

**York Planning Board
Thursday, August 11, 2011, 7:00 P.M.
York Public Library**

Call to Order, Determination of Presence of Quorum

Chairman Lew Stowe conducted this meeting. A quorum was determined with five people voting: Todd Frederick, Torbert Macdonald, Jr., Tom Manzi, Lew Stowe, and Dave Woods. The Planning Board's two alternates were present, Dave Glazebrook and Tom Prince. Town Planner Christine Grimando represented the York Planning Department, and Patience Horton took Minutes.

Public Input

There was no Public Input.

Field Changes

There were no field changes.

Minutes

The Minutes of July 28, 2011 were reviewed. Planning Board members requested corrections.

Motion: Todd Frederick moved to approve the July 28, 2011, Minutes as amended. Tom Manzi seconded the motion. The motion passed, 5-0.

Application Reviews and Public Hearings

Police Station and Access Road. 1051 US Route 1. Map & Lot 0094-0077. Sketch Review of proposed Police Department and access road.

Town Manager Rob Yandow said that, a year ago, the Town had purchased land from the Horne brothers and Donald Blinn for making a connector road between Route 1 and York Beach. Rob Yandow distributed a map showing wetlands, vernal pools, and the proposed roadway through that property, which would include a new police station. The location for the police station had not been exactly sited, but is generally understood.

Since the property was purchased, a Municipal Building Committee was formed. The Committee has worked with architects on conceptual designs for the police building. Voters approved both the police station and the connector road projects. The vote approving the police station was 1,438 to 951. The vote approving the connector road was 1,390 to 110. A subcommittee of the Municipal Building Committee took proposals

from construction managers. Of nine bids received, five were interviewed, and PC Construction was selected.

Andrew Johnston, Senior Civil Engineer with SMRT Inc., gave details as he pointed to features on the chart. He walked the Planners through the existing site conditions, including the location of Ridge Road, the CPM power easement, drainage features, and natural resources on the site, including vernal pools and wetlands. He said the objective is to have the road cross the wetlands at the narrowest places and fit into required street standards at the same time. Having a curvy, narrow road is good, as that will result in a more desirable, slow traffic flow. A straight, fast road would be fast. The proposed curvy road would be 24 feet wide with three-foot shoulders. Sidewalks will go in, eventually. It is not intended to be a cut through to the beach for the public.

The site is “rolling.” Ledge is shallow, as is ground water. The road will match the topography. There is a knoll where the police station can sit. The police station has proximity to Ridge Road and to Route 1. There are two entrances to the police building. One is from the front, and one, for the staff, is from the back.

The building is in the conceptual stage, continued Andrew Johnston. Solar orientation for the building is being studied. The site’s connection to utilities and sewer on Ridge Road is in conceptual. Power will be brought in from underground from Ridge Road. The general appearance of the building has an attractive roof design that breaks up the lines of the massive building. He showed the Planning Board the elevation.

Wetlands has to be permitted. Site location has to be permitted. The DEP and Army Corps of Engineers must approve the Wetland Impact Crossings. A DOT permit is needed for the driveway onto Route 1, which also has to be expanded. It is hoped that the two projects, the roadway and the police station, can be permitted as one project to better facilitate construction, as needed. There has been an ongoing discussion about Route 1 speed limit, continued Andrew Johnston.

At Chairman Lew Stowe’s request, Town Planner Christine Grimando explained the process of the Sketch Review, which is non-binding. Development of the project will pass through the Planning Board as Preliminary Review. During that stage, the Board will determine when the application is complete. During the Final Review stage, nothing is approved until the final is within ordinances. We are reviewing the Police Station as a Major Site Plan, because of its size, over 20,000 square feet. Water management is triggered for Shoreland review, as some land is in the Floodplain, Christine Grimando concluded.

The Chairman opened the **Public Hearing**. **Peter Ashley** of Cape Neddick is a certified solar installer in the State of Maine and is part of the Energy Committee in York. With Solar panels, the aesthetics of the building might change because the special solar equipment has to be positioning according to the sun. The building’s structural support has to be considered for solar panels. Peter Ashley also said that 2030 is the projected year for

the end of oil use for heat in the United States. The website for that information is located at 2030.com.

A second member of the public, **Barry Leibovitz**, described how “policemen going on call on a curvy road will be coming around curves--flying out!”

Planning Board Member Torbert Macdonald spoke during the Public Hearing. He said that this is the first time in the history of York that a right-of-way was made by the purchase of land instead of the by the purchase of a right-of-way. He described how cars speed past this area on Route 1. When the four lanes reduce to two lanes in that area, and cars should slow down, they speed up instead. He could not see keeping a 55 mph speed limit there.

Andrew Johnston said DOT does not allow traffic signals on mobility corridors, such as this section of Route 1, where there is a 55 mph speed limit. Torbert MacDonald said it would be called an *immobility* road because of the metal all over the road.

Torbert Macdonald explained the logic of having the entrance off Route 1 pass onto both of the available roads, the new connector road and the Wild Kingdom road. The Wild Kingdom Road traffic would funnel cars down onto the connector road about 700 feet in from the highway. Andrew Johnston said the idea of combining the two entrances had not been resolved.

Andrew Johnston said the parking for the new police station would not conflict with the parking at the animal park. Wild Kingdom parking would be squared off and arranged differently, making it more efficient.

Andrew Johnston told Todd Frederick it is too early to have a lighting plan. Alternative pavings will be considered. Sidewalks and bikeway are being looked into, and if sidewalks were not enough, shoulders would be paved as well. Todd Frederick referred to the newly established Green Enterprise Overlay. He said the Board wants to be informed about what and where the alternative energy sources will be. The building cannot look like a cookie cutter building.

The Board discussed safety on Route One. Tom Prince said that there would be no signaling unless the speed is dropped. What does it take to make that happen? he asked.

Board member Dave Glazebrook, a professional emergency manager, said a large generator for the police station is necessary. As well, the turning radius has to be well considered. This project is a critical infrastructure for the town, he said. There has to be protection from fire from lightning strikes and consideration for potential flooding.

Torbert Macdonald said the Beach Fire Station would use the connector road to get out to Route One. There will be ladder trucks on the curve. What about the intersection being un-signaled? Is there a way to clear the road? How do we get the tourists off the road?

Tom Manzi said dual use for the commutations tower and with cell phone providers is a possibility. He asked about utility capacity. We have an aged Beach fire station, he said. The town should think about a duo location. Does it allow that in the future? Andrew Johnston said the site might be up-sided for further development with larger sewer capacity. Future growth prospects will be considered. The site is 22 feet above sea level.

A High Intensity Soil Survey might be required, but is most likely not needed. The HISS is usually part of permitting for drainage systems. The hydrogeologic survey to be used here is usually associated with large degrees of ground water. Lew Stowe described how Fire Chief Dave Bridges had driven down the Wild Kingdom road after a 100-year storm. Water was coming into the cab of his truck.

Tom Manzi pointed out that the current police station serves as a community meeting area. Will there be provisions for community use? Andrew Johnston said he did not know. The building will have a silver LEED assessment.

Dave Woods asked if the corridor road would have as much traffic as Ridge Road has, because this is supposed to solve the problem of so much traffic coming through the Village on its way to the Beach.

Tom Manzi said the road could be a dam, cutting off drainage. Andrew Johnston said that damming is prevented through design and with culverts. The plan does not prohibit the expansion of the road.

Rob Yandow returned to the mic. "We are building with the future in mind and adequate expansion."

The **Public Hearing** was re-opened. **Peter Ashley** returned. The fire trucks and the tanker trucks have to deal with curves and the road. The crown of the road should be built up accordingly. There should be support for solar systems on the auxiliary buildings, as well. The public hearing closed. The sketch review ended.

York Hospital. 15 Hospital Drive. Map & Lot 0050-0034. Amendment to a Previously Approved Site Plan: HVAC Unit and Oxygen Tank Relocation

Eric Weinberg of Altus Engineering represented the hospital on this application, which is a modification to an existing site plan. The oxygen tank is being moved 50 feet, and the HVAC is moving across a rooftop.

When the surgery center was designed, the oxygen tank was expected to stay where it is, but the need for a larger one came up, and the oxygen company said it had to be moved. The change involves a new location and a simple design. The access to the tank is not from Lindsay Road. The filling of the tank is noisy but has a good buffer, which is good for the neighbors. It is a simple proposal.

The HVAC is being relocated to the back of the facility in a landscaped area. In this location, it is less likely of transmitting noise. It is out of site behind an 8-foot screen, which is acoustical.

The chairman opened the **Public Hearing**. **Abutter Kinley Gregg** asked how the removal of the ledge, which is necessary for the relocation of the HVAC, would take place. She also asked what the noise impact from the chillers would be and where they will be located.

Clark James from the York Hospital said the exact placement of the tank, on two steel platforms, has not been determined. Ledge will likely be removed with a mechanical hoe ram. Only small equipment can get into the site.

The equipment on the roof is being moved eight feet, Clark James continued. This equipment does not have compressors, but the units are basically large, insulated fan boxes. The DEA rating for the HVAC units is 88 decibels. As of this morning, when a test was made, the units on the roof were of 52 to 65 decibels. The chairman closed the **Public Hearing**.

Motion: Torbert Macdonald moved we approve an amendment to the previously existing plan for York Hospital, which is the relocation of the HVAC and the Oxygen tank. Tom Manzi seconded the motion. The motion passed 5-0.

Knight ROW Extension. 1901 US Route 1. Map & Lot 0100-0014-C; Revision to a previously approved Site Plan

Christine Grimando said that this application is for the extension of a Right of Way for a quilt shop. The Right of Way was approved in 1997. This is the physical change to a plan in the Route 1 zone, Michelle Knight wants to extend the right-of-way all the way to the back of the property. The only change is in the definition of Right of Way. The Right of Way itself is not where the pavement is. The change is to an 18 x 24 foot area at the rear of the parking lot. Phase 2 of the parking lot will not built.

Town Planner Christine Grimando was concerned that this creates nonconformity. When the right of way is created, she explained, you have to make sure you are not going below a legal size for the lot. Michelle Knight said that by adding extra land, there wouldn't be a problem. "We are abutting ourselves," she said. The **Public Hearing** was opened and closed. No one came forward.

Motion: Todd Frederick moved to approve revisions to the Previously Approved Site plan, Knight ROW Extension. 1901 US Route 1, Map & Lot 0100-0014-C. Dave Woods seconded the motion, which passed 5-0.

Yorke Fields. 590 US Route 1. Map & Lot 0042-0008. Final Review of a Major Site Plan application

Attorney Gregg Orso introduced Jay Finnegan, a principal owner of this property. Gregg Orso said everything is coming together with DOT. The applicant has yet to provide the Planning Board with the proposed Findings of Fact.

Jeff Clifford of Altus Engineering said that earlier this summer, the DOT project was awarded to Pike Industries, the largest road contractor in the State of Maine. Pike can do it quickly. They are doing the water and sewer crossings from the Yorke Fields property, now and first. A “pocket” is going in so cars coming north can take a left hand turn into the site. There is also an island for turning out. The State had purchased 1.18 acres from the applicant for widening the road.

Jeff Clifford reviewed the features of the Yorke Fields project including wetlands management, wetland buffers, forested buffers, stormwater systems, use of pavers, and sewer. Christine Grimando said department heads have signed off.

The Shoreland permit had lapsed and was resubmitted this same day. The last performance guarantee will be in the form of a letter of credit. Sheathing will be done with vinyl-product shingles. The building design is energy efficient with innovative storm water measures taken. There are low-flow toilets, and the lighting and HVAC systems all are energy efficient. Construction is to start in the spring. The entrance will be barricaded from traffic for the winter.

Two precedent conditions were identified: a) filing of the performance guarantee, and b) Shoreland permit finalized by the Shoreland Resource Officer.

Motion: Todd Frederick moved to approve the final approval for the Yorke Fields major site plan, 590 US Route 1. Map & Lot 0042-0008. Dave Woods seconded the motion, which passed 5-0.

New Business

Christine Grimando asked Lew Stowe to discuss the prior evening’s meeting of the Board of Appeals. York Hospital had appealed the Planning Board’s decision in the matter of the York Hospital’s Application for Fence Removal, made April 14, 2011. The Appeals Board had agreed with the Planning Board’s findings. The application was remanded to the Planning Board to be settled within 45 days. The question is whether the new shrubbery meets or exceeds the criteria for the benefit of the fence. The Planning Board is expected to conduct a site visit.

Old Business/Adjourn

There was no old business.

The meeting closed at 10:00.