

York Planning Board
Thursday, September 26, 2013, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum, Appointment of Alternates

Chairman Todd Frederick called the meeting to order. A quorum was determined with five people voting: Chairman Todd Frederick; Board Secretary Lew Stowe; Al Cotton, Jr.; Brud Weger; and Peter Smith. Alternate Peter Smith was assigned as a full voting member. Christine Grimando, the Town Planner, represented staff. Patience Horton took Minutes.

Public Input

Tim Miles owns York Automotive on Route 1, behind Hap Moore Antiques, in the old Chevrolet building. He's been at that location for seven years, and in York for about 25 years, servicing vehicles. He recently purchased the Elks property, 995 U.S. Route 1, across from the Lobster Barn. At Town Hall, he found he was not permitted to put his type of business there. The Elks gave the money back and the deal ended.

He wants to go ahead and put a building on that land. It would be about 12,000 square feet holding four businesses, a primitive antique shop in the front for his wife, a wood-working shop for his son, the other storefront for a renter, and his own business in the back. He builds muscle cars. He services vehicles for York Hospital, York Water, York Sewer, Eldridge, Stonewall, and others.

The zoning is Route 1-2. To build his building on the property, the zoning would have to change. There are similar businesses in the area, Anderson's Body Shop, Hawk Brothers, and Abbott Brothers, which has big trucks and a big building, he said.

Christine Grimando said the auto body repair and service garages are not allowed in Route 1-2. The more intensive businesses like repair shops are in the central Route 1-3 zone. Moving out to the northern and southern ends, the area becomes more "pastoral," and Route 1-2 zoning reflects that.

Brud Weger suggested looking at any radius of the parcel to get some sense of what the current land uses are. Maybe a site walk would be appropriate. Christine said that she could pull what current land uses are within the radius.

Christine told Tim Miles that the Board is going to discuss his request and decide if it could be treated as an ordinance change. The earliest referendum would be May 2014. He said that timing fits into his current lease and building schedule.

Minutes

The August 22, 2013 minutes were not discussed. The Board opted to review those minutes at the October 10, 2013 meeting.

Field Changes

There were no field changes.

New Business

- **Planning Board Workshop on 2014 Amendment and Policy Goals**

Town Planner Christine Grimando said the Board should look ahead to the 2014 docket. There is a general list of things the Board should work on, per Steve Burns. In general, the items on this list are November amendments, she said. She does not work on the May initiatives. Steve Burns does. She described the Board's goals.

The Comp Plan

The Comp Plan is the central focus of the Planning Board's work.

York Village future land use

Funds will be delegated to the York Village Subcommittee for monument and sidewalk design, when ready. The subcommittee has been granted sums for its public outreach website, yorkvillage.org. The Board of Selectmen has been approached about having engineered drawings done.

Peter Smith said the mission statement of the committee is to establish an infrastructure that supports beautification and development of the Village area, including sidewalks and roadways. If power lines are moved out of sight by running them behind buildings, there will have to be easements. That will affect the property owners, but other than that, there's no talk about anything that would relate to zoning, said Peter Smith. Christine Grimando said, "Not yet."

Comp Plan Amendment No. 319 is an amendment that would be adopted by the voters. It is a Cape Neddick watershed plan to get EPA and State funding for watershed initiatives.

The impervious grassy paver standards have to be developed. How can we get better incentives for lower impact development? How do we improve our impervious standards to allow for other materials?

Define approval for Town exempt towers

This is a small ordinance, Christine said.

The watershed protection overlay density amendment is almost completely written. Water District director Don Newman has information to add to the discussion.

FEMA's new floodplain maps have been expected for the last three years. If they actually release the maps, we have to adopt zoning ordinances, Christine said. Consider this a placeholder.

Parking standards for the Village are small and relatively easy, but important. These small lots with buildings on them can never meet the parking standards we have. The current standards have a large, big lot suburban standard without any consideration that there are street parking spaces and some public spaces.

The two biggest problems

Impervious surface standards and **rezoning the Village**. Christine Grimando said the Village Subcommittee has recommended the village be rezoned. It doesn't have to be done in the same year. It doesn't have to be in 2014. How do we get things done? Do we apply for grants? Do we have some of our application reviews done third party?

Other things that are important include additional cluster and conservation standards and other ways to protect unfragmented blocks and large plots of land. This could include transfer of development rights.

Green enterprise was put off last year. There may be valid zoning changes, and it is possible that the Board's strategy might lead to having a subcommittee.

Use of dimensional standards in the GEN zone. There are a couple of big blanket zones. They are a "sloppy way" to zone so much land area. We need to break them up. It is a big goal. She said this kind of work is more fun.

There is a bicycle/pedestrian plan under way. There is an advocacy group working on the project. They are making progress on a master plan that looks at key destinations and the question, how do we get there?

In General Discussion

Todd Frederick said that some of the Board's successes have been with the assistance of subcommittees.

Al Cotton said the infrastructure of the flooding area behind Long Sands is a huge problem. Nobody really knows where to start. Christine Grimando said there are guidelines around Sea Level Rise that give some direction to that. Maps of areas like that are not always clear. There are places we know that flood and are not on the Flood Zone Map.

There are some grant programs for community rezoning projects, she said. The Orton Foundation is interested in stopping sprawl. Christine described as herself as the subgroup for Form Based Codes.

Peter Smith brought up the possibility of having the applicant pay for a third party review. It would relieve the Town Planner's time to do what the Board would otherwise have to get grants for. It shifts the financial burden.

- **The Cape Neddick River Report**

Christine said that we are still working on the new Comp Plan Watershed Amendment 319. The Board recently received copies of it. The 319 Watershed Plan is a civil plan that EPA will recognize.

Other Business

Upcoming Meeting Agenda

2013/2014 Schedules

Town Planner Christine Grimando reviewed the applications coming in the near future and the meeting schedule for the next year.

In discussion

Lew Stowe said the applicant who recently handed in important information three hours before the meeting did not understand the Board's procedure. Christine Grimando said the applicant can be heard in that event, but the Board should not recommend approval. Applicants come before the Board to show progress. Al Cotton said the problem could be eliminated by saying in advance that if the applicant does that, the Board won't hear it.

Planning Board Bylaws

Chairman Todd Frederick explained that former Board-member David Woods was recently nominated as Vice Chairman, but then was not reappointed by the Selectmen. The reappointment decision wasn't timely. Now we have no Vice Chair. The Planning Board bylaws do not address this.

Christine Grimando had handed out new language for the bylaw that would solve the problem. Peter Smith offered the following changes in 2.3.1 and 2.3.2.

“Placement of officers shall be made from among the full voting members of the Board, at the meeting, and the election shall be held at the same meeting.”

Motion: Peter Smith moved that we have this wording added to the bylaws as amended today. There was no second.

In discussion, Christine read from the Planning Board bylaws that bylaws might be amended by majority vote at a regular scheduled meeting, when prior notice is given to the members. The Board has not had proper notice, she said. If the language is accepted at the next meeting, the election could take place at that same meeting.

Vote: The Chairman asked if there is a motion for the added bylaw language to go on the agenda of the next meeting. Peter Smith said, “There is.” Al Cotton seconded. 5-0

David Linney

Christine said that David Linney has invited the Planning Board and town staff out to his nursery to talk about planting requirements. When the Board requires this plant, it might not know how it looks like on the ground or in maturity. He thinks it best in the spring.

Todd Frederick said nothing has been heard about the **police station/connector road**.

Adjourn

9:15