

TOWN OF YORK PLANNING BOARD
THURSDAY, JUNE 10, 2004, 7:00 PM
YORK PUBLIC LIBRARY

Site Visit: Davis Drive, 6:20 PM

Chairman Glenn Farrell started the meeting at 7:00. Barrie Munro, Glen MacWilliams, and Richard Smith attended. Steve Burns represented the Planning Office. Patience Horton took Minutes. The meeting was televised.

Public Input

Open to the public to address any issue other than issues scheduled for public hearings on this agenda.

Peter O'Connor said that he did not understand the nature an Impact Statement for the proposed Conservation Commission ordinances. He asked that it be explained at the next ordinance amendment meeting.

Minutes Review and approval of draft minutes.

The March 13, 2004, Minutes were accepted as written with a 4-0 vote. The May 27, 2004, Minutes were accepted as written with a 4-0 vote.

Applications

York Village Business Center. 14 Cider Hill Road. Map 53/Lot 9. Public Hearing.
This is a conceptual review of new plans for a commercial development of this lot.

For this sketch plan, Dan Gaquin described a commercial complex located between Routes 91 and 1 in the Route 1 Zone containing a 3-story hotel, 5,000 sq ft of retail space, 5,000 sq ft of office space (2nd flr), and a 4,000 sq ft restaurant (separate building). Jim Hanley, Project Manager from Engineering Alliance, reviewed initial work in contacting different department heads and their mostly incomplete responses. Traffic and drainage seemed to be the strongest concerns. He discussed the silt-filled culvert under Route 1 and its inability to handle the runoff from the property. In improving the site, he might move the culvert for better drainage. Glenn Farrell closed the Public Hearing.

In discussion, the Board talked about the property's wetlands and whether they were manmade or natural. Barrie Munroe said that the water couldn't be diverted to the area behind The Commons, because it already floods. Glen MacWilliams said that re-engineering the area would be a good idea. Applicant Jim Hanley said that he is working with DOT. Glenn Farrell said that point was over where the water would go. There are several other projects in the area being developed at the time, and they all need to tie-in together for a system to work.

Glen MacWilliams said that the developer improperly certified the application. He asked about the need for a soil survey. Glenn Farrell said that the survey could be waived, and he stipulated that there would be no fill. He summarized points to consider, including buffer, rearrangement and hiding of parking, and traffic impact. Steve Burns read a section of Tom Manzi's input, submitted in his absence in the form of a letter. Tom Manzi believed that a moratorium on commercial growth in that area should be implemented until there is a handle on it.

Richard Smith suggested possible construction of a retention pond to keep water away from the area across the road, where there are water problems. Barrie Munro cited 6.3.2 and 9.8.12 of the Subdivision Regulations. He said that because the site is highly visible, creative design criteria are very important. Pedestrian amenities, especially between the buildings, have to be provided. He cited 7.17 and 7.17.1, Buffers and Landscaping, and 6.3.18 requiring a minimum of 10% open space.

Regarding the wetland, Glen MacWilliams said that a soil scientist could determine its size. Steve Burns said that the resulting designation of manmade from natural wetlands would be beneficial. A change in the Shoreland Overlay will still require obstacles to be handled.

Peter Davis. Davis Drive Subdivision. Map 40/Lots 23, 23A, 23B, & 23C. Public Hearing. The applicant seeks to work with the Planning Board to resolve the issues of default from the original approval.

A Site Visit was completed before that evening's meeting. Comments were briefly made about the possibility of condominium-izing the property and the Board's inability to waive certain floodplain issues.

Glenn Farrell opened the public hearing. Abutter Arthur Berger had been acquainted with Davis property for 50 years and had seen Teeny Brook (Little River) backed up in spring to the point where canoes went through the lower lots. He thought the 2 existing foundations were particularly close together. He found it unfair that septic systems were an option for the Davis property, when his own expense of being required to hook up his three properties exceeded \$60 thousand. The chairman closed the public hearing.

Glenn Farrell said that a request for a floodplain survey could not be waived. Peter Davis said that the survey was not required in 1998, and the current application was an amendment to that original 1998 application. Furthermore, he did not want to incur the \$2100 expense when the property obviously has an 8-ft drop, based on abutter Duane Jellison's survey.

Richard Smith said there was a place on the map where the road seemed narrower than it was supposed to be. Glenn Farrell instructed Steve Burns to have CEO Mark Badger return to the site and check the road, again. Steve Burns said that he would check with Tim Haskell of the Sewer District about sewer hookup. Steve Burns read more

comments written by Tom Manzi, who expressed that the plan appeared to be a vague sketch, not an engineered drawing. There was no scale on the plan. The buildings were not survey-located. Peter Davis replied that the Board has passed plenty of his plans with less detail than that one.

Motion Glen MacWilliams moved to the table the application, because it was incomplete. The applicant could go back to Steve Burns, who would explain what is required to make the application complete. Barrie Munro seconded the motion.

In discussion, Steve Burns explained that Peter Davis had stated he would do a floodplain survey, and at the last minute did not do it, causing the application to be heard, though incomplete.

Vote The motion to table passed, 4-0.

Highland Farm Subdivision. 301 Cider Hill Road. Map 90/Lots 29, 29A, 29B, 29C, 29D & 29E. Public Hearing. This is a conceptual review of new plans for a 43-lot cluster subdivision.

Steve Wood said that he had bought Highland Farm and had initiated restoration and clean up after a fire. He wanted to amend the 1999 subdivision application.

Project Attorney Peggy McGehee introduced herself, as did Stephen Haight, from Appledore Engineering. He said the 1999, 17-lot subdivision-with-golf-course-concept no longer applied. There will be fewer houses, and they will be set back farther from the road. They will have less of a cluster feeling, have lower impact on each other, and more will “have their own visibility,” referring to extended view. Steve Wood said that 75% of the 55 acres would remain open space. Barrie Munro asked if the 6% road grade could be achieved with the hilly terrain, because there are certain road standards that Bill Bray cannot waive. It was established that 6% was not going to be easy. Stephen Haight brought up the possibility of impacting water hazards for the proposed access road. Former owner Ken Giles had created them for the once-developing golf course.

Selwin Silverblatt, a neighbor to the property for 34 years, clarified that the shape of the pond had been round and was extended and enlarged to its current polygon-shape by the former owner. Barrie Munro said that Ken Giles’s man-made water hazards could be ignored.

Glenn Farrell asked why the application is being amended, rather than started anew. Peg McGehee said it was to move the process faster. Steve Burns explained that if the applicant goes through the checklist, it could be processed in a reasonable amount of time without dealing with the massive amount of paperwork associated with the last application. Barrie Munro asked about the cemetery on the property, and John Wood said that the cemeteries were being maintained, and the Williamses were planning to inter a family member in the coming months.

In Public Hearing, Selwin Silverblatt described how the sides of the overflow culvert had been replaced so water could rise higher before overflowing. He also related the existence of a deeded right-of-way he wished to have acknowledged, so that he will be able to access and maintain, if necessary, a water pipe located above the pond that affects his property.

Union Bluff Function Hall. 4 & 6 Beach Street. Map 24/Lots 43 & 43B. Public Hearing. This is an application for Preliminary Review of a proposal to raze the theater building and construct a new function hall accessory to the Union Bluff Hotel.

The Chairman opened the Public Hearing. Sam Kennedy from Freeman Street, behind the Union Bluff, asked about the parking--which is already bad on summer weekends, traffic--which will become difficult when events end, waste management--which he assumed will be added to the Union Bluff waste, as well as the nature of the functions, the liquor license, and the marketing plan.

Applicant Brent Merritt addressed the points. The waste will become part of Union Bluff waste, without an excessive amount of increase, though the dumpster size could be enlarged. He said that the events would include wedding parties and business gatherings. His effort is to increase off-season business, not high-season business. There will be a full liquor license. There will be a full kitchen on the main, apparently second, floor. On the street level, a prep-kitchen with a dumb-waiter to send the food upstairs is planned.

Sandra Rhodes, with 2 properties and 21 years of dwelling at the Beach, praised the Union Bluff for raising the nature of commercial properties in the area to higher standards. She asked the Board to appreciate and work with the applicant.

Barb Poulin, also on Freeman Street said that the owners had done a good job and that this improvement will make the Beach even better.

Steve Burns relayed feedback from a group of abutters on Gull Street who, realizing that people will park anywhere they can, suggested discontinuing thru-traffic on that road and making it a pedestrian mall with potential access by emergency vehicles. Steve Burns had also heard from Bill Burnham of the Ellis Park Committee Chair, who was concerned about parking. Ellis Park parking is limited and in winter, not available at all.

Motion Glen MacWilliams moved to accept the application as complete for review. Barrie Munro seconded the motion.

In discussion, Glen MacWilliams pointed out that the function hall will be not be accessory to the Union Bluff and has to be classified differently, because it is on a different lot.

Vote The motion accept the application as complete passed, 4-0.

Motion Barrie Munro moved, and Glen MacWilliams seconded, to waive 6.3.32, High Intensity Soil Survey. The motion passed, 4-0.

Motion Barrie Munro moved to deny the waiver for 6.3.33, Traffic Study. No second was made.

In discussion, Barrie Munro said that parking was germane to the application. Steve Burns said that zoning cannot be waived and that no action should be take on the request until Bill Bray, Public Work Director, has been consulted, due to recent changes in the traffic safety requirement.

No vote was taken on the Traffic Study waiver.

Bruce Crawford, of CLB, asked what would happen as a result of a traffic study. Glenn Farrell answered that after what is already there, what is needed, and how the expansion will exacerbate what is needed are examined, the applicant will explain how it plans to handle the traffic flow. As for parking, since criteria have changed, the Planning Board can make provisions, and some requirements can be changed.

Glenn Farrell said that in case an agreement fails with the Union Bluff further down the road, a backup plan for trash and dumpsters has to be produced. The sidewalk plan also has to be produced. Bruce Crawford said that the Sewer District is also requesting the applicant to replace some sewer pipes on Beach Street.

Other Business/Adjourn

Steve Burns handed out copies of a letter to Barrie Munro from Dave Lincoln regarding past perceived communication problems from the Board to the public while inviting input toward ordinance amendment changes. Barrie Munro suggested that perhaps in his reporting for the *York Independent*, Paul Mann took something Barrie Munroe had said out of context, thus creating confusion. Barrie Munro suggested making updated information available on the web. Steve Burns said that a different and better web system would be on line in July, making friendlier access and usability of the system. Glenn Farrell suggested that making clarification available through better explanations of proposed amendment changes.

Steve Burns mentioned the potential backlog, possible overload, his office faces. Some of it occurs when he has concentrated long hours on applications that become withdrawn for some reason or other. In the case of Highland Farm being tabled by the applicant from the May 13, 2004, agenda, he explained that since he could not attend (personal matter), Highland Farms wanted to wait for his return.

The meeting was adjourned at 9:40.