

**TOWN OF YORK PLANNING BOARD
THURSDAY, APRIL 22, 2004
7:00 PM, YORK PUBLIC LIBRARY**

Chairman Glenn Farrell started the meeting at 7:00. Dave Marshall, Barrie Munro, Glen MacWilliams, and alternates Richard Smith and Tom Manzi attended. Town Planner Steve Burns represented the Planning Office. Patience Horton took Minutes. The meeting was televised. One motion was made over Minutes.

Public Input

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

No one spoke because there was no one in the audience. Michelle Moody came in after a while.

Minutes

Review and act on minutes of April 6, 2004 and April 8, 2004.

Motion Barrie Munro moved to accept both sets of minutes as submitted. Glen MacWilliams seconded the motion, all voted in favor.

Business

Work on Code Amendments

New Issues. Discuss the following four items

1 Building Height Limits. Discuss height limits of water towers, church steeples, and barns/silos.

Barrie Munro said that language should be included in the ordinance to give authority so there will be the right to discuss height within certain parameters. Glenn Farrell said that structures over 35 feet should be reviewed by the planning board to see if the structure meets the character of the neighborhood into which it is going. Dave Marshall suggested looking at ordinances from other towns. Richard Smith said that in the case of silos, height has to be coordinated with husbandry rules, because a feed silo is no good without animals. Glen MacWilliams said he wanted to see heights approved by the planning board, and not code enforcement officers.

2 Site/Sub Regulations. Discuss the role of department heads in the review and approval of applications.

The board discussed the advisory opinions and review signoffs by Police, Fire, and Public Works chiefs, plus those of the school superintendent in the event of major subdivi-

sions being non-commercial. The board agreed that the language presented in the amendment was sound.

3. Restaurant Seating. Discuss the regulation of restaurant seating as an accessory to retail.

Using Anthony's as an example, Barrie Munro described how lunchtime traffic had become an issue when the accommodating seating grew beyond accessory status. Glenn Farrell added that when additional parking is necessary, it is not longer considered accessory.

4. Shoreland Map. Amend the Shoreland Overlay District boundaries by altering the map

Steve Burns pointed out gaps in the shoreland map, including needed stream protection particularly in the Cape Neddick area. Efforts had been made to identify streams and designate the shoreland zone in new areas on a new map, which is available for examination.

B. Ordinance Amendments for November General Referendum. Draft 4 amendments, dated 4/16/04, to be reviewed.

Steve Burns presented the zone map. Richard Smith expressed a problem with an uneven distribution of residential and commercial areas in the Res 2 zone. They discussed the use of and problems with making a zone boundary along a road. Steve Burns pointed out that some properties are in two zones. Glenn Farrell asked Richard Smith to work with Steve Burns. Barrie Munro said people could come to the planning board to appeal.

Accessory residential use, as in mother-in-law apartments, was identified as an area requiring ordinance adjustment.

A maritime-dependant use overlay for commercial fishing activity and provisions, a zone which will not include post-processing of a catch, could allow commercial use downstream from Sewell's Bridge or anyplace else where commercial fishing was done in 2004. Fisherman will be able to store boats, traps, etc., on their own property, which might be beyond the maritime-dependant use overlay zone.

The regulation of overnight filling of vending machines was sufficiently covered at an earlier meeting.

The board of selectmen had deemed that the ordinance amendment regarding structure expansion in the shoreland was worded in a confusing way, Selectman Michelle Moody then told the planning board. Dave Marshall suggested creating a version, which would include an explanatory paragraph. Glenn Farrell agreed that an explanation was needed.

Steve Burns recommended changes in shoreland overlay delineation of boundaries and changes in the language of the ordinance for the proposed overlay.

2. Work on Comprehensive Plan Introduction Chapter **Review new draft chapter**

Steve Burns had presented board members with the Introduction Chapter, laying out the organization of the plan. Everyone agreed that it was very good.

3. Meeting Reminder. Planning Board and Board of Selectmen will meet on April 29 at 7:00 at the Senior Center to prepare for the November General Referendum.

Steve Burns said that one purpose of the upcoming meeting would be to discuss a better way to transition the ordinance amendments from the planning board to the selectmen.

Other Business/Adjourn

Michelle Moody said that there are two new applicants for the one planning board position left open by Dan Remick.

Steve Burns described the applications lined up for the May and June meetings.

He passed out a letter from Don Rivers offering assistance with the affordable housing issue.

He passed out a letter from a citizen to Mark Green concerning a neighbor property dispute, which the planning board has little to do with.

The meeting adjourned at 8:35.