



**To:** York Planning Board  
**From:** Lee Jay Feldman, Director of Planning  
**Date:** 8/2/2017  
**Re:** Parkway Connector Road

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## **I. Proposal**

With the submission of the revised plan set, the applicant is seeking a revision to an approved plan (lot line adjustments) and an extension to the existing approvals rather than seeking a whole new approval. As you may be aware, the original application was approved by the Planning Board on August 14, 2014. In order to understand this request I will

There are two time frames that the applicant has taken into consideration in order to ask for this consideration:

- Article 5 Section 5.5.5 the wording in this section would indicate that the applicant has 3 years from the approval date (August 17, 2014) to gain substantial start to the project. As we know from the history of the site a great deal of site work has commenced on the site and was stalled due to other issues.
- The applicant has 4 years to start construction under the Department of Environmental Protection and Army Corp of Engineers permits which have both been reviewed and approved by both agencies.

The applicant is seeking the extension to be for 2 year period in order to complete the construction, however the applicant does have certain deadlines required to be met per the agreements within the lot line adjustment agreements.

The revisions being sought by the applicant are the corrective measures needed for the property lot line adjustments agreed to between the Town of York and the York Wild Kingdom, the Horns and the Cragin parcel. As part of that corrective measure the applicant is adjoining the previously approved subdivision approval back to one lot since all of the ownership will be with the Town of York.

## **II. Revised Plans**

The applicant has revised the plans and update the property line adjustments as discussed at the planning board meeting of July 13.

When the Planning Board approves this revised survey, the applicant will need to have David E. Titcomb sign the plan prior to recording.

The engineering plans for the previously approved (8/14/2014) roadway have been submitted as a full packet which includes the Police Station design, however, the applicant has asked that as part of this approval the Planning Board void the Police Station portion of the design as part of this approval.

This application is being sought as an amendment and extension to the previously approved application so a Completeness review and Waiver review is not required as part of this submission. This review and approval should take one meeting to address since the applicant plans to construct the previously approved project as designed in which construction has also already begun.

Part of the discussion, regardless of this being a new project or an amendment to the existing approval has been the intersection of Route 1 and the new Parkway access. The Maine Department of Transportation and the Kittery Area Comprehensive Transportation System (KACTS) the regional transportation organization are now involved in the funding of and construction of this intersection. Since they are now involved, a third party engineer will design the intersection to meet the Maine DOT specifications. The Maine DOT will also have oversight of construction to ensure it meets there requirements post construction.

## **III. Recommendation**

Since the applicant is now seeking an amendment and extension to the previously approved application, the applicant will first need to acknowledge withdrawal of the previous submission from July.

As part of the approval of this submission, I would recommend approval with the following conditions:

1. The survey plan prepared by Titcomb Associates be signed by the surveyor and recorded in the registry prior to the commencement of any additional construction on the site.

2. The applicant retain a third party independent inspector to oversee the construction of the road on a daily basis and provide weekly logs to the Planning Board and Code Enforcement Officer on the progress of the project. If any issues arise during construction that do not meet the design standards, this must be reported to the CEO immediately whom has the authority to stop the project until corrective measures can be taken.
3. Void the approval of the Police Station portion of the plan only recognizing the Parkway design.
4. Perimeter Monumentation be established
5. All culverts within the project be designed to be habitat friendly
6. Any additional uses on the property shall require planning board approval