

York Planning Board
Thursday, February 22, 2007, 7:00 PM
York Public Library

Call to Order, Determination of Presence of Quorum

Vice Chairman Tom Manzi began the meeting at 7:00 by introducing the Planning Board and staff. There was a quorum of three: Tom Manzi, Barrie Munro, and alternate Lee Corbin, who was asked to vote in place of Glen MacWilliams. Board Chairman Glen MacWilliams and Glenn Farrell were absent. Town Planner Steve Burns represented staff. Patience Horton took minutes. The meeting was televised.

Public Input

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

York Hospital Director Steve Pelletier described a proposed renovation and landscaping change for the Heart Health entrance of the hospital off of York Street. Currently, concrete curbs along the parking area serve as barriers for walkers and wheel chairs. The new curbing would be flat. He called the curbing to be a seamless transition. During the same renovation, the entranceway to the doorway would be rebuilt with a future foyer and automatic doors in mind. The change brings very little increase in lot coverage.

Steve Burns said that the critical issue for the board members to consider is whether they feel the proposed change would trigger Site Plan Review, which usually is in response to significant changes. Lee Corbin said that she considers this change to be a landscape change that has no erosion problems, and because it is insignificant, it warrants no site plan review--except for the loss of a parking space, which is an issue. Steve Pelletier replied that York Hospital had purchased adjacent land and plans to place the lost parking space on that contiguous property. Steve Burns confirmed that the parking space that is eliminated because of this plan could go anyplace on the hospital campus. Barrie Munro asked for engineering certification (Altus Engineers) for the plan. Steve Pelletier added that the hospital is coming forward with a major proposal within the next six months.

Motion Barrie Munro moved to accept the parking curbing/landscaping plan as an insignificant change in landscaping, and he also moved to approve the plan subject to Altus Engineers' certification. Lee Corbin seconded the motion, which passed, 3-0.

Field Changes

There were no field changes.

Minutes

Review and approve draft minutes.

The February 8, 2007, minutes were reviewed. There were no corrections made

Motion Barrie Munro moved to approve the February 8, 2007, minutes as submitted. Lee Corbin seconded the motion, which passed, 3-0.

Business

1. York Beach Re-Zoning. Presentation of work to date by the York Beach Renaissance Committee, and follow-up discussion

Cathy Goodwin, director of the York Region Chamber of Commerce, was the spokesperson for the York Beach Renaissance Committee, the members of which were also present and introduced. She said that the revitalization of York Beach started a few years ago with a plan to repair the sidewalks. That plan has grown to all kinds of decision making about improvements toward guiding the Beach area toward healthy beaches and a positive environment for residents and visitors. She particularly thanked Ed McNally, for his engineering support, and Steve Burns, as an advisor, for their invaluable assistance.

Cathy Goodwin showed a piece of art depicting Railroad Avenue, the Goldenrod Building, and the Atlantic Condominium building in the background, set in the 1890's, judging from the style of dress and ladies with parasols. The print captured the mood of a pedestrian beach community.

Steve Burns pointed out the proposed York Beach Zone on a GIS map. It showed four transitional areas around the one core beach area. Lee Corbin asked if the new zones take the Wild Kingdom property into consideration, and Cathy Goodwin replied that it was best to exclude that property from the plan. Wild Kingdom will eventually have to fit into what the rest of the Beach is doing. She described TIF (Tax Increment Financing) that will pay for some of the improvements, including a possible \$15 thousand budget for handling traffic issues. She described the complexity of dovetailing different aspects of revitalizing the Beach. Committee member Dave Woods talked about having a clear-cut line proposed for the area between the commercial zones and the residential zone. He said decisions have to be made about the extent of home occupations in the residential zone.

Barrie Munro pursued transition and density information with regard to the new 25-page document referred to as Article 4. Renaissance members were not yet familiar with the ordinance, and Steve Burns said he would talk to them about the article, himself.

Cathy Goodwin discussed the newly proposed height ordinance. Apparently, the Union Bluff was originally over 60 feet tall, as were several other hotels at the beach. The new

height ordinance will allow buildings to be 40 feet tall to accommodate three stories (retail, office space, and residences, in that order) plus a peaked roof. Renaissance Committee member Cheryl Farley, also of Olde York Historical, said that a man professionally instrumental in revitalizing Green Bay, Wisconsin, had visited her and walked through York Beach. He agreed with the committee's approach to the area as a pedestrian-oriented beach town.

Vice Chairman Tom Manzi asked how the Planning Board could assist the committee through the ordinance amendments. The York Beach Renaissance Committee plans to come before the board every month for the next few months to present its ideas and get feedback from the planning board. Steve Burns said that he would not allow his own ideas to overshadow those of the Renaissance Committee, which will present its own ideas to the planning board.

2. Other Ordinance Amendments Discuss newly drafted amendments other than the York Beach amendment

Ord-1 Density and Use Standards with respect to Public Utilities

Steve Burns said that the ordinance amendment adjusts density and use standards, bringing them closer to the guidelines of the comp plan. Water and sewer will be established in the center part of town. Bringing water or any another utility into a rural zone will not lead to extra density for that area.

Ord-10 Public Road Acceptance Standards

The new public road specifications are similar to the standards used in Scarborough, Maine. When a developer builds a road, there is no guarantee that the York Department of Public Works is going to take over the maintenance of that road. The Town's acceptance of a privately built road, sidewalks, or road lighting depends on the adherence to standards. The roads at Whippoorwill subdivision were done correctly, he added, because the maintenance of the road was taken into consideration for town acceptance early.

Ord-13 Special Exceptions

Steve Burns summarized the difference between special exceptions (which are allowed when a situation meets certain criteria) and variances (which are applied in instances when rules do not apply because of unique circumstances). This ordinance amendment concerning special exceptions has not been developed for Planning Board use, but rather for Board of Appeals use, because appeals deals with Special Exceptions. This Ordinance 13 is not of concern to the planning board.

Ord-14 Road and Right of way Standards

Steve Burns said that the State does not recognize certain right-of-way standards in certain cases of division of land. Therefore, those unrecognized cases do not come to the planning board, but should. Issues to be included in those hearings include maximum

grade requirement of ten percent for roadways and the requirement for long, gradual approaches into intersections, so a roadway will not be like Radon Road where it intersects with Route 1 (steep). These are matters to be supervised by planning board review.

3. Neighborhood Zoning Amendment Process. Designing a process. Discuss a public meeting to have the public help us decide how best to solicit input for neighborhood-specific re-zoning projects such as the RURAL-1 zone.

The next subject was the art of getting public engagement on the issue of neighborhood zoning. Barrie Munro suggested telling the public about a proposed concept, like zoning boundaries, using demographics and other features. Public input at hearings would follow that. At the first hearing, the board would listen. At the second hearing, the board members would present changes made in response to what they learned at the first hearing. Perhaps an ad hoc committee can be formed, Barrie Munro continued, and that committee could bring the changes back at yet another meeting.

Steve Burns added that it is important to facilitate a group, so the group is really telling the planning board what the group wants. He suggested hiring a facilitator to cover a course of seven meetings. Tom Manzi suggested Lou Stow and Laurie Chase as possible facilitators. Barrie Munro said that sooner or later, the meetings would have to be televised. Steve Burns commented that that people should not be subject to Minutes or TV broadcast during the early stage. Also, it would be necessary to make phone calls to people who have been interested in this zoning in the past, so they can become involved. The work should be done in April. There should be a meeting every week. The process should be finished quickly.

4. Site Plan & Subdivision Regulation Amendments Discuss draft amendments and establish a public hearing process for adoption, if ready.

Subdivision Phasing

Steve Burns asked if the draft for subdivision phasing was ready to publish, and if subdivision phasing is necessary in the rural area. The amendment provides that the preliminary plan has to include the whole plan at build-out and should not be related to the growth ordinance. Also, no applicant can have more than three building permits at one time. Ten is the limit in one year. Barrie Munro referred to the situation where a developer working in two phases might be unwilling or unprepared to disclose plans for the second phase, as happened with the Highland Farm Phase 1 application. There was a tentative consensus with respect to requiring a comprehensive sketch plan.

Findings of Fact

Steve Burns described the Findings of Fact, which have become the responsibility of the applicant. The planning department is able to give the template to the applicant, but if the

efforts of the applicant make the findings sparse or incomplete, it will not be good for the applicant, if the matter goes to Appeals.

Conventional-design Subdivision Open space

Steve Burns said that the change in the ordinance concerns open space. Barrie Munro said that habitat should be the first thing analyzed when designing a subdivision. Steve Burns answered that wildlife standards are part of subdivision regulations and that there wasn't any need to reinforce this requirement. It was agreed that imposing a net buildable acreage requirement for identifying open space might be unfair and unreasonable for small subdivisions.

Wildlife Standards

Steve Burns showed three maps that focus on habitat conservation: Inland Fisheries & Wild Areas map, Uninhabited Habitat Blocks map, and the Mount Agamenticus & Brave Boat Harbor map. He said that the applicant would have to show the board the subject property with regard to all three maps, per Article 6.3.16.

Road Design standards

Steve Burns explained that the comp plan calls for roads to be scaled down in certain neighborhoods in order to cut down on storm runoff. That would keep those roads private, as they would be too small for town standards. Public works director Bill Bray appreciates the concept, especially if he does not end up with the roads. In discussing second accesses to subdivisions, Barrie Munro suggested making it board policy that second accesses is a circumstance that cannot be waived. Steve Burns replied that a person could not have a crystal ball seeing that something should never be waived. New cul-de-sac standards were discussed. Steve Burns displayed a graphic showing a cul-de-sac with a hammerhead-shaped turn around. On such streets, there would be a limit of nine houses, derived from there being four on each side, and one at the end.

Standards for road intersections would limit arterials streets coming off other arterials street. Collector streets would have to come off collector streets. This way, roadways would maintain scale throughout sections of town.

Historical & Archeological Resources

Steve Burns explained a major difference between the York Historic District Commission, which focuses on **architecture**, and the Maine Historic Commission, which take **archeology** into consideration. Understanding this difference helps a person get a more complete picture of the commissions' usefulness.

Other Business/Adjourn

There was no other business. The meeting ended at 10:25.