

York Planning Board
Thursday, August 27, 2015, 7:00 P.M.
York Public Library

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

Vice Chairman Peter Smith called the meeting to order at 7:04. A quorum was determined with five people voting: Chairman Peter Smith; Vice Chairman Amy Phalon; Esq.; Board Secretary Gordon Eldridge, representing York Beach; Al Cotton; and Lew Stowe. Alternate Wayne Boardman was present but did not vote. Assistant Planner Scott Hastings and York Planning Director Dylan Smith represented staff. It was Scott's first meeting. Patience Horton took minutes.

Public Forum

No one came forward to speak.

Site Walks

The recent site walks to the Cliff House, 592 Shore Road, and the Kearsarge House, 4 Railroad Avenue, were attended by Planning Board members Wayne Boardman, Gordon Eldridge, Amy Phalon, Peter Smith, and Lew Stowe, plus Assistant Planner Scott Hastings and Planning Director Dylan Smith.

Minutes

The August 13, 2015, Minutes were reviewed and changes were requested.

- **Motion:** Al Cotton moved to approve the minutes with noted changes for August 13, 2015. Lew Stowe seconded. The motion passed 5-0.

Field Changes

Preference Votes on November 2015 Proposed Ordinance and Comprehensive Plan Amendment

Proposed Ordinance Amendments.

- A. **Hotel/Motel Definition Change Relative to Cooking Facilities**
The Chairman asked for the Board's Preference: 5-0
- B. **GEN-3 Zoning District Permitted Uses**
The Chairman asked for the Board's Preference: 5-0
- C. **YBVC Zoning District Prohibited Uses**

The Chairman asked for the Board's Preference: 5-0

D. GEN-3 York Base Zoning District Map Amendment

The Chairman asked for the Board's Preference: 5-0

E. York Village Center Overlay District Map Amendment

The Chairman asked for the Board's Preference: 5-0

F. RES-7 Front Setback Footnote Change for Municipal Functionally Water Dependent Uses

The Chairman asked for the Board's Preference: 5-0

Proposed Comprehensive Plan Amendments.

G. Adopt by reference, the York Village Master Plan, dated April 2015 within Volume 1: Policies, Capital Investment Plan, Region Coordination Program and Implementation Program

The Chairman asked for the Board's Preference: 5-0

H. Amend the Public Sewer Policy May, dated April 27, 2015 within Volume 1: Policies, Capital Investment Plan, Regional Coordination Program and Implementation Program

The Chairman asked for the Board's Preference: 5-0

I. Add a new "Stormwater Chapter" within Volume 2: York Comprehensive Plan Inventory and Analysis.

Peter Smith asked for the words "of the Comprehensive Plan" in the following paragraph.

"The addition of this chapter will provide information on which policies related to stormwater management in Volume 1 *of the Comprehensive Plan* can be based."

The Chairman asked for the Board's Preference: 5-0

Actions

J. Modify and add Stormwater Actions within Volume 1: Policies, Capital Plan Inventory and Analysis

a. Amend Town Action 1.2.1 regarding open space cluster layout for subdivision

The chair asked the Board's preference: 5-0.

b. Amend Town Action 5.6.3 regarding low impact development

- The Chairman asked for the Board's Preference: 5-0
- c. **Amend Town Action 5.6.5 regarding the Town's Municipal Separate Storm Sewer System, known as MS4**
The Chairman asked for the Board's Preference: 5-0
- d. **Add new Town Action 5.6.6 regarding storm frequency data**
The Chairman asked for the Board's Preference: 5-0
- e. **Add new Town Action 5.6.7 regarding a single unified stormwater ordinance**
The Chairman asked for the Board's preference: 5-0.
- f. **Amend Town Action 6.2.8 regarding flood plain and wetlands management**
The Chairman asked for the Board's Preference: 5-0.
- g. **Modify the Introduction Chapter list to reflect the new Stormwater Chapter in Volume 2**
The Chairman asked for the Board's Preference: 5-0
- h. **Modify the Stormwater section of the Utilities Chapter to reference the new Stormwater Chapter**
The Chairman asked for the Board's Preference: 5-0

Other Business

- **Discussion of Village Zoning**

Planning Director Dylan Smith explained the current status of Village Zoning. It is important to get subcommittees and public forums for the proposed zoning changes for the May 2015 referendum and to invite everybody who would be impacted by zoning changes. There has to be public input on the locations and maps of the zoning districts, uses, dimensional requirements, and parking. There is only one public hearing on the Planning Board level that's required. It is in January. We would like to have more public hearings than that one.

The goal is to get a subcommittee up and running tonight [August 27, 2015] so we can start having public forums. Peter Smith, Amy Phalon, Lew Stowe, and Dylan Smith have already committed to the subcommittee. If there were two or three more people, perhaps a business owner, a current member of the Study Committee, and someone from the Historic District Commission, we can start having public forums.

Ron McAllister, chairman of the Village Study Subcommittee, came to the podium and said he is concerned about business people having a conflict of interest by participating in this subcommittee. Otherwise, he suggested Bryce Waldrop, the liaison from the Historic District Commission, and Toni Desoto and Gloria Gustafson, who participated in the Study Committee. They have retired from their businesses in the Village.

Dylan used a map called the Village Zoning District for Land Use Area No 8, which is the village designation from the Comp Plan. The map showed the 5-, 10-, and 15-minute

walking distances from the Monument. Current development patterns include the York Village Overlay District, which is the current zoning district. The boundaries in the GEN-3 district, the boundaries of the local Historic District, the RES-1A District, and the beginning of the Harbor are all shown on the map he was using. Right now, the very small section called the York Village Overlay District allows greater density under certain circumstances, if someone provides various stormwater LID proponents and/or greater buffering. He said the whole purpose of the rezoned Village Center is to promote commerce, mixed it in with residential, mixed that in with professional uses, and [throw in] a thriving pedestrian commercial area on the first floor. First floor professional offices don't really promote that.

Dylan Smith said, we *hope* to get these hearings underway very soon.

- **Discussion of May 2016 Ordinance Amendments**
Potential Ordinance and Comp Plan changes for future referendums.

Comp Plan Amendments

1. The overall Capital Investment Plan will probably be put off a little longer.
2. The Energy Chapter. Wayne Boardman said the Energy Committee is shooting for the May referendum, though November 2016 might be more realistic.
3. There is a full rewrite of the Comp Plan going on that will probably take 2 years. A consultant will help lead that public participation
4. Ordinance Amendments the work for November is complete. The work for May 2016 includes "re-tweaking" the "zoning book" and the site Plan and Subdivision regulations and performance standards. Realistically, that is not going to get finished for May 2016. It will be more likely November 2016 or May 2017.
5. The Farmers' Market definition. The Chamber will be at the September meeting to discuss their views on the definition that they passed in for the Board to consider.
6. The York Village Zoning Amendment is "the big one." We will strive for May. We hope we can get businesses in the area and people in the area excited for the change.

Shoreland Zoning Amendments

1. There are new State standards that have come out, and we have to change our current shoreland standards. Leslie Hinz will come to present those standards and the educational aspect of them. The changes are not major.
2. Urban Compact Rezoning. That has to do with spacing frontage requirements between structures and our taking over the maintenance of roads from the State. The selectmen decided not to contest the State requirement.
3. Shoreland Zoning Maps has to do with refining the resource and stream protection maps that we currently have.
4. Stormwater Frequency Standards based on the Cornell study. Development proposals that are coming in are using the Cornell Storm Frequency totals for

their stormwater plan. The frequency is 2 to 3 inches greater than the current frequency for the 100 year storm.

Wayne Boardman asked that Code Officer Amber Harrison comes in to talk to the Planning Board during a workshop and describe her concerns and issues.

Discuss Findings of Fact

- **449 US Route 1; St. Joe's Coffee**

Chairman Peter Smith explained that the Findings were amended after they had been posted. That new draft, which had been revised by Lew Stowe, did not make it to everybody. No one had issues with the current drafts. No one had issues with Lew's additional comments.

Motion: Al Cotton moved that we authorize the chair to sign the Findings of Fact for St. Joe's Coffee, 449 U.S. Route 1, as amended. Seconded by Gordon Eldridge. No discussion. The motion passed 5-0.

- **Harris Island Road Marina**

This application is for the addition of a small shed/addition and the required setback from the water. Lew Stowe saw there is an aspect of expanding a non-conforming building in the shoreland that was missed in the Findings. He plans to work on this with the applicant.

Motion: Al Cotton moved that we authorize the Chair to sign the Findings of Fact for Harris Island Road including recommendations as discussed at this meeting. Gordon Eldridge seconded. There was no discussion. The motion passed 5-0.

Adjourn

9:30