

York Planning Board
Thursday, February 28, 2013, 7:00 P.M.
York Senior Center

Call to Order, Determination of Presence of Quorum

Chairman Todd Frederick presided. A quorum was determined with five people voting: Todd Frederick, Torbert Macdonald, Jr., Dave Woods, Lew Stowe and alternate Al Cotton Jr., who voted in place of Dave Glazebrook. Alternate Brud Weger was present, but did not vote. Dave Glazebrook was absent. Christine Grimando, the Town Planner, represented staff. Patience Horton took Minutes.

Public Input

Open to the public to address issue other than topics scheduled public hearings.

Helen Weinbaum is a board member of the York Land Trust. She came to discuss the question of whether the easement holder and the fee holder for the open space in cluster developments have to be different organizations. The relationship between both separately, with the homeowners in between, is less than optimal. The combined responsibilities should be taken by the conservation group.

Town Planner Christine Grimando said the reason it was split was to prevent the homeowners from being both the easement hold and owner of the open land. During planning board review, the use for the open space would be settled during final. If the owners say they want to use the space for something different than arranged, it would have to come back to the board. Board Chairman Todd said it would be best to have the planning board work with the conservation group.

Helen said the homeowners association has rules that apply to the open space. It has rights to designate how it will be used. Those rules are in cooperation with the easement holder. The homeowners association agrees as a body to come to the easement holder and present their case. Open space is accepted as such, and it has values that have to be protected. Dave Woods said the conservation land should be designed before one house is built.

Helen said that there have been incursions like dumps and swings, and in this system, those get solved in a very good way because the homeowners must meet with the Trust. Christine said that if there were a major change in use, it would have to come back to the Planning Board. The board can set conditions.

Dave Woods said that right now, it is up to the applicant/developer to design the open space. The board works with the developer's design. Then the developer goes away. Torbert Macdonald said all the proposals have to be consistent with the Comprehensive Plan. If our local land trust says no to holding the easement, someone else should not come in. We have to have a relationship with the easement holder. U.S. Fisheries and

Wildlife and Dept. of the Interior are other conservation easement holders in this area. They have powerful safeguards. Torbert helped the board picture the Mt. Agamenticus area populated with 20,000 houses as Tony Zhan, an Oklahoma oilman, proposed 30 years ago.

There is a conservation plan overlay on a subdivision at Whippoorwill. The public has access to this land. Helen said that the preliminary work on a cluster subdivision should be an examination of the proposed open space. It has to be valued before anything can go forward.

Field Changes

There were no field changes.

Minutes

There were no minutes to review.

- **Outsourcing of Police Station/Connector Road Review**

Christine Grimando said the time to approve an independent planner to work with the Planning Board on the Police Station and Connector Road (and parking lot amendment) is closing in. Dave Woods said no one from the Town should represent the project. There should be a Clerk of the Works or third-party planner. Torbert Macdonald said that you have to get rid of the conflict of interest by having someone who is not answerable to the town manager take the role of the planner. That planner, or clerk of the works, will be working for the planning board directly. Torbert said there should be a bid process that should be done by the selectmen.

Todd Frederick said there are two decisions to be made: one is for planner review of the police station/connector road, and the other is for recommending a clerk of the works.

- **York Village – Existing Comprehensive Plan and Zoning.**

Lew Stowe said there are two tasks up front: defining what the Town Center is and re-writing the Comp Plan. What is the center of the town? Who should rewrite the comp plan? The third step would be zoning. Christine said the subcommittee might be ready for some time off. Torbert thought it would be good to eliminate GEN-3 zoning from east of the highway. It is not the right thing for the Village, he said.

Lew Stowe said that it is a good goal to measure the time it takes to walk certain routes. There might be a ten-minute walk and a two-minute walk. The board discussed form based, picture heavy, zones and design standards. Christine said many old photos of the horse and wagon days in the village have been found and show how much things have changed.

The hospital, Town Hall, and the Church and cemetery should be excluded. The Historical Society would be inside.

MS4

Christine Grimando had passed around the first draft of a Comp Plan amendment answering to MS4. The town has legal issues. If they are not going to fund compliance, there is going to be greater cost in not complying. Torbert said a consultancy fee might be necessary to administer MS4.

Other Business

Motion: Dave Woods moved to approve the Findings of Fact for Ledges Golf Course Company, Tax Map 89 – Lot 45A, 1 Ledges Drive, York, Maine. Lew Stowe seconded the motion. Passed: 5-0.

Adjourn

9:50