native, hydrophytic plant species.
3. **Invasive Species:** Control of alder-buckthorn, multiflora rose (*Rosa multiflora*), Morrow's honeysuckle (*Lonicera morowii*), Japanese barberry (*Berberis thunbergii*), and other identified non-native, invasive species has been accomplished during the monitoring period, in accordance with the Invasive Species Control Plan for this site (see attached). The goal of the invasive species control will be to not allow invasive species to suppress or hinder the growth of planted

trees and shrubs, and to prevent the occurrence of contiguous, monotypic stands of invasive plants that are greater than 500 square feet in size.

4. **Erosion Control:** Soils within the restoration areas are stabilized and soil erosion is minimized.

## 6.2 MONITORING SCHEDULE

Post-Construction monitoring of the upland buffers and the restored portion of Wetland 3 will begin in the first full growing season after the completion of site work and planting. It is anticipated that monitoring will occur on the following schedule:

- Wetland 3 – 2013, 2014, and 2015 (3 years)
- Primary Buffer Restoration Area and Stormwater Buffer B-4 – 2014 and 2015 (2 years)

## 6.3 MONITORING METHODS

A qualified wetland scientist will conduct and/or oversee the monitoring. Site visits will occur once a year for each of the monitoring years, and will be scheduled towards the end of the growing season (i.e., between July 15 and September 30). Monitoring will include assessments of woody stock survivorship, herbaceous plant cover, the presence of invasive species, and soil stability. During the site visits, each of the buffer areas and the restored portion of Wetland 3 will be evaluated to determine if corrective measures are necessary.

### Wetland 3

The conditions within the restored portion of Wetland 3 will be assessed using meander surveys. During the meander surveys, the wetland scientist will count and assess the health of all of the planted woody stock within the restored portion of the wetland. Native woody volunteer species within the wetland restoration area will also be counted. In addition to counting woody species, general signs of herbaceous plant cover, the presence of non-native invasive plants, and soil erosion will be documented. Representative photographs will be taken from similar locations each year.

### Primary Buffer Restoration Area - Vernal Pool Buffer & Stormwater Buffers B-11

Seven 10-meter by 10-meter (10-m<sup>2</sup>) plots will be sampled within the Primary Buffer Restoration Area to evaluate the success of restoration efforts. This sampling level will allow the assessment of approximately 20 percent of the restored area. The plots will be randomly located throughout the restored area at the discretion of the wetland scientist who performs the monitoring. Within each 10-m<sup>2</sup> plot, planted trees and shrubs will be counted by species, and the overall areal coverage of tree and shrub species within the plot will be estimated to the nearest 5 percent. Native, woody volunteer species within each monitoring plot will also be counted. A meander survey of each plot will be used to assess herbaceous plant cover, the presence of non-native invasive plants, and soil erosion. Representative photographs will be taken from similar locations each year.

### Stormwater Buffer B-4

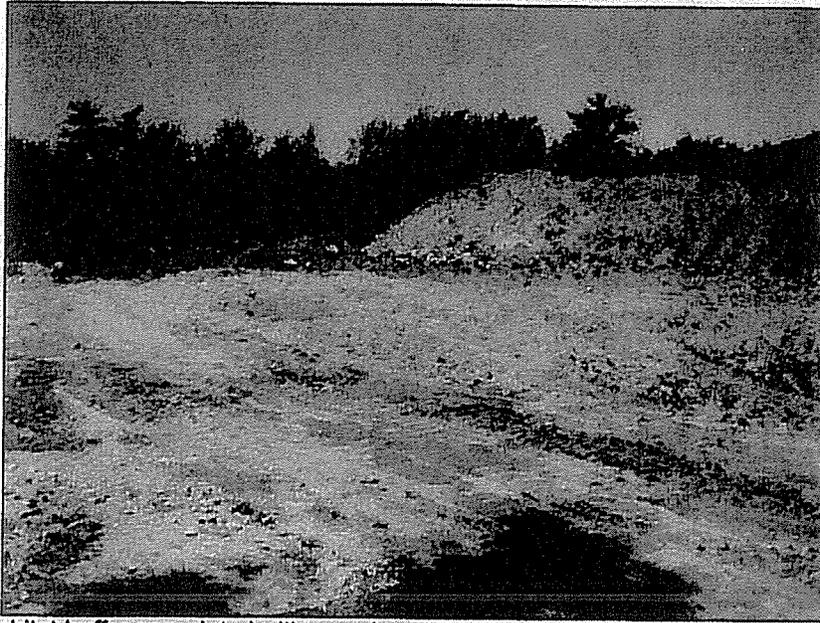
Because of the small size of Buffer B-4, meander surveys will be conducted to count and assess the health of all of the planted woody stock in the area. Native woody volunteer species within the restored buffer will also be counted. In addition to counting woody species, the wetland scientist will record general signs of herbaceous plant cover, the presence of non-native invasive plants, and soil erosion. Representative photographs will be taken from similar locations each year.

## 6.4 REPORTING

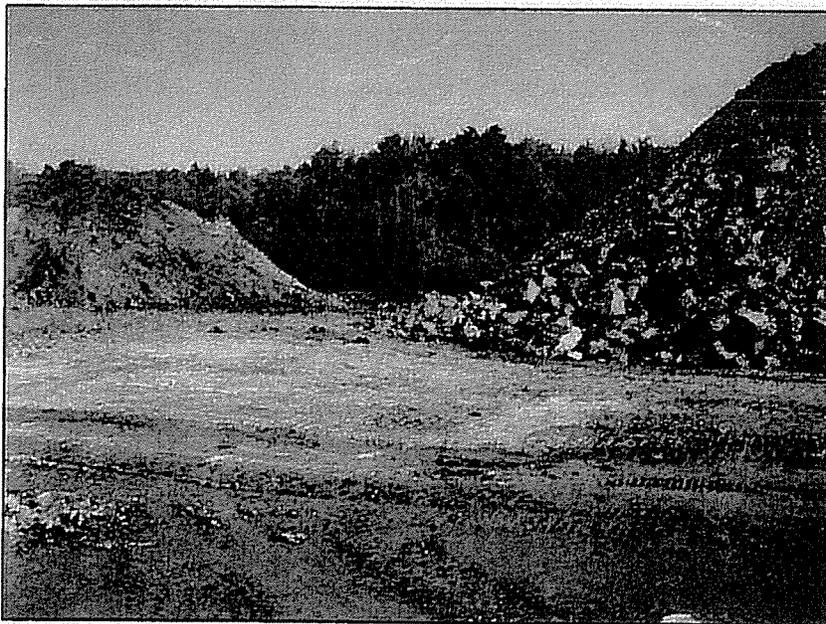
An annual monitoring report will be prepared for each monitoring year and submitted to the Corps and MDEP by January 31 of the year following monitoring. The report will describe the methodology and results of the monitoring, and provide an assessment of the upland buffer and wetland restoration

success relative to the performance standards. The report will also include recommendations for remedial actions that may need to be implemented to improve the success of the restoration, and a description of corrective measures completed during that year. Potential remedial actions identified during monitoring will be addressed in a timely manner. The MDEP and Corps will be consulted on a case-by-case basis regarding the need for on-site corrections or adaptive management measures. Such measures may include replacing dead shrubs and trees, invasive species control, supplemental seeding, fertilizing woody plantings, and erosion control or repair. Rodent or deer browsing will be considered a natural process, and such damage will not be remediated unless it is widespread and significantly impacts restoration of vegetation cover.

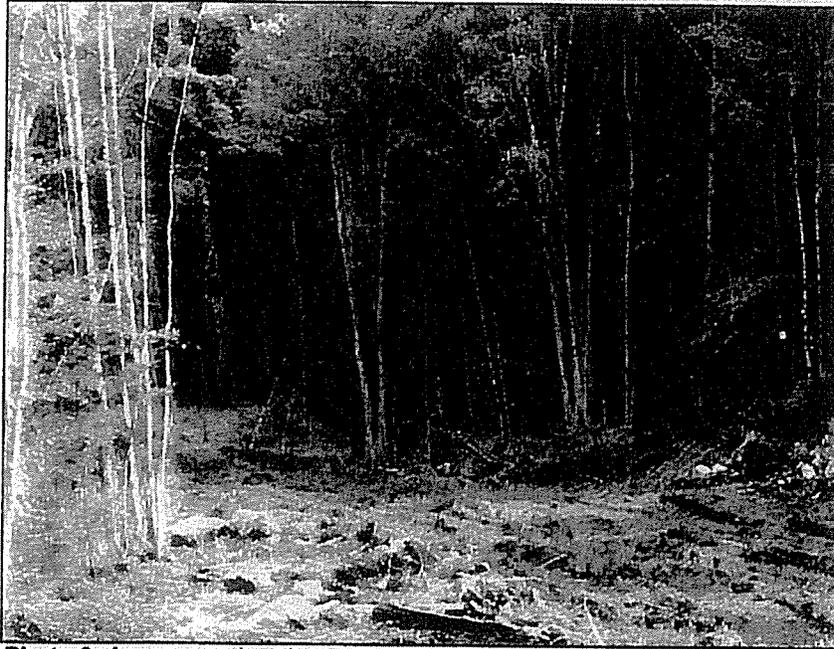
**APPENDIX A  
REPRESENTATIVE PHOTOGRAPHS**



**Photo 1: Habitat buffer associated with vernal pool 07KW following clearing and stockpile activities.  
Stantec Consulting. August 21, 2012.**



**Photo 2: Habitat buffer associated with vernal pool 07KW following clearing and stockpile activities.  
Stantec Consulting. August 21, 2012.**



**Photo 3:** Access road and stormwater buffer B-4 following clearing activities. SMRT. August 21, 2012.



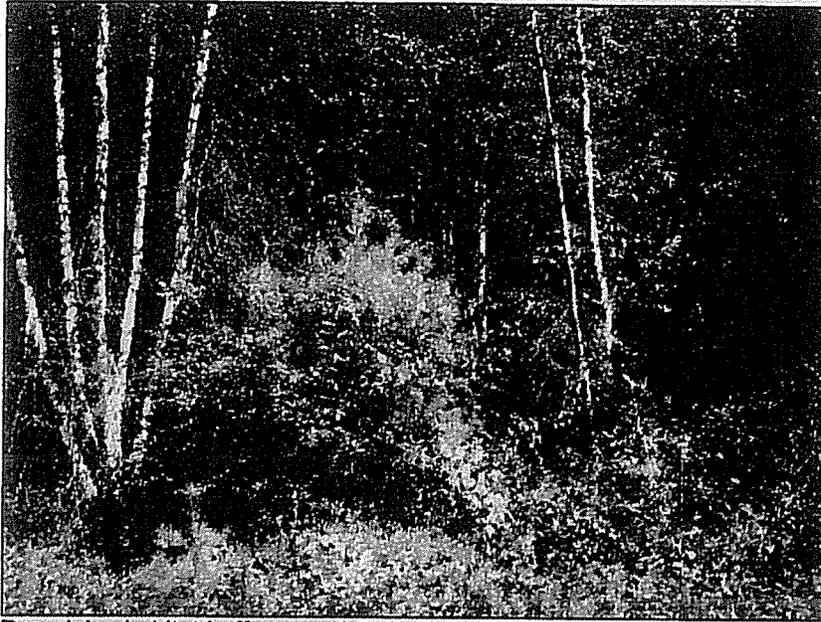
**Photo 4:** Wetland 3 following clearing activities. Note bark mulch berm in wetland. Stantec Consulting, August 21, 2012.



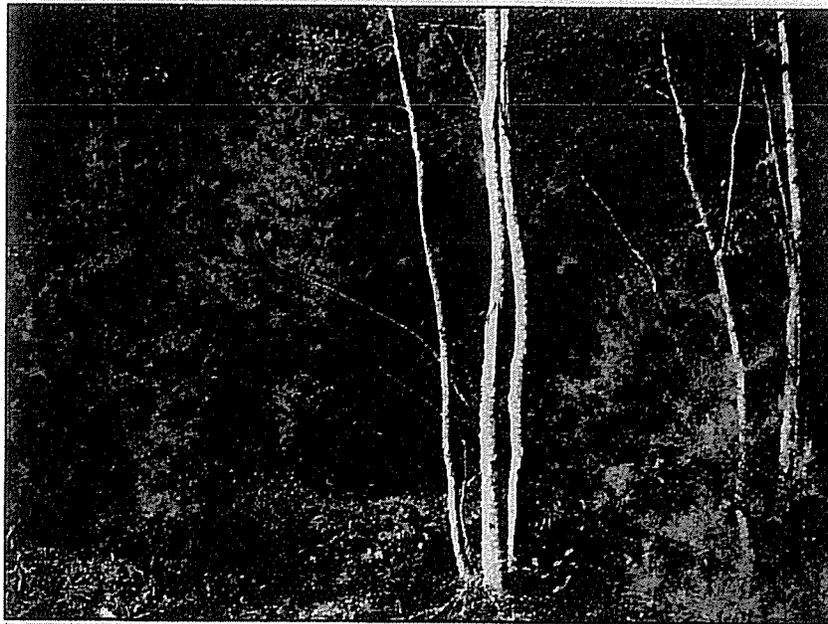
**Photo 5.** Wetland 3 and adjacent upland habitat buffer following clearing activities.  
Stantec Consulting, August 21, 2012.



**Photo 6:** Habitat buffer associated with vernal pool 07KW prior to clearing activities.  
Stantec Consulting. March 4, 2010.



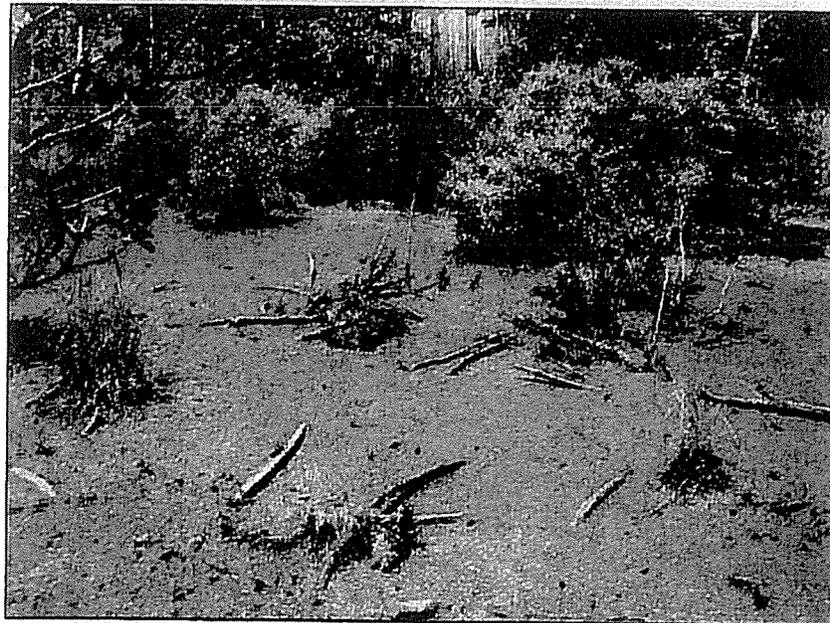
**Photo 7:** Remaining habitat buffer associated with vernal pool 07KW adjacent to cleared buffer.  
Stantec Consulting. August 21, 2012.



**Photo 8:** Remaining habitat buffer associated with vernal pool 07KW adjacent to cleared buffer.  
Stantec Consulting. August 21, 2012.



**Photo 9:** Wetland 3 and vernal pool VP07KW in background.  
Stantec Consulting. March 4, 2010



**Photo 10:** Vernal Pool 07KW in Wetland 3.  
Stantec Consulting. July 2007.

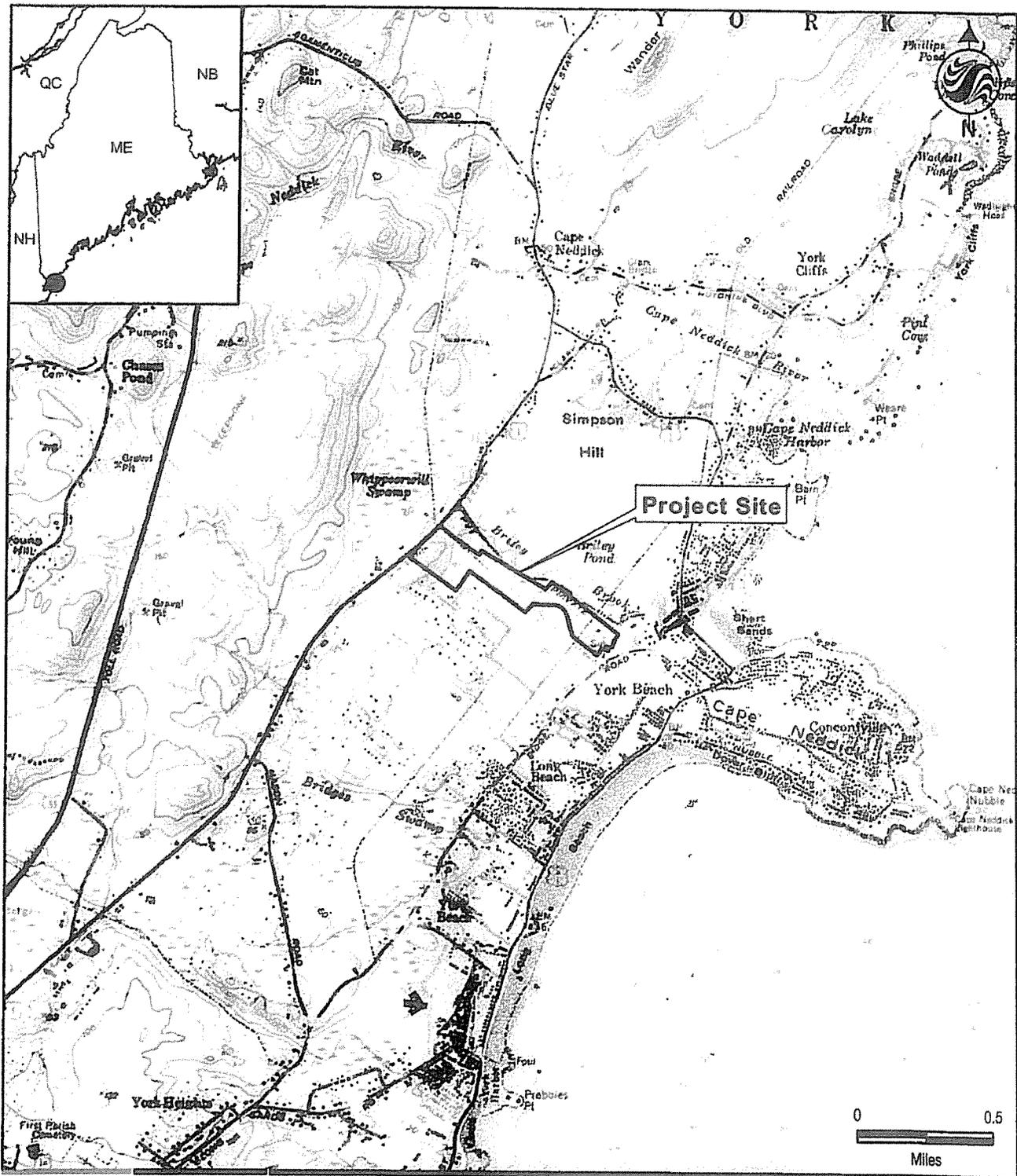


**Photo 11: Vernal Pool 07KW in Wetland 3.**  
Stantec Consulting, April 25, 2008.



**Photo 12: Vernal Pool 07KW in Wetland 3.**  
Stantec Consulting, April 25, 2008.

**APPENDIX B**  
**FIGURES**



**Stantec**

FILENAME.mxd

**Stantec Consulting Services Inc.**  
 30 Park Drive  
 Topsham, ME USA  
 04086  
 Phone (207) 729-1199  
 Fax: (207) 729-2715  
 www.stantec.com

**Client/Project**  
 SMRT  
 York Police Station  
 York, Maine

**Figure No.**  
 1

**Title**  
**Project Site**  
 September 4, 2012

195600823



Note: 2011 National Agriculture Imagery Program (NAIP) aerial orthoimagery provided by Natural Resource Conservation Service and the Farm Service Agency.

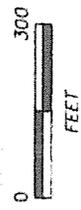
**Stantec Consulting Services Inc.**

30 Park Drive  
 Topsham ME U.S.A.  
 04086  
 Tel. 207.729.1199  
 Fax 207.729.2715  
 www.stantec.com

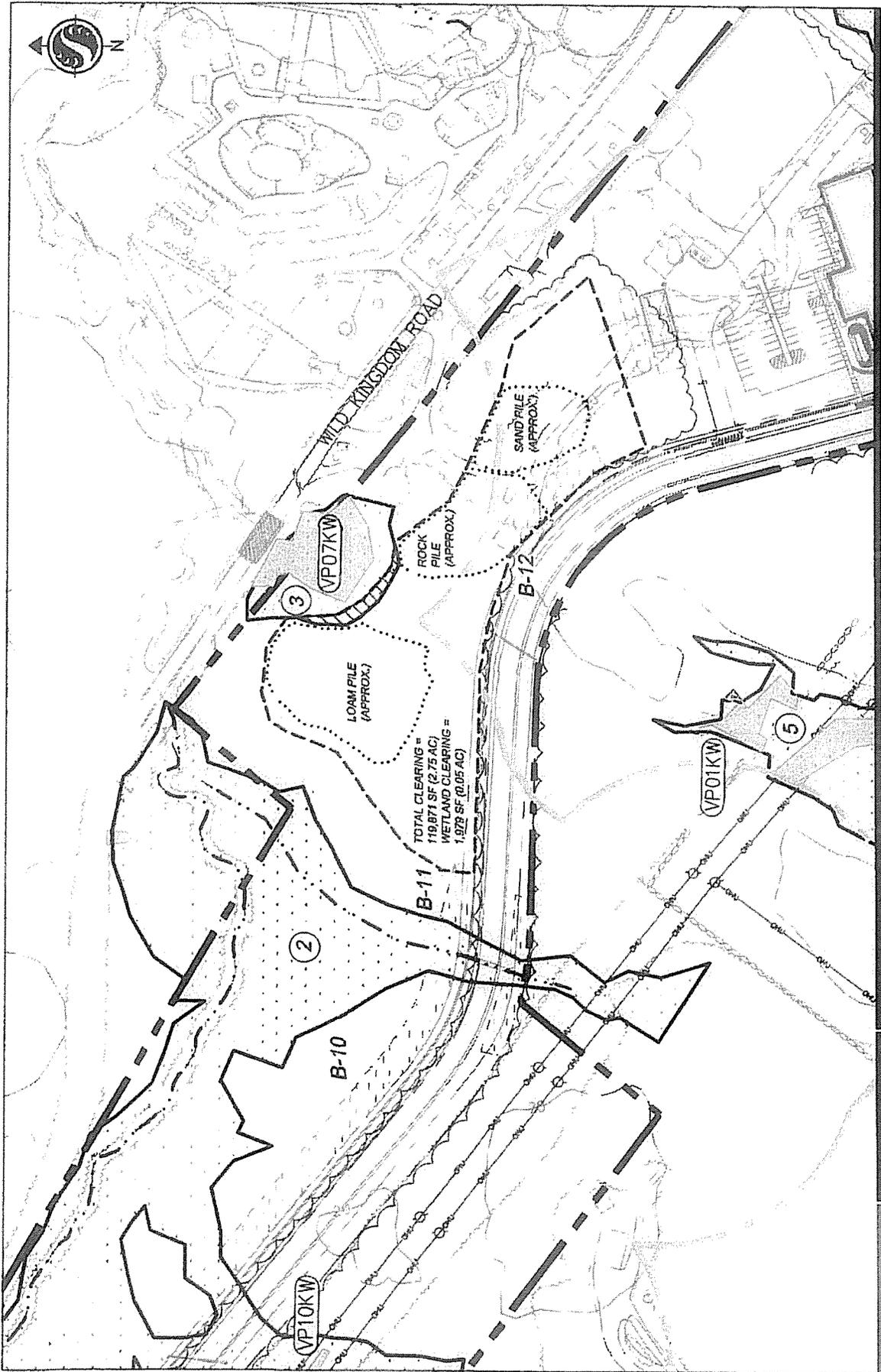


**Legend**

- Wetland Identified by Stantec
- Vernal Pool Identified by Stantec
- MDEP stream identified by Stantec
- Proposed Developments (Road and Police Station)



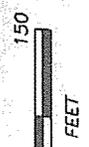
Client/Project  
 York Police Station, York ME  
 Buffer Restoration Plan  
 Figure No. 2  
 Title  
 Pre-Disturbance Conditions



195600823

Client/Project  
 York Police Station, York ME  
 Buffer Restoration Plan  
 Figure No. 3

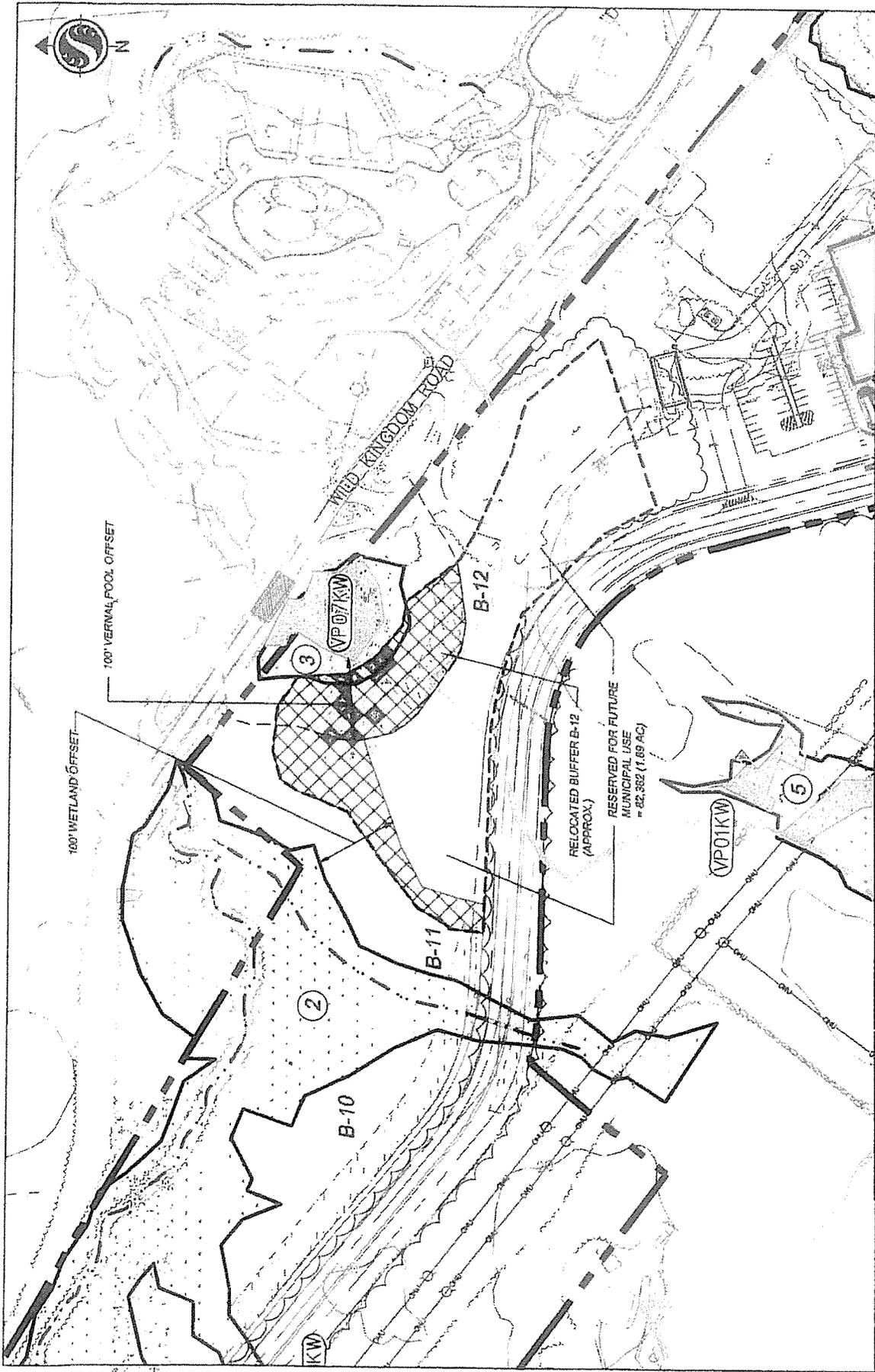
Title  
 Altered Vernal Pool Buffer and Stormwater  
 Buffers B-11 and B-12  
 October 3, 2012



- ② Wetland Identified by Stantec
- VP01KW Vernal Pool Identified by Stantec
- MDEP stream identified by Stantec
- B-12 Mixed-Use Shoreland Zone (Town of York)
- Stormwater Buffer Easement
- Altered Area (GPS by Stantec, Aug 2012)
- Wetland Clearing

Stantec Consulting Services Inc.  
 30 Park Drive  
 Topsham ME U.S.A.  
 04086  
 Tel. 207.729.1199  
 Fax. 207.729.2715  
 www.stantec.com





195600823

Client/Project

York Police Station, York ME  
 Buffer Restoration Plan  
 Figure No. 4

Title  
 Primary Buffer Restoration Area  
 Wetland 3 and Buffers B-11 & B-12 Area  
 October 22, 2012

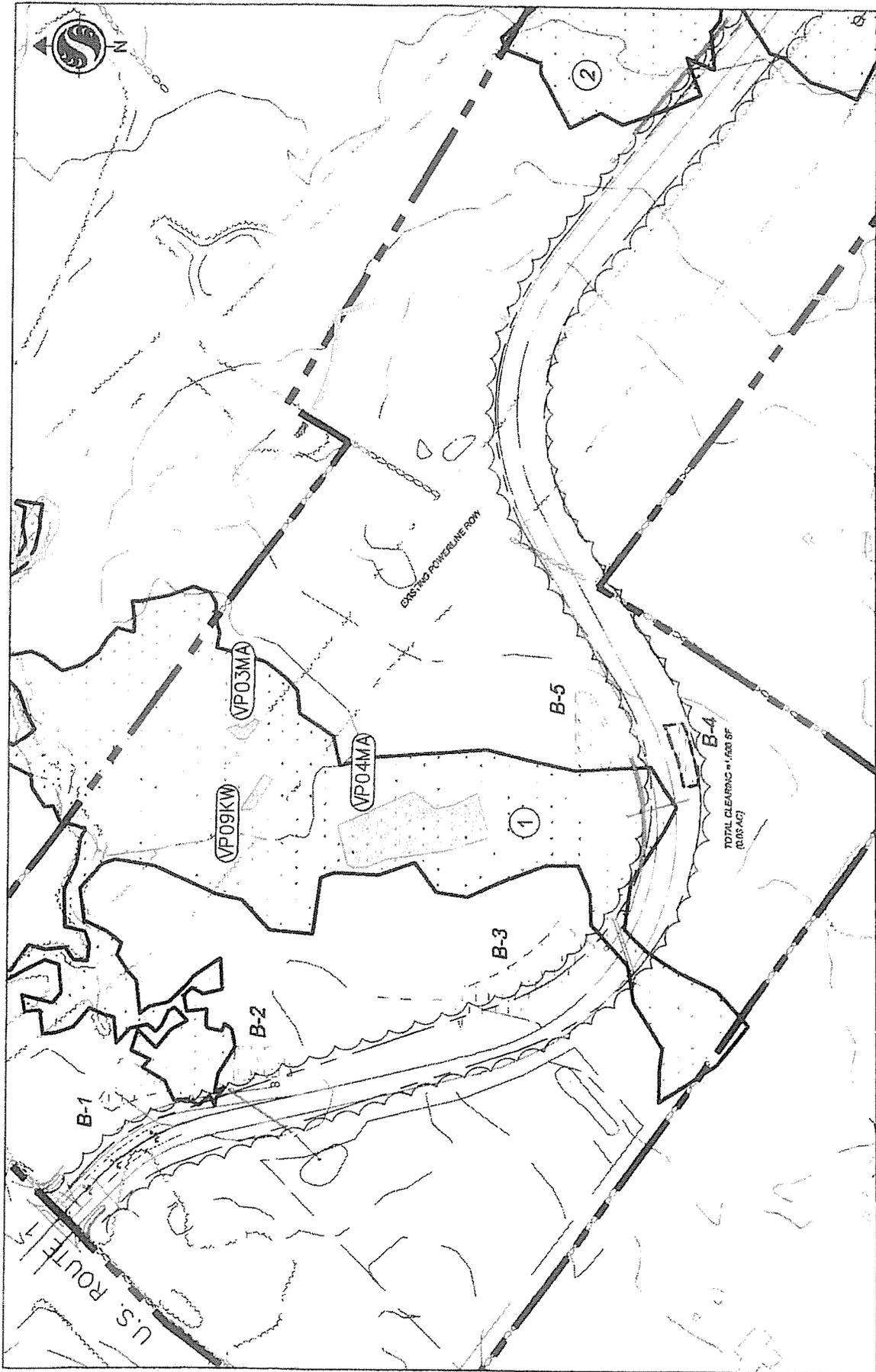
0 150  
 FEET

- Wetland Identified by Stantec
- Vernal Pool Identified by Stantec
- MDEP stream Identified by Stantec
- Mixed-Use Shoreland Zone (Town of York)
- Stormwater Buffer Easement
- Altered Area = 119,871 SF (2.75 AC)
- Proposed Wetland Restoration = 1,979 SF (0.05 AC)
- Proposed Primary Buffer Restoration = 37,490 SF (0.86 AC)

Stantec Consulting Services Inc.

30 Park Drive  
 Topsham ME U.S.A.  
 04086  
 Tel. 207.729.1199  
 Fax. 207.729.2715  
 www.stantec.com



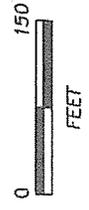


Client/Project 195600823

York Police Station, York ME  
Buffer Restoration Plan

Figure No. 5

Title  
Stormwater Buffer B-4 Restoration Area  
Altered Area to Be Re-Planted  
October 22, 2012



- Wetland Identified by Stantec
- Vernal Pool Identified by Stantec
- MDEP stream Identified by Stantec
- Mixed-Use Shoreland Zone (Town of York)
- Stormwater Buffer Easement
- Altered Area (to Be Replanted)

Stantec Consulting Services Inc.  
30 Park Drive  
Topsham ME U.S.A.  
04086  
Tel. 207.729.1199  
Fax. 207.729.2715  
www.stantec.com



\* Not all Legend items appear on map.

**APPENDIX C  
INVASIVE SPECIES CONTROL PLAN**

The approach to controlling invasive plants in the vernal pool and stormwater buffers and wetland restoration area will focus on limiting the establishment of invasive species that could encroach from nearby areas. There are existing invasive plants, in particular alder-buckthorn (*Frangula alnus*), present in the surrounding area. The overall approach, therefore, will be to limit the extent of invasive plants and attempt to keep them from dominating the sites, suppressing the growth of planted trees and shrubs, or forming large (i.e., over 500 square feet in area) contiguous, monotypic stands that significantly affect species diversity and habitat functions and values.

#### Target Species

Invasive species are currently found in nearby areas, including alder-buckthorn, purple loosestrife (*Lythrum salicaria*), oriental bittersweet (*Celastrus orbiculata*), Japanese barberry (*Berberis thunbergii*), common reed (*Phragmites australis*), Morrow's honeysuckle (*Lonicera morrowii*), and multiflora rose (*Rosa multiflora*). Each of these species poses a moderate to high risk of colonization into the restored areas.

#### Passive Controls

Passive invasive species control focuses on preventing and limiting the initial introduction of invasive species into the restored areas. The following measures will be implemented to prevent or limit the introduction of invasive species into the restored areas.

- Exposed soil surfaces will be seeded with the prescribed mixes and mulched with weed free straw as soon as possible following final grading. If hydroseeded, fiber mulch will be applied by the hydroseeder, which may require supplemental straw mulch to thoroughly cover the exposed soil. Straw mulch will be applied at a rate of up to 2 bales per 1,000 square feet or as needed to cover the soil.
- If seeding cannot occur immediately following final grading due to seasonal constraints, the exposed soil will be temporarily mulched with straw until seeding occurs.
- Bark mulch with a three-foot diameter will be installed at the base of each installed plant and maintained to reduce competition by invasive species and other weeds.
- The planting plan has been designed to restore upland forested habitat over time. Shade-intolerant species will not be able to persist under the shaded conditions of the forested uplands, and this will be one of the primary means of controlling these species over the long term. However, it is expected that it will take several years (i.e., 10 years or more) for the re-planted areas to develop sufficient canopy and shading to limit these species. In that interim, active methods (as described below) may be implemented to control invasive species and limit competition with the planted trees and shrubs.

#### Active Controls

Active invasive species controls may need to be implemented within the restoration sites to control invasive plant species that are able to become established following construction. Active invasive control, if needed, will generally begin after restoration and continue through the monitoring period. Active measures may include the following.

- Prior to or shortly after plant installation, invasive plants identified within the upland buffer and wetland restoration areas will be controlled. Small, individual plants will be manually pulled or dug from the ground. Limited herbicide treatments using Rodeo® (active ingredient: glyphosate), a non-selective, systemic herbicide, may be employed on larger individual plants, particularly mature plants capable of producing fruit. As needed, these control methods also will be employed on an annual basis during the monitoring period.
- Within the restoration areas, annual monitoring will be conducted to assess the presence and abundance of invasive species. The course of action will depend primarily on the species present and the abundance. In general, removal by hand and proper disposal will be utilized for small, localized patches or individual plants.



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 4 <sup>th</sup> , 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16 <sup>th</sup> , 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Maintaining Public Trash Receptacles	

### DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

A key component to York's Beach Management Plan is the process by which we manage the large volume of trash that accumulates daily during the busy tourist season. There are approximately 97 public trash receptacles located throughout Town and the majority of these are located at York's beaches. I have attached a list of container locations as well as a map.

The Parks and Recreation Department is responsible for maintaining the receptacles and emptying them multiple times per day during peak season. The current receptacles are 55 gallon steel drums with plastic bag liners. Under the current system the trash is being handled twice. The bags are loaded into parks trucks and then emptied by hand into dumpsters located off site. The dumpsters are then emptied daily by the Town's waste removal contractor and transported to the refuse disposal site. This is a very time consuming and arduous process that is no longer in the best interest of the Town or our beaches.

The Town's waste removal contract is up for renewal this year. It is our recommendation moving forward that the maintenance of the public trash containers be included in the Town wide waste removal contract. The contract would specify the containers to be 96 gallon rollcarts that could be emptied mechanically and would eliminate the need for trash bags. The larger containers would allow them to be emptied less often, translating into fewer trips and minimizing the impact of stop and go maintenance vehicles. The trash would go directly from the beach, into the contractors trucks and off to the refuse center.

With respect to cost a key element to this proposal will be to insure that this work is included as part of the Town wide waste and recycling collection bid. This bid is a multi-year, multi-million dollar contract that will be competitive and highly sort after by those companies qualified to participate. I suspect that adding this work to the specifications will have minimal impact, if any, on the overall bid.

I feel strongly that contracting the work is the safest, most efficient option and will yield the best results. Parks employees will need to monitor the program, help work out the logistics early on and be prepared to make adjustments to insure the program's success. A goal under this system would be consolidate containers in fewer areas, but with more capacity.

The Long Sands Master Plan will consider service locations as part of the infrastructure improvements and streets program. I have attached a list of the public Trash receptacles and their locations throughout Town. Should the Board decide to go in this direction it would not make sense to include only those containers located at the beaches, so my recommendation is to include them all.

Using the contractor to pick up the trash will allow Parks employees to focus their attention on cleaning the beach, maintaining the infrastructure and managing the natural resources. As part of the overall beach management plan we will implement a public education campaign promoting cleaner beaches, sustainable water quality and leave no trace ethics. The challenge is to make the public more aware of the impact they have on our parks and beaches, and encourage them to be more accountable for their actions.

The general makeup of the contract would look something like this;

- ✓ The locations and number of containers would be clearly identified.
- ✓ The contract would be in effect from May 1<sup>st</sup> through November 1<sup>st</sup>. May 1<sup>st</sup> through June 14<sup>th</sup> the receptacles would be emptied once per day, June 15<sup>th</sup> through September 7<sup>th</sup> twice per day and September 8<sup>th</sup> through October 31<sup>st</sup> once per day. Number of receptacles would be monitored by the Parks Department and reduced or added accordingly based on the season and demand.
- ✓ From November 1<sup>st</sup> through April 30<sup>th</sup> all parks and beaches would follow a carry in/carry out policy. Selectmen should note that we have supplied one year round container at Harbor Beach, Long Sands Beach, wiggly Bridge Parking Area and Town Dock 1 and 2 in past years. Those could be included at your discretion.
- ✓ The Town would change from 55 Gallon drums with plastic trash bag liners to 96 gallon totes with no plastic bags.

RECOMMENDATION: To include the maintenance of the Town's public trash receptacles in the FY 2017 "Waste and Recycling Collection Bid".

PROPOSED MOTION: I move to include the maintenance of the Town's public trash receptacles in the FY 2017 "Waste and Recycling collection Bid".

FISCAL IMPACT: Unknown

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY:



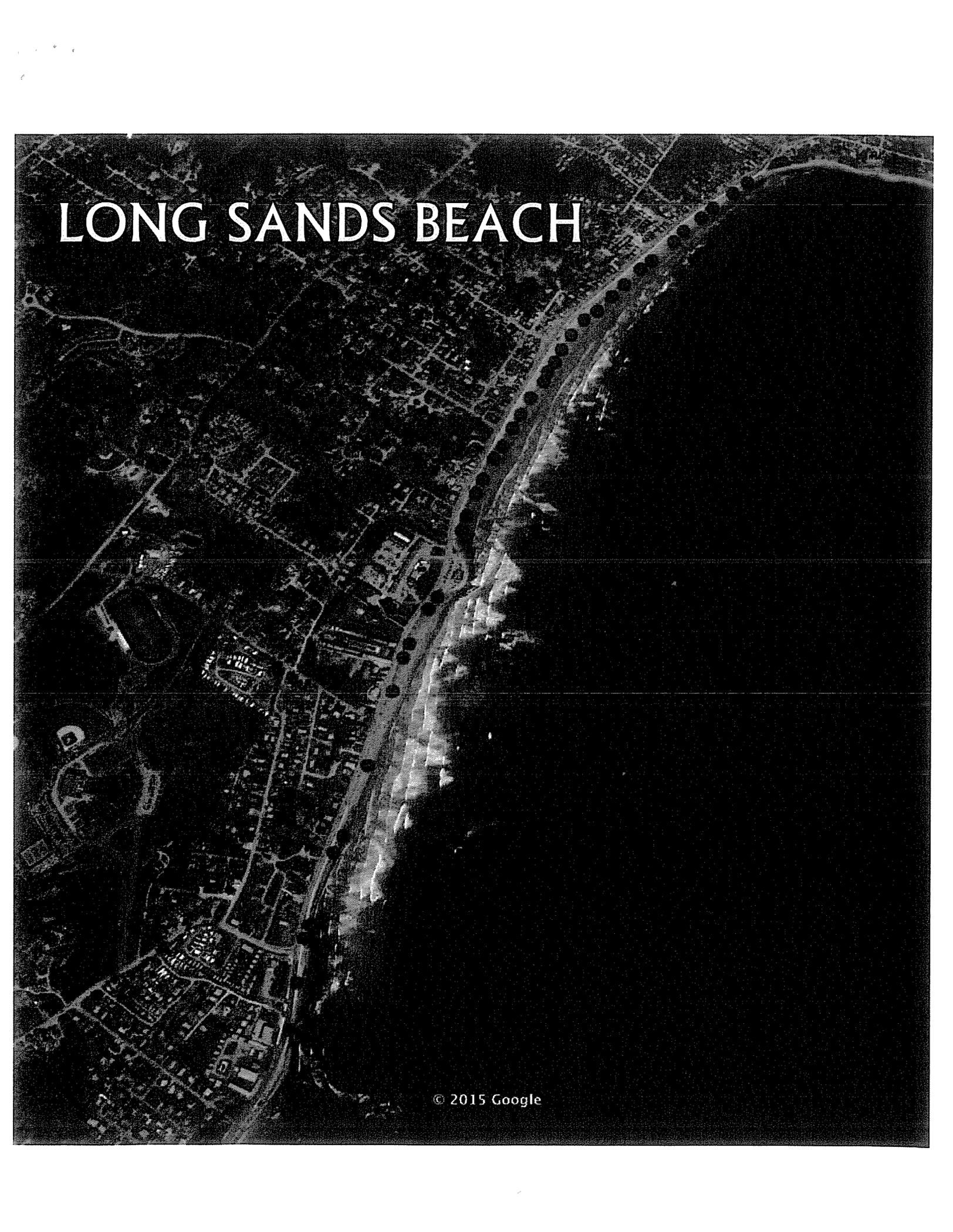
REVIEWED BY:



**Town of York Parks and Recreation Department**  
**Public Trash Receptacle Inventory**

<b>Peak Season Containers</b>	<b>Receptacles</b>
• Long Sands Beach (Northern end to Sun N Surf)	26
• Long Sands Beach (Sun N Surf to Southern end)	11
• Ellis Park (Boardwalk and Park)	16
• Main Street York Beach	8
• Sohier Park	5
• Harbor Beach	3
• Cape Neddick Beach	1
• Beach Ball Field	3
• York High School Athletic Fields	8
• York Middle School Athletic Field	1
• Village Elementary School Field	3
• CRES field	1
• Bog Rd. Recreational Complex	5
• Town Dock # 1	2
• Town Dock # 2	2
• Sewall's Bridge	1
• Wiggly Bridge	1
• Rice's Bridge	1
<b>Total Peak Season Containers</b>	<b>97 Receptacles</b>
<b>Year Round Containers</b>	
• Harbor Beach	1
• Town Dock # 1	2
• Town Dock # 2	1
• Long Sands Bathhouse	2
• Wiggly Bridge	1
• Short Sands Beach	1
<b>Total Year Round Containers</b>	<b>8 Receptacles</b>

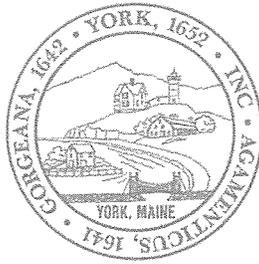
# LONG SANDS BEACH

An aerial satellite photograph of Long Sands Beach. The image is oriented vertically, with the beach area on the right side, appearing as a dark, textured strip. To the left of the beach is a residential area with a grid-like street pattern, numerous buildings, and some open spaces. The overall image has a high-contrast, grainy appearance typical of satellite imagery.

© 2015 Google



SHORT SANDS BEACH



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 6, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Ordinance Amendment- School Building Height	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Review the proposed ordinance amendment regarding school building height as forwarded from the Planning Board. Discuss as a Board to either leave the language as is or amend the language, then post it for a public hearing on December 14, 2015.

RECOMMENDATION: Hold a public hearing on proposed ordinance amendment 5.1.5.1. Height Exception letter (b) proposed number 4 at the December 14 Board of Selectmen meeting.

PROPOSED MOTION: I move to hold a public hearing on the proposed ordinance amendment regarding Municipal School Buildings on December 14, 2015.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

PREPARED BY: Dylan L. Smith, Planning Director REVIEWED BY: \_\_\_\_\_

# **Proposed Amendment**

to be considered at a

## **January 2016 Special General Referendum**

### Amendment

1. Public School Building Height Exception

**Amendment #1**  
*Public School Building Height Exception*

**Ballot Language:** The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to allow, by special exception, an increase to the maximum building height permitted for auditoriums, theaters, gymnasiums, or similar facilities at the site of an existing public school building.

Statement of Fact: The purpose of this amendment is to allow auditoriums, theaters, gymnasiums, or similar facilities at the site of an existing public school building the possibility to obtain a special exception from the Board of Appeals for a height increase not to exceed 45 feet.

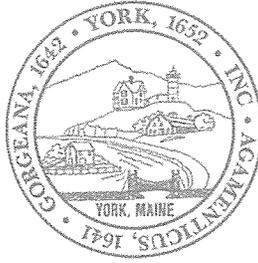
**Amendment:**

Amend section 5.1.5.1 Height Exception letter (b.) by adding number 4 to read as follows:

*4. Auditoriums, theaters, gymnasiums, or similar facilities at the site of existing public school buildings: Building height may be increased to a maximum of 45 feet, provided the applicant demonstrates that the increase in height limit within the base zone is integral to the functional and technical purposes of the building as demonstrated by a Registered Design Professional.*

Recommended by the Planning Board:

Recommended by the Board of Selectmen:



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 12, 2015

ACTION

DATE ACTION REQUESTED: November 16, 2015

DISCUSSION ONLY

SUBJECT: Long Beach Drainage Projects – Request to solicit construction bids

### DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

The combined project history is as follows:

- On May 19, 2012 the voters approved \$350,000 to fund the drainage project just north of the Anchorage Hotel.
- On May 18, 2013 the voters approved \$350,000 to fund the drainage project just north of the Long Sands Bath House.
- On September 23, 2013 the Board of Selectmen authorized town staff to put out a Request for Proposal for survey work for the three capital projects.
- On January 27, 2014 the Board of Selectmen awarded the Long Beach Avenue Existing Conditions Survey bid to North Easterly Surveying, Inc. in the amount of \$19,465.
- On April 14, 2014 the Board of Selectmen approved the submittal of a MPI Grant Application.
- On June 24, 2014 Maine DOT notified that the towns MPI Grant application was approved.
- On January 12, 2015 The Board of Selectmen approved the release of the RFP for the Long Beach Master Plan.
- On February 23, 2015 the Board of Selectmen awarded the Long Beach Master Plan to Ransom Engineering Team.
- On March 20, 2015 Mike Sullivan, Steve Bradstreet and Dean Lessard met with Bill Bullard of Maine DEP for a Pre-application meeting.
- On April 13, 2015 The Board of Selectmen approved the acceptance of a Maine DOT MPI grant in the amount of \$500,000.
- On October 30, 2015 the Town received the NRPA permits from Maine DEP.

Included with the selectmen's action form is the design plans for the drainage improvements on Long Beach Avenue.

**RECOMMENDATION:** That the Department of Public Works work with Ransom Consultants to finalize the drainage designs, and solicit construction bids from qualified contractors for the installation of both Long Beach Drainage projects.

**PROPOSED MOTION: I move to approve that the DPW and Ransom Consultants finalize the drainage designs and solicit construction bids for the installation of both Long Beach Drainage projects from qualified contractors.**

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: \_\_\_\_\_

REVIEWED BY:  \_\_\_\_\_

**LONG BEACH AVENUE IMPROVEMENTS**  
LONG BEACH AVENUE  
YORK, MAINE

TOWN OF YORK  
185 YORK STREET  
YORK, MAINE 03909



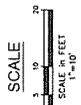
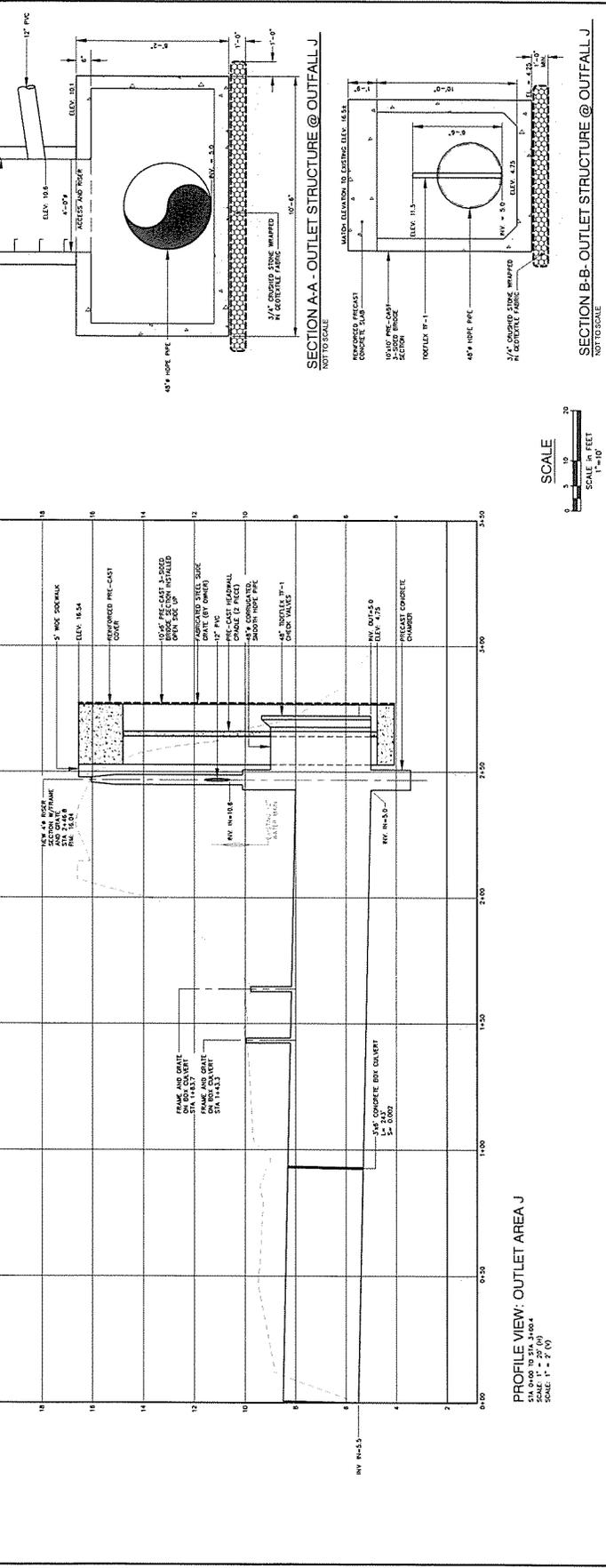
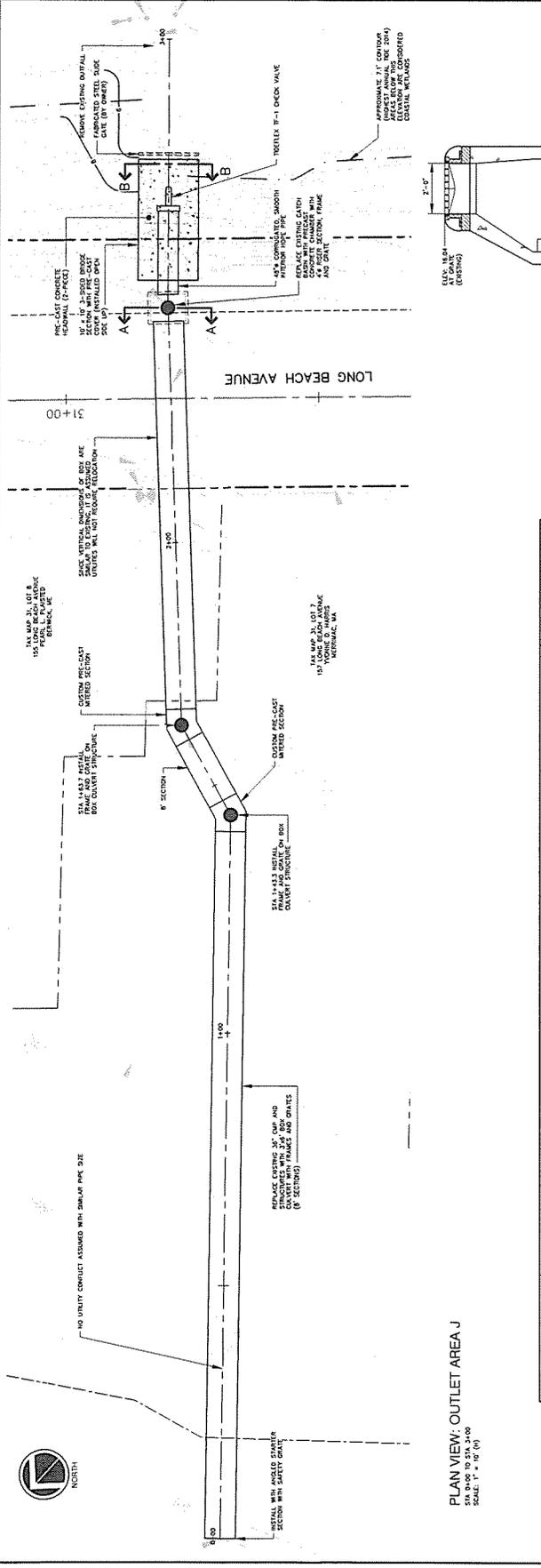
PROJECT LOCATION:  
STEPHEN J. BROAD STREET, PE #5740  
409 COMMERCIAL STREET, SUITE 404  
PORTLAND, ME 04101  
207-772-2851

**RANSOM CONSULTING ENGINEERS and Scientists**  
698 Commercial Street, Suite 404  
Portland, ME 04101  
Tel: (207) 772-2851  
Fax: (207) 772-2836  
ransom@ransomeng.com

**PLAN AND DETAILS  
OUTLET AREA J  
CULVERT  
REPLACEMENT**

No.	Revision/Issue	Date
A	PRELIMINARY REVIEW	08/31/15

Drawn by: UPM  
Checked by: JAR  
Date: MARCH 2015  
Sheet No. **C-101**  
Sheet 2 of 3X



**PROFILE VIEW: OUTLET AREA J**  
STA 0+00 TO STA 3+00  
SCALE 1" = 2' 0"

**PLAN VIEW: OUTLET AREA J**  
STA 0+00 TO STA 3+00  
SCALE 1" = 2' 0"

**LONG BEACH AVENUE IMPROVEMENTS**  
LONG BEACH AVENUE  
YORK, MAINE

TOWN OF YORK  
185 YORK STREET  
YORK, MAINE 03909



CONSULTANTS  
STEPHEN J. BRADSTREET, PE #85740  
400 COMMERCIAL STREET, SUITE 404  
PORTLAND, ME 04101  
207-772-8881

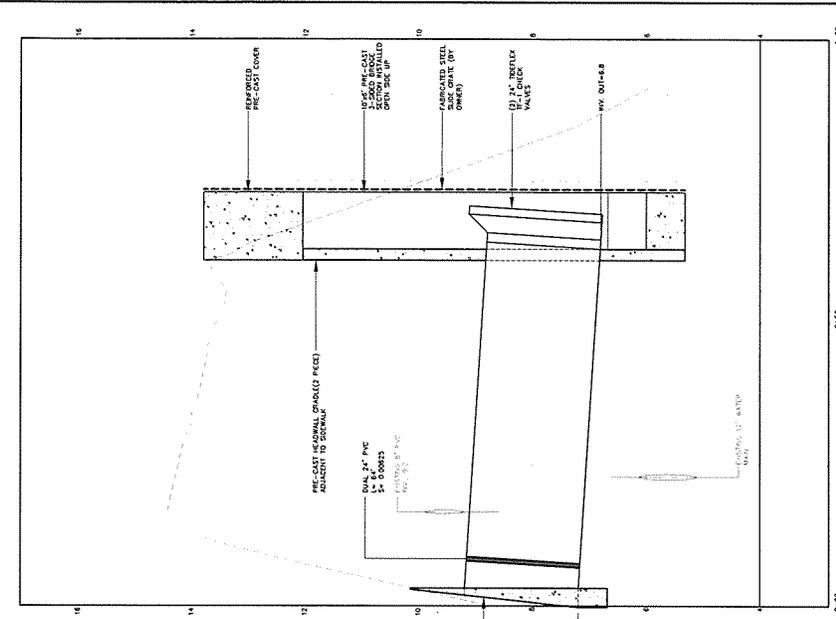
**RANSOM**  
CORPORATION  
ENGINEERS  
AND SCIENTISTS  
801 BROAD STREET, SUITE 101  
PORTLAND, ME 04101  
TEL: (207) 772-2261  
FAX: (207) 772-2262  
WWW.RANSOMCORP.COM

**PLAN AND DETAILS  
OUTLET AREA L  
CULVERT  
REPLACEMENT**

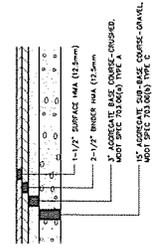
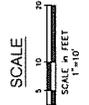
No.	Revision/Issue	Date
A	PRELIMINARY REVIEW	08/28/15

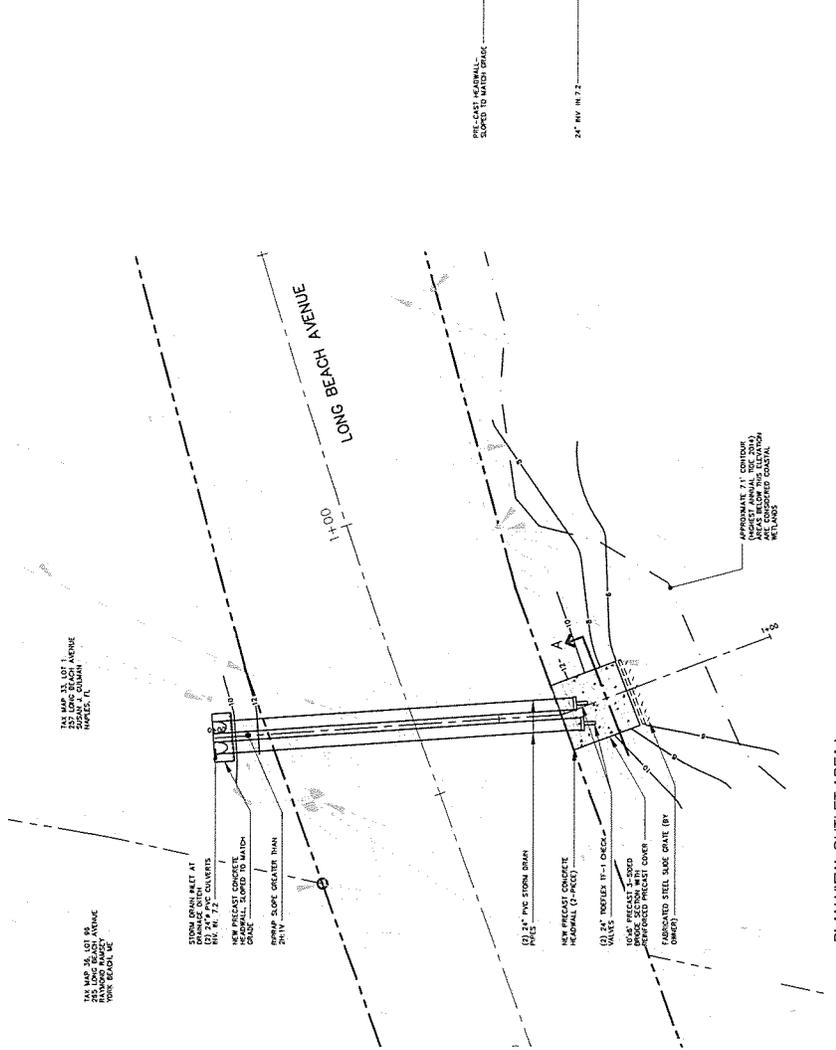
Checked by:	SJB
Drawn by:	SJB
Project:	JAR
Scale:	MARCH 2015
Drawn No.:	C-100



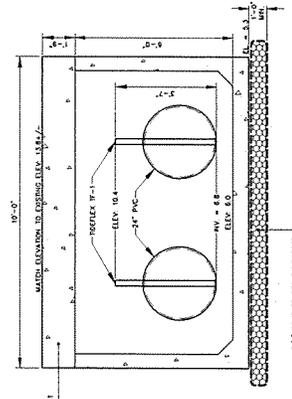
**PROFILE VIEW: OUTLET AREA L**  
STA 0+00 TO STA 1+00  
SCALE: 1" = 4' (V)  
1" = 10' (H)



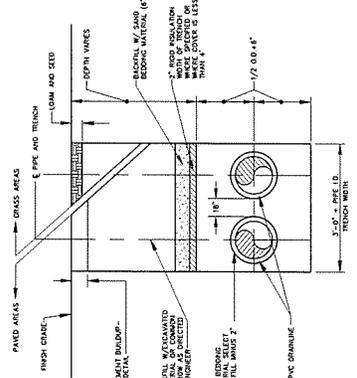
**TYPICAL PAVEMENT BUILDUP**  
NOT TO SCALE



**PLAN VIEW: OUTLET AREA L**  
STA 0+00 TO STA 1+00  
SCALE: 1" = 10' (H)



**SECTION A-A - OUTLET STRUCTURE @ OUTFALL L**  
NOT TO SCALE



**TYPICAL TRENCH DETAIL**  
NOT TO SCALE





## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 9<sup>th</sup>, 2015

ACTION

DATE ACTION REQUESTED: November 16<sup>th</sup>, 2015

DISCUSSION ONLY

SUBJECT: Mount Agamenticus Fire Tower

### DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

Attached please find a copy of the expired land lease between the State of Maine, (Department of Conservation, Bureau of Forestry) and the Town of York for enough property at the summit of Mount Agamenticus to maintain and operate the lookout station and watchman's quarters. The watchman's quarters were removed in 1991 but the lookout tower still remains.

It is my understanding that the Forest Service abandoned the watchman service several years ago and that the York Village Fire Department has an agreement to continue the service on their behalf. Chief Balentine is better suited to speak to the logistics of that agreement and the need for the lookout service.

A couple of months ago the Fire Department started a "Go Fund Me" campaign to raise money to renovate the cab portion of the tower. The campaign caught the attention of the Mount Agamenticus Steering Committee who requested that I reach out to Chief Balentine to obtain more information. The Fire Department feels that the lookout tower is an important fire protection tool for the watershed and the thousands of acres that make up the conservation region. They strongly support restoring the fire tower and maintaining the watchman service.

The Steering Committee's primary concern is the current poor condition of the fire tower, the Town's liability and the safety of patrons in the Park. The worry is that the tower has become an attractive nuisance in a heavily used public recreation area. The Committee supports consolidation of towers whenever possible and removal when they are no longer practical. Another important consideration is the revenue stream generated by the towers. Above all the Committee wants to insure that if the Tower is restored that it undergo a structural analysis and a renovation that will meet industry standards. Should the Selectmen choose to support the Fire Departments request there may be some opportunity to consolidate equipment to the fire tower and eliminate another existing tower at the summit.

Some points for the Selectmen to consider are;

- ✓ The lease with the State of Maine has expired. Additionally the terms of the lease are in default, sighting both the lack of maintenance and the abandonment clause. The lease is explicit that if the watchman service is abandoned the tower becomes the property of the Town. It is notable that there doesn't appear to be any requirement or provision in the lease that makes the State responsible for removing the tower if they abandon it.

- ✓ The visual evidence is that the wooden cab and access stairs are in serious disrepair. The condition of the steel frame and guy wires are unknown. Should the Selectmen decide to move forward with the renovation the Parks and Recreation Department recommends that a complete structural analysis be performed. Chief Balentine has obtained a rough estimate of \$10,000 for the structural analysis.
  
- ✓ The terms of the lease prohibit sub-leases without the written consent of the Town, however there are other entities with equipment on the tower (WGME channel 13). It is unknown if there are any others or if the State derives any revenue from third parties.
  
- ✓ Should the Board of Selectmen decide to move forward with the structural analysis and renovation of the tower, the Parks and Recreation Department would like to explore the opportunity to consolidate equipment from other towers onto the fire tower. This would accomplish our goal of consolidation and protect a revenue stream already in place.

RECOMMENDATION:

I recommend that the Board of Selectmen discuss the information provided above and offer some guidance to both the Fire Department and the Parks and Recreation Department on the future of the fire tower. While their interests are different both Departments have legitimate concerns.

Should the Board vote to renovate the tower they need to determine how to fund the structural analysis and the renovation. Should they elect not to move forward with the renovation the tower should be taken down and removed from the summit. This too will require funding.

PROPOSED MOTION:

*None at this time*

FISCAL IMPACT: Unknown

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY:

*Michael Sullivan*

REVIEWED BY:

*[Signature]*

THIS INDENTURE, made the fifth day of May in the year of our Lord one thousand nine hundred and eighty-one

WITNESSETH, that the Town of York, Maine, does hereby lease, demise, and let unto the State of Maine (Department of Conservation, Bureau of Forestry) as much of the top of Mt. Agamenticus in the Town of York, County of York, and the State of Maine, as may be necessary to maintain and operate the lookout station and Watchman's quarters situated at the north end of the Park Commission's utility building, located on the top of Mt. Agamenticus. Said station to be operated by the said Bureau of Forestry for fire detection and protection, together with the right-of-way across the property of said lessor for the purpose of foot travel and transportation by men and car of all materials necessary in the maintenance and operation of the above mentioned tower and quarters.

Said Watchman's quarters to be kept painted and in repair, and that said premises in and about said building should be kept neat and free from unsightly material of any kind.

This lease is made subject to any and all existing mortgages or other liens against the premises on which said tower and Watchman's quarters stand.

TO HOLD for the term of five (5) years from the first day of May, one thousand nine hundred and eighty-one, yielding and paying therefore the rent of one (\$1.00) dollar per annum for said lookout station and Watchman's quarters.

Lessor to pay all taxes on the land. Lessee shall not sublease any portion of the lease premises without the express written consent of the Lessor.

If Lessee elects to abandon Watchman's service, fire lookout tower shall become the property of the Lessor.

It is further and mutually agreed that the Lessee shall have the option to extend this lease for a further term of five (5) years under the same terms and conditions.

Dated at York, Maine this Ninth day of November 1981.

TOWN OF YORK, MAINE

BY *Carl C. Boyer*

Department of Conservation  
Bureau of Forestry

*Approved as to form*  
*Paul G. [Signature]*

**APPROVED**  
APR 1 1982  
BUREAU OF PUBLIC IMPROVEMENTS  
Director

BY *Kenneth G. Stratton*  
Director, Bureau of Forestry

*[Signature]*  
Director, Bureau of Public Improvements

ADDENDUM TO LEASE

between

TOWN OF YORK

and

STATE OF MAINE, DEPARTMENT OF CONSERVATION

BUREAU OF FORESTRY

The undersigned parties to the lease between the Town of York, County of York, State of Maine, and the State of Maine, Department of Conservation, Bureau of Forestry, whose address is Station #22, State House, Augusta, County of Kennebec, State of Maine, having executed an agreement dated the 9th day of November 1981, for certain rights to a lookout station and watchman's quarters on top of Mt. Agamenticus, do hereby agree to include, as part of that lease, the following:

LIMITATION: This lease is made subject to available budgetary appropriations and shall not create any obligations on behalf of the Department in excess of such appropriations. In the event that the amount of funds appropriated is such that the Department must terminate or restrict its lookout station and watchman's quarters, this lease shall be terminated thirty (30) days after written notification from the Lessee to the Lessor.

Dated at York, Maine this ninth day of March 1982.

TOWN OF YORK

BY

[Signature]  
Chairman, Board of Selectmen

Chairman, Board of Selectmen

Title

[Signature]  
Witness

DEPARTMENT OF CONSERVATION

BY

[Signature]  
Director, Bureau of Forestry

Director, Bureau of Forestry

STATE OF MAINE  
YORK, SS

Personally appeared the above-named Town of York and acknowledged both the foregoing instrument and the lease to which this instrument refers, to be their own free act and deed. Subscribed and sworn before me this ninth day of March 1982.

APPROVED AS TO FORM 3/23/82

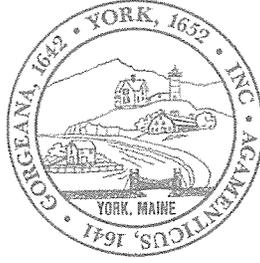
[Signature]  
Assistant Attorney General

MY COMMISSION EXPIRES 3/9/86

[Signature]  
Notary Public, ~~JUSTICE OF THE PEACE~~

APR 1 1982

[Signature]  
Leighton Cooney, Director  
Bureau of Public Improvements



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 11, 2015

ACTION

DATE ACTION REQUESTED: November 16, 2015

DISCUSSION ONLY

SUBJECT: Legal training policy

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** Several months ago it was suggested to the Board that the Charter should be amended to insert a requirement for periodic legal training for various boards that have decision-making authority (Board of Appeals, Planning Board, HDC, etc.). The basic thought being offered is to institutionalize the offering of legal training for board and committee members twice annually, and to require or strongly encourage attendance. The difficulty comes when a member can't or won't attend such training – would there really be sanctions imposed on volunteers? If so, what would they be? We have the capability of recording the trainings and making the recordings available for those who miss the training, so there are a number of possibilities here.

A minor amendment of the Charter is certainly possible for this purpose, and I have received draft language from the proponent of this policy change. This could also be approached as a new Selectmen's Policy if the Board is so inclined. A Selectmen's Policy would be a quicker, easier way forward, but is somewhat less forceful. I do like the idea of institutionalizing this training, though. It's good for our organization to make this ongoing investment, and the service is provided pro bono from our Town Attorney's office.

**RECOMMENDATION:** I seek general direction from the Board and will bring back specific recommendations once the overall direction is set.

**PROPOSED MOTION:** none at this time.

Prepared by Stephen H. Burns, Town Manager:



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 11, 2015	<input type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input checked="" type="checkbox"/> DISCUSSION ONLY
SUBJECT: FY17-21 Capital Program Update	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: This will just be a brief update to the Board and public about the status of work on the FY17-21 Capital Program. I am not looking for any action of the Board at this point.

Attached is a series of tables that represent the capital program tables as they exist today. These are still rough and incomplete, but do include the current requests. The most notable change from last year is the portion of the tables to the right side of the page – the five columns of annual cost. In addition to our traditional look at the total cost per year of capital purchases, these new columns allow us to see what the payments will look like, eventually including all the current bond payments as well. These columns will allow us to look for a more stable impact to the taxpayers across the years.

The Capital Planning Committee has met several times now and has received and reviewed new or revised requests for capital acquisitions. The last of the new requests will be reviewed on Thursday, November 19th. At that time we'll also begin a discussion of the merits of the requests and will start thinking about changes. I remain optimistic that we will be able to finalize a recommendation at our December 10th meeting, and you will have a recommended Capital Program in hand for your meeting of December 14th.

RECOMMENDATION: n.a.

PROPOSED MOTION: n.a.

PREPARED BY: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_

**APPENDIX A**

**FY17-21 Capital Program Table**

REVISED: November 10, 2015

All acquisition costs rounded to the nearest \$1,000.

Capital: cost of \$20,000 or more and useful life of 3+ years, and all licensed motorized vehicles

Ann Int. Rate  
2.50%

Item	Current Cost to Replace	FY Requested	Finance Method	Years Financed	Total Cost					Annual Cost					
					FY17	FY18	FY19	FY20	FY21	FY17	FY18	FY19	FY20	FY21	
Village Fire - Engine 6; American LaFrance Pumper	\$25,000	2017	-												
Village Fire - Tank 4; Mack Tank Truck	\$10,000	2017	-												
Village Fire - something to replace the 2 trucks above	655,000	2017	Bond	20	655,000						\$49,125	\$48,306	\$47,488	\$46,669	
Beach Fire - Rescue 3; GMC	30,000	2017	YBFD Funds		0										
Beach Fire - Rescue 1; GMC	200,000	2019	Bond	10			200,000						\$25,000	\$24,500	
Beach Fire - Engine 3; E-1	450,000	2020	Bond	15				450,000						\$41,250	
Parks & Rec - Chevy 3500 Pick-up Truck	56,000	FY17	bond	5	56,000						\$12,600	\$12,320	\$12,040	\$11,760	
Parks & Rec - Ford F-350 Pick-up Truck	37,000	FY18	current year funding			37,000									
Parks & Rec - John Deere 4600 Utility Tractor	40,000	FY18	current year funding			40,000					\$40,000				
Parks & Rec - Ford Ranger Pick-up Truck	28,000	FY21	current year funding						28,000					\$28,000	
DPW - Plow Truck 06	163,000	FY17	bond	5	163,000						\$36,675	\$35,860	\$35,045	\$34,230	
DPW - Plow Truck 07	165,000	FY18	bond	5		165,000						\$37,125	\$36,300	\$35,475	
DPW - Plow Truck 08	165,000	FY19	bond	5			165,000						\$37,125	\$36,300	
DPW - Plow Truck 09	165,000	FY20	bond	5				165,000						\$37,125	
DPW - Plow Truck 10	165,000	FY21	bond	5					165,000						
DPW - One-Ton Dump 04	85,000	FY17	bond	5	85,000						\$19,125	\$18,700	\$18,275	\$17,850	
DPW - Backhoe 86	148,000	FY17	bond	5	148,000						\$33,300	\$32,560	\$31,820	\$31,080	
DPW - Loader 88	158,000	FY18	bond	5		158,000						\$35,550	\$34,760	\$33,970	
DPW - 1 1/2 Ton Dump 05	59,000	FY18	bond	5		59,000						\$13,275	\$12,980	\$12,685	
DPW - 4WD Pick-up Truck 06	45,000	FY18	current year funding			45,000					\$45,000				
DPW - 4WD Pick-up Truck 07	48,000	FY19	current year funding				48,000					\$48,000			
DPW - Trackless Sidewalk Tractor 04	125,000	FY19	bond				125,000							\$28,125	
DPW - Wheeler 01	129,000	FY20	bond	5				129,000						\$29,025	
DPW - Wheeler 17	225,000	FY17	bond	10	225,000						\$28,125	\$27,563	\$27,000	\$26,438	
DPW - 4WD Pick-up Truck 08	50,000	FY20	current year funding					50,000						\$50,000	
Code Enforcement - car #1 (primary inspection vehicle, preferably truck)	20,000	FY18	current year funding				20,000					\$20,000			
Code Enforcement - car #2 (fuel-efficient car)	25,000	FY21	current year funding						25,000					\$25,000	
Town Hall vehicle (hybrid car)	24,000	FY17	current year funding		24,000						\$24,000				
School Vehicle - Ford Expedition #1	35,000	FY17	short term loan/operating	3		35,000						\$12,542	\$12,250	\$11,958	
School Vehicle - Ford Expedition #2	34,000	FY20	short term loan/operating	3				34,000						\$12,133	
School Vehicle - new 8 passenger van	34,000	FY17	short term loan/operating	3	34,000						\$12,183	\$11,900	\$11,617	\$11,333	
Police fleet account	78,000	each year	current year		78,000	78,000	78,000	78,000	78,000	78,000	\$78,000	\$78,000	\$78,000	\$78,000	
<b>Vehicles Subtotal</b>					<b>1,468,000</b>	<b>637,000</b>	<b>616,000</b>	<b>906,000</b>	<b>296,000</b>		<b>102,000</b>	<b>411,133</b>	<b>411,700</b>	<b>497,824</b>	<b>612,331</b>

**PROPERTIES**

Property	Current Cost to Replace	FY Requested	Finance Method	Years Financed	Total Cost					Annual Cost					
					FY17	FY18	FY19	FY20	FY21	FY17	FY18	FY19	FY20	FY21	
Superintendent's Office															
Superintendent's Roof	\$175,000	FY17	bond	10	175,000							\$21,875	\$21,438	\$21,000	\$20,563
Coastal Ridge Elementary School															
Playground Equipment	95,000	FY17	bond	5	95,000							\$21,375	\$20,900	\$20,425	\$19,950
York Middle School															
YMS Roof	\$220,000	FY19	bond	15			220,000							\$20,167	\$19,800
YMS Flooring	\$350,000	FY19	bond	15			350,000							\$32,083	\$31,500
York High School															
YHS Alternative Education Space	\$245,000	FY17	bond	10	245,000							\$30,625	\$30,013	\$29,400	\$28,788
YHS Field House	\$500,000	FY18	bond	20		500,000							\$37,500	\$36,875	\$36,250
Town Hall															
Town Hall Expansion	\$3,000,000	FY19	bond	20			3,000,000							\$225,000	\$221,250
Acquire the Hodgkin Parking Lot	\$325,000	FY17	bond	15	325,000							\$29,792	\$29,250	\$28,708	\$28,167
Goodrich Park & Grant House															
Grant House Repairs and Maintenance	\$45,000	FY17	current year		45,000							\$45,000			
Universal Trail Development	\$75,000	FY21	bond	5					75,000						
Acquire MDOT's Route One Maintenance Facility	?	FY17	bond	20 ?											
Mount Agamenticus															
Mt. A Parking Lot Design	\$35,000	FY17	current year		35,000							\$35,000			
Mt. A Parking Lot Construction	\$100,000	FY19	bond	5		100,000							\$22,500	\$22,000	\$21,500
Cape Neddick Light Station															
Exterior Repairs/Maintenance of the Lighthouse	\$75,000	FY17	Sohier Park Enterprise Fund		0							\$0			
Bog Road Fields															
Bog Road Fields Maintenance Building	\$114,000	FY17	bond	5	114,000							\$25,650	\$25,080	\$24,510	\$23,940
Witchtot Road Transfer Station															
Solar Farm	\$800,000	FY18	lease/purchase				0								
Land															
York Land Trust - Assistance with Fuller Forest Purchase	\$300,000	FY17	bond	10	300,000							\$37,500	\$36,750	\$36,000	\$35,250
Davis Property	uncertain	FY18	uncertain												
Open Space Acquisition	\$600,000	multiple	current year					200,000	200,000	200,000			\$200,000	\$200,000	\$200,000
<b>Properties Subtotal</b>					<b>1,334,000</b>	<b>600,000</b>	<b>3,770,000</b>	<b>200,000</b>	<b>275,000</b>		<b>\$80,000</b>	<b>\$166,817</b>	<b>\$423,430</b>	<b>\$696,168</b>	<b>\$686,957</b>

**ROADS & UTILITIES**

Item	Current Cost to Replace	FY Requested	Finance Method	Years Financed	Total Cost					Annual Cost						
					FY17	FY18	FY19	FY20	FY21	FY17	FY18	FY19	FY20	FY21		
Road and Sidewalk Reconstruction - York Village	\$400,000	FY17	bond	5	400,000								\$90,000	\$88,000	\$86,000	\$84,000
Underground Utilities in York Village	\$1,000,000	FY17	bond	20	1,000,000								\$75,000	\$73,750	\$72,500	\$71,250
LED Streetlight Conversion	\$450,000	FY17	lease/purchase (net \$0 cost)		0						\$0					
Bell Marsh Road Improvements	\$300,000	FY18	bond	10		300,000							\$37,500	\$36,750	\$36,000	
Expansion of Utilities in the Growth Area																
FY18 Expansions	\$1,000,000	FY18	bond	20		1,000,000							\$75,000	\$73,750	\$72,500	
FY19 Expansions	\$1,000,000	FY19	bond	20			1,000,000							\$73,750	\$72,500	
FY20 Expansions	\$1,000,000	FY20	bond	20				1,000,000							\$72,500	
FY21 Expansions	\$1,000,000	FY21	bond	20					1,000,000						\$71,250	
Nubble Road Sidewalk Study	\$75,000	FY18	current year			75,000						\$75,000				
Sidewalks (Woodbridge, Ridge Road, Webber Road, Beacon St.)																
design	\$35,000	FY18	current year			35,000						\$35,000				
construction	\$350,000	FY20	bond	10				350,000						\$43,750		
Road Reconstruction - placeholder																
FY20 Road Reconstruction	\$500,000	FY20	bond	10				500,000						\$62,500		
FY21 Road Reconstruction	\$500,000	FY21	bond	10					500,000							
York Village - Trails and Paths	\$100,000	FY21	bond	5										\$100,000		
<b>Roads &amp; Utilities Subtotal</b>					<b>1,400,000</b>	<b>1,410,000</b>	<b>1,000,000</b>	<b>1,850,000</b>	<b>1,600,000</b>		<b>\$0</b>	<b>\$275,000</b>	<b>\$274,250</b>	<b>\$344,000</b>	<b>\$518,750</b>	

**EQUIPMENT & OTHER**

Item	Current Cost to Replace	FY Requested	Finance Method	Years Financed	Total Cost					Annual Cost						
					FY17	FY18	FY19	FY20	FY21	FY17	FY18	FY19	FY20	FY21		
Town IT Infrastructure - second year	\$210,000	FY17	bond	3	210,000								\$75,250	\$73,500	\$71,750	
Town IT Infrastructure - third year	\$70,000	FY18	bond	3		70,000								\$25,083	\$24,500	\$23,917
Town Financial Software - Research	\$45,000	FY17	current year		45,000							\$45,000				
Town Financial Software - Purchase	\$250,000	FY18	short term loan	5		250,000							\$6,250	\$5,000	\$3,750	
Beach Fire - Cascade System (re-fills air tanks)	\$25,000	2021	current year						25,000					\$25,000		
Harbor Master - big boat	\$100,000	FY														



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 9, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Release of Letter of Credit: 1950 US Route 1	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The owner of York-Ogunquit Storage Solutions, located at 1950 US Route 1 has asked that the Town release the letter of credit obtained as a performance guarantee on the construction at this location. Their engineer, Lewis Chamberlain, P.E. of Attar Engineering, Inc. has submitted a letter attesting to the completion of this project. Code Enforcement has issued a final occupancy permit.

RECOMMENDATION: The board authorize release of the letter of credit.

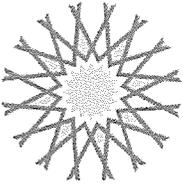
PROPOSED MOTION: Move to release the letter of credit for the York-Ogunquit Storage Solutions project.

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

PREPARED BY: Scott Hastings, Assistant Town Planner REVIEWED BY: 



# ATTAR

ENGINEERING, INC

CIVIL - STRUCTURAL - MARINE

**DESIGN ENGINEER OBSERVATION SERVICES  
PHASE III SITE CONSTRUCTION  
YORK-OGUNQUIT STORAGE SOLUTIONS  
1950 U.S. ROUTE 1, CAPE NEDDICK, MAINE**

**Final Report – 2015**

**Introduction**

Lewis Chamberlain, P.E. of Attar Engineering, Inc. accomplished a final construction observation on October 16, 2015 for all site construction associated with the Phase III construction at the above referenced location. The construction was observed to be in general agreement with the plans "Site Plan Amendment #2, York Storage Solutions, 1950 U.S. Route 1, York, Maine" prepared by Attar Engineering, Inc. with the following exceptions.

- The segmental retaining wall at the west end of the site has been replaced with a single-course boulder wall with our approval.
- The perimeter fence in the Phase III section has not yet been installed.

Representative photographs of the site follow.

Please contact me for any additional information or clarifications required.

Sincerely,

Lewis Chamberlain, P.E., ME TPI #76

cc: Town of York (CEO): [aharrison@yorkmaine.org](mailto:aharrison@yorkmaine.org)  
Town of York: [knewell@yorkmaine.org](mailto:knewell@yorkmaine.org)  
Arenhall Corporation: [jonathan@arenhallcorp.com](mailto:jonathan@arenhallcorp.com)

C062-15\_3P\_SITEINSP\_final.doc

**Photographs**

**July 21, 2015**



**Pond 60- Vegetation Established**

**October 23, 2015**



**West End Grading/ Retaining Wall**



**Rip Rap Stabilization – North Side Bldg B**



## Melissa M. Avery

---

**From:** Scott Hastings  
**Sent:** Friday, November 13, 2015 9:44 AM  
**To:** Stephen H. Burns  
**Cc:** Melissa M. Avery  
**Subject:** York Storage Solutions Performance guarantee

Hello,

I followed up with the owner of York Storage Solutions and the perimeter fence that was not installed as of the time of the engineers letter has since been installed.

-Scott

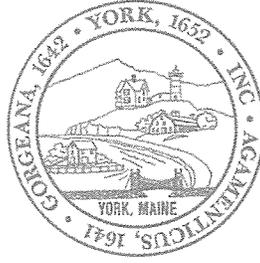
Scott Hastings  
Assistant Planner  
Town of York, Maine  
[shastings@yorkmaine.org](mailto:shastings@yorkmaine.org)  
207-363-1007

---

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact [town@yorkmaine.org](mailto:town@yorkmaine.org). This footnote also confirms that this email message has been checked for the presence of computer viruses.

---

CONFIDENTIALITY: The information contained in this electronic mail message and any electronic files attached to it may be confidential information, and may also be the subject of legal professional privilege and/or public interest immunity. If you are not the intended recipient you are required to delete it. Any use, disclosure or copying of this message and any attachments is unauthorized. If you have received this electronic message in error, please inform the sender or contact [town@yorkmaine.org](mailto:town@yorkmaine.org). This footnote also confirms that this email message has been checked for the presence of computer viruses.



## REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: November 13, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: November 16, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Historic District Commission Appointment	

**DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:** There is an application for membership currently in front of the Board for consideration of membership to the Historic District Commission from Jeffery Choate. The Historic District Commission is comprised of 5 Regular Members and 1 Representative of each of the three districts. Mr. Choate resides in the Harbor District and there is currently a Harbor District Representative Member vacancy.

The Bicycle and Pedestrian Committee as it currently stands:

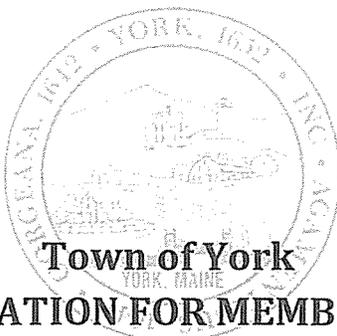
Robert Cutts	6/30/2016
Kurt Hultstrom	6/30/2018
Frederick Scott Stevens	6/30/2018
Jon Powers	6/30/2016
Kent White	6/30/2017
(Vacant) - LINDSAY ROAD	
(Vacant) - HARBOR	
(Vacant) - VILLAGE	

**RECOMMENDATION:** Appoint Jeffery Choate as the Harbor District Representative to the Historic District Commission, with the standard 3 year term.

**PROPOSED MOTION:** I move to Jeffery Choate as the Harbor District Representative to the Historic District Commission, with a term expiring June 30, 2018.

PREPARED BY: \_\_\_\_\_ REVIEWED BY: \_\_\_\_\_

Melissa M. Avery, Assistant to the Town Manager



Town Manager's Office 363-1000  
 Finance Office 363-1004  
 Facsimile 363-1009/363-1019

Community Development 363-1002  
 Planning Department 363-1007  
 Town Clerk/Tax Collector 363-1003

## Town of York

### APPLICATION FOR MEMBERSHIP

Town Boards, Committees and Commissions

| PLEASE FILL OUT AND RETURN TO THE TOWN MANAGER'S OFFICE |

Name: Jeffrey Choate Date: \_\_\_\_\_

Physical Address: 9 Varrell Lane, York. \*Harbor Historic District

Mailing Address: 27-1 Wright Road, Hollis, NH 03049

Home Telephone: 603.336.3632 Mobile Telephone: 603.305.9916

Email: choate.ja@gmail.com State of Residency: NH (presently)

Why do you wish to serve? I am in the process of restoring a historic home in York Harbor, and when finished it is my intention to make the home our primary residence. As such I would like to get involved with the local town government. I feel that being an owner of a historic property in one of the town's historic districts puts me in a unique position to serve the town and represent the other owners of historic properties in my neighborhood. I am also interested in learning more about restoration of historic properties combined with the codes and energy guidelines of today.

Why expertise can you provide? I am performing most all of the renovation myself and as such am quite familiar with the restoration of historic windows, doors, foundations and structures. I am also very technically literate if the commission needed assistance with technical issues.

PLEASE CHECK THE BOARD(S), COMMITTEE(S) OR COMMISSION(S) YOU WISH  
 TO APPLY TO FOR MEMBERSHIP CONSIDERATION:

<input type="checkbox"/> Appeals Board	<input type="checkbox"/> Parks and Recreation Board
<input type="checkbox"/> Assessment Review Board	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Cable TV Regulatory Commission	<input type="checkbox"/> Senior Citizens Advisory Board
<input type="checkbox"/> Conservation Commission	<input type="checkbox"/> Shellfish Conservation Commission
<input type="checkbox"/> Energy Efficiency Steering Committee	<input type="checkbox"/> Sohier Park Committee
<input type="checkbox"/> Harbor Board	<input type="checkbox"/> York Harbor Site Design Review Board
<input checked="" type="checkbox"/> Historic District Commission	<input type="checkbox"/> York Housing Authority
<input type="checkbox"/> Municipal Social Services Review Board	<input type="checkbox"/> Other:

BELOW IS FOR OFFICE USE ONLY

Received Date: \_\_\_/\_\_\_/\_\_\_ Received By: mmavery

Interview Date: \_\_\_/\_\_\_/\_\_\_ Appointment Date: \_\_\_/\_\_\_/\_\_\_

## ARTICLE TWELVE

## HISTORIC AND ARCHEOLOGICAL RESOURCES

AMENDED 5/17/2008

## 12.1 Definitions

Words and terms used in this chapter are defined as follows. Any word or term not defined below shall take on the meaning found in Article 2 of this Ordinance.

**ALTERED:** the word altered includes "rebuilt," "reconstructed," "rehabilitated," "restored," "removed," and "demolished."

**CONSTRUCTED:** the word constructed includes the words "built," "erected," "enlarged," "installed," and "moved."

**DEMOLITION:** the razing of any exterior architectural feature or structure that is a historic landmark or in a historic district. For buildings not designated as a historic landmark or not in a historic district, demolition shall be defined as the razing of a building. **AMENDED 5/17/2008**

**ERECTED:** the word erected includes the words "built," "constructed," "reconstructed," "rehabilitated," "restored," "altered," "enlarged," and "moved."

**EXTERIOR ARCHITECTURAL FEATURE:** the architectural style and general arrangement of the exterior of a building or structure, including, but not limited to, (a) the kind, roof color, and texture of the building materials, (b) the type and style of all windows, doors, lights, dormers, gable cornices, porches, decorative trim, etc., and (c) the location and treatment of any vehicular access or parking space.

**IMPROVEMENT:** any place, structure, building, fixture, object, landscape, or topographic feature, which in whole or in part constitutes an exterior betterment, adornment, or enhancement or any real property.

**MATERIAL:** a substance or substances out of which a building or structure is constructed.

**STRUCTURE:** a combination of materials other than a building, including, but not limited to walls, fences, walks, parking lots or driveways.

## 12.2 Creation and Organization of Historic District Commission

## 12.2.1 Members

12.2.1.1 The Historic District Commission shall consist of five (5) regular members, and as many associates as there are districts. The members shall be York residents. Appointments shall be made by the Selectmen. Members shall be selected on the basis of demonstrated interest, ability, experience, and the desire to promote historic preservation in the Town. As far as possible, the membership shall include a member with architectural design skills and a representative of the Old York Historical Society.

12.2.1.2 All members, regular and associate, shall attend a yearly training seminar in architectural history and preservation standards as prescribed by the Selectmen in conjunction with the Maine Historic Preservation Commission.

12.2.1.3 **Regular Members:** Two (2) members of the Historic District Commission shall be initially appointed to serve terms of three (3) years; two (2) shall initially be appointed to serve terms of two (2) years, and the remaining member shall be appointed to serve a term of one (1) year. All appointments thereafter, shall be for a term of three (3) years; except in those instances in which the appointment is made to fill a vacancy in an unexpired term, in which case the appointment shall be made for the remainder of the unexpired term. The Selectmen shall act within sixty (60) days to fill a vacancy, including expired terms.

12.2.1.4 **Associate Members:** Each district shall be represented on the Historic District Commission by a resident of the district who shall be an associate member. Associate members shall serve until replaced or appointed as a regular member. They shall participate in all hearings and discussions. They shall vote only if: a) the application involves

property in their district; b) the Chairman appoints an associate to act in place of a regular member who is absent or had been disqualified from participation because of conflict of interest. Once appointed, the associate shall act as a voting member until the application has been approved or denied.

12.2.1.5 In addition to regular and associate members the Selectmen shall appoint other persons, not necessarily residents of the Town of York, who shall serve in an advisory or consultant basis to assist members of the Historic District Commission in the performance of their function. Advisory or consultant members shall participate in all hearings and discussions, but they shall not be voting members. They shall serve during the pleasure of the Historic District Commission.

12.2.1.6 Any regular or associate member may be removed for cause by the Selectmen upon written charges and after a public hearing.

12.2.1.7 Regular and associate members shall serve without remuneration. Members shall continue in office after the expiration of their terms until their successors are duly appointed and qualified.

#### **12.2.2 Election of Officers**

The Historic District Commission shall annually elect a chairman, vice-chairman, and secretary from its membership. The annual organizational meeting shall be the first regular meeting of the calendar year.

#### **12.2.3 Officers**

12.2.3.1 The Chairman shall preside at all meetings and hearings of the Historic District Commission, and has the authority to appoint committees, to call work sessions, and to preside over executive sessions.

12.2.3.2 The Vice-Chairman shall act for the Chairman in his absence.

12.2.3.3 The Secretary shall: Keep complete and accurate minutes and records of Historic District Commission meetings; prepare agendas of regular and special meetings with the Chairman; provide notice of meetings to Historic District Commission Members; arrange proper and legal notice of hearings; attend to all correspondence of the Historic District Commission and to other duties normally carried out by a Secretary. The Secretary shall keep a complete and accurate record of all resolutions, transactions, correspondence, findings and determinations of the Historic District Commission and shall maintain attendance records, resumes of Historic District Commission Members, and appointments of Historic District Commission Members. All records shall be deemed public and may be inspected at reasonable times.

#### **12.3 Duties, Functions, and Powers of the Historic District Commission**

The Historic District Commission shall have the following duties, functions, powers:

12.3.1 To assist, advise, and educate owners of historic structures, buildings, or sites, and various departments of the Town of York, on physical and financial aspects of preservation, renovation, rehabilitation, and reuse.

12.3.2 To assist and advise, and educate owners in complying with the requirements of this Article to the extent possible under funding available to the Historic District Commission.

12.3.3 To work to provide continuing education on historic preservation issues to local citizens.

12.3.4 To process applications for Certificates of Appropriateness and Certificates of Demolition.

12.3.5 To serve an advisory role to local government officials regarding local and cultural resources, and act as liaison between local government and those persons and organizations connected with historic preservation.

12.3.6 To make recommendations for establishing and/or revising historic districts, historic landmarks, or historic sites, to the Selectmen, in accordance with the procedures detailed in Section 12.5.