

York Planning Board
Thursday, April 25, 2013, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum

Chairman Todd Frederick called the meeting to order. A quorum was determined with four people voting: Todd Frederick, Torbert Macdonald, Jr., Dave Woods, and alternate Brud Weger, who voted in place of Lew Stowe. Lew Stowe and Al Cotton, Jr. were absent. Christine Grimando, the Town Planner, represented staff. Steve Burns, the Community Development Director, described new amendments. Patience Horton took Minutes.

Public Input

Open to the public to address issue other than topics scheduled public hearings.

No one came forward to speak.

Field Changes

There were no field changes.

Minutes

Minutes the April 11, 2013 minutes were reviewed and corrections were requested.

Motion: Torbert Macdonald moved to approve the amended minutes of April 11, 2013. Dave Woods seconded the motion, which passed 4-0.

New business

Recently hired **CEO Amber Harrison** introduced herself. She transferred from the Kittery Code Office about a month ago, where she specialized in Shoreland zoning issues. Christine Grimando said Amber has a large workload that will include low impact development standards.

Workshop on amendment topics

KACTS—Comprehensive Plan

The Kittery Area Comprehensive Transportation Study is called KACTS. York, Kittery, Eliot, Berwick, and South Berwick comprise the group. It is the mechanism for federal funding for state and local road planning and infrastructure in the urbanized area. The study was triggered by the 2010 census. Christine Grimando said that attendees at the initial, recent meeting included planners, public works directors, and a representative of the Southern Maine Regional Planning Commission. A representative from the State was at the meeting. A trolley company was the sole private transportation provider present. Public outreach is a mandate of KACTS.

Torbert Macdonald said a transit depot on Route One at the green zone would encourage people to arrive at the Beach without their automobiles. Todd Frederick said that making a connection with the C&J bus system in Portsmouth could be worth looking into. Torbert said sidewalks and bicycle trails could be integral to this.

Community Development Director Steve Burns said the State DOT puts 1% to 2% of all transportation costs into this local and regional planning process. Big cities get the “big scoop,” but small areas are well funded. The Boston to Portland train service is a result of this type of funding. It originated in Maine. He said he was MPO director for sections of New Hampshire, including Rochester and Plaistow, for six years. COAST public transportation in New Hampshire is funded through this directive, and the route came into Maine at one time.

The money has to funnel through the MPO, he said. To administer that, you have to be qualified and certified. A town can apply every two years for the projects they are seeking, if it is in the urbanized area. Projects are ranked for priority, and ranking is what drives the MPO decisions on funding projects. The key is to get on the list and go up the list.

Sea Level Rise—Comprehensive Plan

Steve Burns said that JT Lockman and Pete Slovinsky came up with the policy and inventory sea level rise draft amendment for the York Comp Plan in the final days of their work for Southern Regional Planning Commission. Their document largely had to be reformatted, and Steve wrote introductory paragraphs for all the sections.

Section 6.4.15 says we have data from Maine Geological Survey that is available in GIS format. The data indicates what happens when sea level comes up. You can look at what areas get isolated with different storm events with different sea level rise scenarios. For example, the storm events on the north shore of the Cape Neddick River, where Graystone Cottage is, can create an “island” on the landscape, as it did during the ’78 storm and since. It is critical for Emergency Response Planning to know the pattern of roads that will become underwater. By using these graphics, the Emergency Manager, in this case the Chief of Police, can study and integrate the information into the response plans.

Steve Burns went on to say that he believes that 50 to 100 years from now, Ridge Road will be the main road between the Village and the Beach. 1A will have breached regularly enough that it will have stopped connecting the two villages. The Comp Plan Inventory will include reference to the dune maps. Steve said that Pete Slovinsky, the State Geologist, has educational programs about sea level rise and how it will affect the Town of York. This is an opportunity for the Conservation Commission to get involved. Torbert Macdonald spoke of Cameron Wake, another good resource and member of the Kittery Conservation Commission. He can make charts and graphs available.

Seasonal Conversions

Christine Grimando said that right now, in most cases, if you have an existing, non-conforming lot that is empty, you could build on it. There is a dimensional required standard in 14.1.b, that incentivizes tearing down existing structures, because it is only on an empty lot you can build a house. There are seasonal dwellings that are built as year-round dwellings, and people leave them empty for the winter. Those homes are not considered year-round, and we don't permit them as such, she said. Section 14.1.a is about a seasonal dwelling being converted into a year-round dwelling. In order to do that, they must meet all current codes. With this, it is easier to tear down a building and build from scratch. Todd Frederick said there are homes built 100 years ago that are being torn down. It is important to find a way to save the houses and not have the cost to do so be so exorbitant to meet all the new standards.

Steve Burns said he wonders why we even have Article 14. You don't have to regulate seasonal conversions. You've got to have year-round water. The Water District takes care of that. You've got to have adequate septic, so that could be a standard. All this section says is "tear it down," so you'll have a vacant lot, and then you can do what you want. If you are going to do the seasonal conversion, you've got so many headaches, it's not going to be worth it.

Dave Woods said that if you have four cottages, you could turn them into four houses. With the seasonal status, all you have to do is have your water meter pulled three months of the year. It is that simple. Steve said that almost everyone dealing with seasonal conversion is either trying to get year-round water installed on their lot or down their road. Dave said that some have year-round water and they still have to pull their meter. Torbert said the restrictions on conversion were originally made because of fear that families are going to move in with kids and "blow out" the school system. We are the oldest state in the union, and our number one export is kids, he said. Steve Burns said the census shows that all-seasonal homes have increased by 1,000 in ten years, but the population of the Town has gone down.

Cluster Standards Update

Christine said the State mandates three possible phases that the planning board can use for application review: Sketch, Preliminary, and Final. Not all three have to be adopted and mandated by the Board. Others can be made available.

Todd Frederick said a pre-sketch plan could be available. The sketch review the board offers is nonbinding and optional at the discretion of the applicant. We could still have something else before that that would be a loose forum for the applicant to get by going before the board and asking questions. It would be a non-binding feedback session.

Christine said the Sketch Plan is a conceptual design phase. It is mandated for Cluster. A site visit is also mandated for Cluster, per MMA. At that point, things are not fully engineered and the board has a chance to give early feedback before anything is locked in. We could have another optional way, with a different name, for an applicant to get before us, she said.

Torbert read aloud from municipal regulations. He said that with Cluster, our criteria for a complete application should be an agreed-upon design for the site that fills the gap between the Pre-application, Sketch, and Preliminary. We wouldn't accept it as complete until there is an agreed-upon site design. The site walk is part of the Pre-application Sketch. Then it's up to the 7.6.1.b procedures, including plan for open space design. We and the Conservation Commission help them chose site design.

Brud Weger said the term "sketch" should still be used at that very first phase. There is a commonly understood meaning of that word in design circles. It is quick and easy and gives out the basic ideas of the plan.

On-Site Commercial Sign Requirement

Dave Woods said he has an easement for the sign at his car wash, and the sign is not on his property. Christine said the intent of the standard is to advertise the property on that property "within easements."

Farm Enterprise Overlay District Amendment

Christine Grimando said that qualified properties integrated in agriculture districts could have more mixed uses. Farms need to do other things with their products that are related to agriculture, but not necessarily related to crops. Another farm, Windswept Farm on Windswept Road, is asking to be added to the district.

Other Business

Check in on upcoming Police Station review interviews

After the April 26 meeting with the Selectmen, which was noted not to be a joint meeting, Town Manager Rob Yandow sent an email about the communications tower to Planning Board Chairman Todd Frederick, who forwarded it to all the Planning Board members.

Site walks for the **Sea Latch** and the **Ocean Walk** will be on Wednesday, May 8 at 1:00 and 2:30.

The interviews for the connector road/police station contract planner will be held from 3:30 to 6:30 on Thursday, May 2. They will be televised. Four teams of applicants will be coming in. They will have time slots. Brud Weger suggesting giving them the first 15 minutes of each interview for their presentations. Christine Grimando handed out proposals from each of the applicants to the board members.

Adjourn

Findings of Fact and Mylars for Styles Lane/Ridge Road Lot Line Adjustment

Motion: Dave Woods moved to direct the chairman to sign the Mylar and Findings of Fact for the Walter O. Woods application, Tax Map 94, Lot 84M, Map 32, Lot 3; Styles Lane/Ridge Road. Brud Weger seconded the motion, which passed 5-0.

9:30