

York Planning Board
Thursday, August 14, 2014, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum; Appointment of Alternates

Chairman Al Cotton called the meeting to order at 7:00. A quorum was determined with five people voting: Chairman Al Cotton; Vice Chairman Peter Smith; Board Secretary Todd Frederick; Lew Stowe; and alternate Amy Phalon, who was asked to vote as a full member. Town Planner Dylan Smith represented staff. Patience Horton took minutes.

Public Forum

No one came forward to speak.

Minutes

There were no minutes to review.

Field Changes

There were no field changes.

Application Reviews and Public Hearings

Peradventure, Peradventure Way: Map 0052, Lots 21, 21C, and 21D. Amendment of a previously approved subdivision to combine two lots into one larger lot with a portion of the land going to another lot

The applicant had requested to table the application.

1520 U.S. Route One Expansion Permit. Map & Lot 0010-0004. The proposal is to build a 14x24 foot garage and install a concrete slab under the existing 10 by 7 foot storage shed addition.

Applicant Richard Weir hopes to add a 14 by 25 foot garage to a single-bay garage on Route One. The new garage would double the amount of space for his tenant, an art gallery. Additional parking would be created and would allow cars to turn and pull out into the breakdown lane more easily. Mr. Weir is capable of drawing the plans for this application, though he is not a licensed engineer.

Motion: Lew Stowe moved to accept the application for review.

Motion: Lew Stowe moved to open the public hearing. No one came forward to speak.

Dylan Smith commented that traffic and parking are the problem. Traffic comes in from and goes out to a 50 mph road with a traffic-passing zone. Traffic safety based on the layout makes it hard to approve.

Chairman, Al Cotton, asked the applicant to withdraw the application and asked the applicant to work on it with the town planner.

York Chamber Farmers Market Expansion: One Stonewall Lane; Map 0121, Lots 0081 & 0082. The proposal is for expanding the existing farmers market onto newly acquired land with additional parking and minor utility work for water and lighting

Mike Lasso is a board member of the Chamber of Commerce, which hopes to expand the sellers' area of the farmers market. Parking would be moved and expanded. The vendors' tents and tables would sit on crushed stone surface, which also provides a better walking surface. Runoff for the site is decreased. The project is possible because of a small site development grant from Rural Development. Bike racks are a great idea and two are being added to the plan.

Motion: Todd Frederick moved to accept the York Chamber Farmers Market as complete for purposes of consideration. Peter Smith seconded, and it passed unanimously.

Public Hearing

Martin Myers, 3 Cranberry Lane, is the "protector of the pond," which is 200 feet away from his home. The pond is a nesting area for ducks. He is worried that pets and people at the picnic benches will wander to the pond.

Waivers are sought.

- **6.3.11.2** Waiver is sought, landscaping. Adequate foliage already exists on site.
- **6.3.21** Applicant seeks waiver of performance guarantee. Rural Development is funding the project. Funds will be available to do the work. If the work is not done, there is no impact on the site.
- **6.3.21.1** Applicant seeks waiver for escrow and letter of credit, as Rural Development is funding the project and the funds will be available to do the work. If the work is not done, there is no impact to the site.
- **6.3.21.2** Applicant seeks a waiver because no structures other than parking spaces and vender stalls are planned.
- **6.3.21.3** Applicant seeks waiver. If the work is not done, there is no change to the current site conditions and there is no public improvement required.
- **6.3.25** Calculations of the net buildable site acreage. Applicant seeks waiver since no building structure are planned.
- **6.3.28** Planning Board waiver of performance standard requirements

Motion: Lew Stowe moved to grant the waivers as outlined by Lasso Architects, P.A., dated July 30, 2014. The waivers include 6.3.11.21; 6.3.21; 6.3.21.1; 6.3.21.2; 6.3.21.3; 6.3.25; and 6.3.28. Peter Smith seconded. The motion passed unanimously.

Motion: Peter Smith moved that we approve the application from the York Chambers Farmers Market Expansion, One Stonewall Lane, Map 0121, and Lots 0081 & 0082, as amended to include the bicycle racks. Todd Frederick seconded the motion, which passed unanimously.

Other business

Selectmen Request for Comment on Artisanal Food and Drink Zoning Ordinance Amendment

Dylan Smith explained the situation. Section 21 of the Town Charter allows a selectman to write an ordinance and move it forward without having it come before the Planning Board. An ordinance of that nature is before the selectmen now. They have held one public hearing for it, and another is scheduled. Since this is irregular, they have asked in writing for feedback from the Planning Board about the process a new ordinance usually goes through. Selectman Robert Palmer was present at this meeting.

Todd Frederick summarized the group's position. The Planning Board initiates and develops at least 90% of the ordinances. In this case, the Planning Board was bypassed. If it had come to the Planning Board, the ordinance would have had three or four public hearings. Since the impact of this ordinance is so tremendous, it should require extensive hearings before being turned over to the selectmen.

Selectman Palmer indicated the Planning Board is the obvious source for this information.

Review of Submitted Findings of Fact and Mylars (York Police Station)

The board reviewed comments compiled and organized for discussion by Peter Smith.

Motion: Todd Frederick made the motion to approve the Findings of Fact and to authorize the chair to sign the Findings of Fact for the conclusion of law and decisions for the Town of York, Map & Lot 0094—Lot 0077, 414 Ridge Road, also known as Town of York Police Station Connector Road, as amended this evening, August 14, 2014. Amy Phalon seconded. The motion passed unanimously.

Adjourn

8:57