

York Planning Board
Thursday, April 11, 2013, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum

Chairman Todd Frederick presided. A quorum was determined with five people voting: Todd Frederick; Board Secretary Lew Stowe; Torbert Macdonald, Jr.; Al Cotton, Jr., who was in place of Dave Woods, who came in at 8:00; and Brud Weger, voting in place of recently resigned Dave Glazebrook. Christine Grimando, the Town Planner, represented staff. Patience Horton took Minutes.

Public Forum

Open to the public to address issues other than topics scheduled for a public hearing.

No one came forward to speak.

Minutes

The March 28, 2013 minutes were reviewed and corrections were requested.

Motion: Torbert Macdonald moved to approve the March 28 minutes as amended. Lew Stowe seconded. The motion passed 5-0.

Field Changes

Open to the public to address any issue other than the scheduled public hearings

There were no field changes.

Applications Reviews and Public Hearings

Sea Latch Motor Inn 277 Long Beach A venue. Map & Lot 0036-0082. Sketch Review of a major site plan for renovation and new construction on the site of an existing motor inn.

Mike Lassel, Terrance Parker, and Joe Cheever are the architect, landscape architect, and engineer for this project. Mike Lassel pointed out features on the plan. The pool would be cut back, taking out the deep end. A mechanical lift will be added. There are poor travel lanes currently, and parking spaces must increase from 51 to 84. Two buildings will be demolished to add parking. Eight units are being added. Every unit will have an ocean view. This is a seasonal business, running from Memorial Day through fall, closed in winter. The four story non-sprinkled building will be replaced with a three-story sprinkled building with elevators. It will be compliant with ADA requirements. A second means of entering the property is necessary for service and emergency vehicles.

Joe Cheever said this is in the limited residential Shoreland zone. Some drainage comes from Eastern Ave. into the site. Some comes from the Long Sands Inn next door. A cul-

vert takes a large portion of drainage through a culvert under Webber Road. There is public water and sewer. The overhead electric will be upgraded. Currently, there is 70% lot coverage. Per Article 17, the improvements will not be more nonconforming than it is now, so the project will have 68% coverage.

Joe Cheever had made a chart with cross hatching showing the locations of pervious/impervious changes, he said. There will be 7,650 square feet of grassy pavers, which is considered pervious. The grassy paver areas hold parking. When a car drives over the grassy paver area, it won't compact the grass. Parking there is good for six to eight months of the year. Torbert Macdonald asked if Joe is using grassy pavers for 100% pervious. Joe said yes.

There will be 84 motel units. The applicant proposes 84 parking spaces. Of those, 59 will be asphalt, as required by the ordinance. The balance will be met with grassy pavers.

Terrance Parker described the motel as landscaped with durable seacoast materials in significant quantity to create curb appeal. The sign and office will be well planted. There will be a rain garden along the grassy paver sidewalk. A sunken terrace in back will be heavily planted. The landscape is designed to give people a beautiful experience.

The chairman opened the **Public Hearing**. **Michelle Ouhl** is an abutter behind the Sea Latch on a private road. It is a beat up dirt road, and the neighbors pay for maintenance and plowing. She is concerned about people exiting onto the road. Garbage trucks and other trucks will damage the road. She's concerned about the location of the dumpster. It was by her house and it was smelly. She wants to have it put somewhere else.

Joanne Cote had been told the entrance onto Weber would be for emergencies only, but not for service vehicles. The road is in need of repair. Her road has four other cottages that rent out by the week. It is a small road for one car to go through. Children walk the road. She put a culvert in last year. The maintenance of the culvert is an issue that is up in the air.

Edward McKenna of 16 Eastern Ave. said there is a serious blind spot on the road. He is concerned about the Eastern Ave. entrance. He rents out to families with children. The vehicles generally go along in a hurry. Some vehicles are going to sink in the sand. There is no drainage swale along Easter Avenue. Construction vehicles for this project will ruin the road. Eastern Ave. is a dead end road. It did not show the flooding. The chairman **closed the Public Hearing**.

Joe Cheever described how the drainage flows through and off the property. The most significant amount of water goes along the property and under Webber Avenue to a ravine behind homes on Long Beach Avenue. From there, it goes through an outfall into the ocean. He expects the ground water created by the grassy pavers and other impervious runoff will mimic the flow of water the way it is now. It will follow the same drainage pathways.

Torbert Macdonald said that you don't know what it is going to do. It could end up moving toward Eastern Avenue. The amount or rate of infiltration might not change, but when there is significant rain, the road floods. You may be contributing to the flooding. Joe Cheever said they haven't done groundwater analysis. They could establish where each of the grassy paver areas could infiltrate groundwater. Torbert told him he will have to do that.

Brud Weger stated that he agrees with the general coverage parking assumptions proposed by the applicant. He asked if Joe Cheever is comfortable with the drainage through the 12" culvert. He is in favor of the grassy pavers and wants to see more about their impervious nature. Joe said the 12" pipe size will be improved. Al Cotton described the use of pavers in China where there are enormous lawns that support heavy pedestrian traffic. They are used in major land construction in China. Lew Stowe commented that this property is pressured by the space. The applicant also owns the land across the street to the south. Lew said he is concerned about how a second entrance will increase service vehicles and truck flow.

Torbert said that the board's peer review engineer, John Mahoney, said the grassy pavers could not possibly be 100% pervious. Joe Cheever said that for any grass, that number can fluctuate based on sub-surface conditions. Todd Frederick said that we are asking for proof of the 100%. As well, the board would like to see the plan for maintaining a system like that. Brud Weger said that with the pavers being 50% plastic, it would seem that there could not be 100% permeable. Mike Lassel said that most storms are 1" storms and the pavers are designed to absorb that amount very well. Todd Frederick said a site walk should be taken. Christine Grimando said she has spoken with Mike Morissette at Maine DEP about jurisdiction. It is important to note that DEP is not administering the Shoreland permit, but the Town is.

Joe Cheever said the pavers will drive the design of the rest of the project. Brud said that since the town allows regular grass to be counted at 100% pervious, a case should be made comparing grassy pavers with a grass lawn. Torbert said this is based on the sub-surface conditions for the soil to accept the drainage. Lew Stowe said he could see the second entrance used for emergencies, but not for service vehicles. Todd Frederick said the dumpster, which is off-site at the time, is an issue.

Beachwalk at Long Sands 27 Paul Street, Map & Lot 0094-0086-B. Sketch Review for a minor subdivision.

Christine Grimando introduced the application. The subdivision is on four conventional 1-acre lots. The property is meant to be net one acre. A different applicant presented a different proposal for this property several weeks ago. There are road standard issues.

Jim Nadeau presented. Attorney Matt Howell, and engineer Bill Anderson were present. The six-acre, four-lot site is generally wooded. The lots conform to dimensional regula-

tions. The CMP easement does not impact setbacks. The soil type is excellent and offers many septic locations. Mike Cuomo has been retained. The road access is from Paul Street. Gorrill Palmer has been retained and recommends improvements.

Torbert Macdonald moved to open the **Public Hearing**. **Robert Rubin** of 37 Paul Street is concerned about the condition of the road. It is sub-par and not maintained. The six full-time residents pay a few dollars a year to plow it and fill in the holes. The rest are summer folks. In some places, it is six feet wide. You have to back up to let somebody in, he said. He is concerned about the situation when trucks come down the road with building materials. They are going to chew the road up. We are going to be left with a road that is worse than it is now. If there are trucks coming down the road, there is no place for them to park. He is concerned about wetlands and drill sites. How is this going to affect my land and my neighbors' land, he asked. How is it going to be monitored if they back a truck into the wetland? It will be noisy. They will be cutting down trees and creating a wind tunnel. He wants to see the land stay the way it is.

Robert Siccone said the road is a disaster area waiting to happen. Winter is the worst. Snow is piled up on the sides. There are potholes. Some of the road is paved and some is gravel. The paved part is not mentioned in the application. He paid to have the tarred part done. How big are the houses going to be? Will there be garages with apartments that get rented out? What is the five-year plan? He asked to have the arcs on the Shoreland/wetland plan explained to him. He wants to know the size of the septic systems. He would like the site walk to occur when more of the neighborhood is home.

Michael McKinney, 42 Paul Street, has lived there for 22 years. Many houses are winterized summer cottages. When people visit different houses, they park on the lawns. He's seen propane trucks face each other and then back down the road. He lives at the dead end. Cars come down Paul Street from Ridge Road and turn around in his yard and Robert's yard. Even if someone wanted to widen the road, it would be on other people's land. There is something like wind tunnel in the trees. He feels strongly about tree removal. He has seen the trees sway five feet at the top. He is afraid the builders will say one thing and do something else.

Paul Donovan said he is the father/father-in-law of Lisa and Bruce Berry. They are concerned about traffic, septic, and how water flows underground.

Scott Conti lives at Spruce and Skylark. He represents the summer folks. He has children. Do we need more facilities and utilities coming in up Spruce Street? It is too narrow to bring them up.

Christine Grimando said **Bruce and Lisa Berry** and **Austin and Jay Belibeau** had sent Emails that had their expressed concerns and questions. Those had been distributed to members of the board. The chairman **closed the Public Hearing**.

Jin Nadeau said he is willing to sit down with the abutters. Gorrill Palmer agrees that there are improvements that should be made. The Ridge Road/Paul Street intersection has to meet sight distances. Dead end signage is needed. We are not proposing extensive improvements, he said. People have encroached into the roadway. We don't want to put big utilities down the road.

Lew Stowe referred to 5.5 as a guideline for upgrading the right of way. Christine Grimando and Torbert Macdonald said 8.1.4 is the parallel citation to 5.5.1, except 5.5.1 is for lots created through exemption, which these lots are not. Torbert said the board needs professional advice about what traffic-carrying capacity is required. An engineer is required on behalf of the planning board to determine the minimum conditions. The needs of the fire and police chiefs have to be determined. Road maintenance has to be addressed. It would make sense for the owners to be part of the road association.

Lou Stowe asked if the CMP easement is used in net calculations (answered no), and asked that the board sees all test pit and wetland delineation. Dave Woods said the board is going to require the applicant service the road itself, but not all the way down to Ridge Road. Pooling money for needed upgrades will come from everybody. You will not give a free pass to the residents who can't do their own.

Todd Frederick said a situation with repairing the existing road to get to your own road can be bad and become worse. A site walk is necessary, and fire- and police-emergency service input should occur in preliminary.

Lew Stowe said to Christine that they could build two houses without coming to the planning board. They could do another two in five years. Torbert asked if they are planning to make it a public road (answered no).

New Business

Police Station/Connector Road RFP Update

Torbert said he and Brud Weger had looked at five submissions and eliminated one. Brud said a purely civil engineering or a purely planning group could not do it alone. We have to have both. They have to be able to review highly technical submissions. But none of them have it. Todd said all four applicants should be brought in and make presentations. Then the board can ask questions.

Old Business

Carriage House Workforce Housing Project Mylars and Findings of Fact

Motion: Lew Stowe moved that we authorize the Chair to sign the Findings of Fact for Carriage House Workforce Housing Project, 14 Gorgeana Way. Map & Lot 0048-0026-A. Torbert seconded the motion, which passed, 5-0.

Adjourn: 10:25