

Lee Jay Feldman

From: Todd Frederick [tfreder2@maine.rr.com]
Sent: Sunday, June 01, 2014 2:31 PM
To: Lee Jay Feldman
Cc: Tom Manzi; mandrews@yorkmaine.org
Subject: Fw: Police Station/Connector Road Application

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Flag Status: Flagged

Hello Lee Jay:

For the application record. Please share with the other Board members.

Thank you.

Todd

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

From: Tom Manzi
To: tfreder2@maine.rr.com ; Mary Andrews
Cc: Robert Palmer ; rpalmer@maine.rr.com ; jspeers@yorkmaine.org ; Ron Nowell ; Cmacdonald10@maine.rr.com ; sburns@yorkmaine.org ; Laura Dolce
Sent: Sunday, June 01, 2014 12:53 PM
Subject: Police Station/Connector Road Application

York Planning Board Chair
Todd Fredrick
York Board of Selectmen
Mary Andrews

Dear Chairmen:

It was admitted by the SMRT agent engineer, on the Site Walk on Saturday May 31st, when asked: "Has the BoS seen, reviewed, and approved the Site Plan you are referring to on this site tour?" His response was: "**I don't know**"; witnessed by two dozen walkers, including Planning Board Members, the town manager; and two Selectmen, who were silent.

This same SMRT agent has said at the last Planning Board meeting that he represents the applicant, the town. The Chair of the Planning Board also referred to him as the **applicant's representative** when introducing him to the public. The town manager at a BoS meeting last winter, has

previously declared that he is not now or has ever been the Program Manager.

In the absence of the expired Building Committee, the Board of Selectmen according to the Town Charter, have the **final** responsibility for spending the warrant article authorized money and delivering what the voters voted for. How can a contractor agent of SMRT represent himself as representing the BoS, when the content of the application to the Planning Board has **not** been vetted by the Board of Selectmen?

The conclusion I offer is: the SMRT engineer is **not** a lawfully authorized agent by the owner (BoS) to represent the interest of the town of York voters and citizens. Therefore his agency is illegitimate and the application illegal.

I recommend that, honoring the PB Site Plan Regulations requiring that any application be presented by the owner or the owner's authorized agent, that the PB **table** the Police Station/Connector Road Application until the BoS has resolved the above legal issues.

a site walker,
respectfully,
Tom Manzi

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