

1 *Quarterly Joint Meeting*
2 *York Board of Selectmen & York Planning Board*
3 *Thursday, March 23, 2017, 6:00 P.M.*
4 *York Public Library*
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6
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8 The regular Planning Board meeting was preceded by a quarterly joint meeting with the
9 Select Board and the Town Manager from 6:30 to 7:30pm. Planning Board Chairwoman
10 Amy Phalon called the meeting to order at 6:00. Planning Board members Amy Phalon,
11 Peter Smith, Lew Stowe and Kathleen Kluger were present along with the entire Select
12 Board: Michael Estes, Dawn Sevigny-Watson, Todd Frederick, Chairman Robert Palmer,
13 and Jonathan Speers. Town Manager Steve Burns and York Director of Planning Dylan
14 Smith were also present. Planning Board members Gordon Eldridge and Wayne Boardman
15 arrived later in the meeting.

16
17 **Discussion: Improving the process for moving Planning Board initiatives to the Board**
18 **of Selectmen**
19

20 The Select Board should have more information about Planning Board and Planning Board
21 Subcommittee initiatives before ordinances are forwarded to the Select Board for approval.
22 The boards discussed possible ways to have better communication as ordinance and Comp
23 Plan work develops. A liaison from the Select Board might attend Planning Board
24 Subcommittee meetings. A Planning Board member might come before the Select Board
25 and present projects and answer questions. A Planning Board work group (two people)
26 might come before the Select Board with presentations.

27
28 The Short Term Residential Rentals (STRR) ordinance work was used as an example of
29 likely failed communications. STRR Chairwoman, Kathleen Kluger said 101 man hours
30 were spend developing the draft ordinance. Selectman Robert Palmer said he was
31 impressed with the initial presentation on November 17, 2016 (Senior Center location)
32 but, there had been no communication between the two boards since then. Selectwoman
33 Dawn Sevigny-Watson said, "It would have been a perfect situation for a workshop
34 allowing back and forth dialogue and questions before taking the work to the next level."
35

36 Selectman Todd Frederick suggested using quarterly meetings [like this one] as an
37 opportunity to present progress. He also suggested sending one selectperson to key
38 Planning Board public hearings.
39

40 Town Manager Steve Burns: "The two boards have to agree with a purpose right out of the
41 gate. You have to agree on the direction you are going with the 'big ones' from the start."
42

43 **Ongoing Planning Board Initiatives**

44

45 **Short Term Residential Rentals (STRRs)**

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47 Amy Phalon: STRRs are not permitted by any existing ordinance, and they are not listed
48 in any Use Table. By virtue of not being listed, they are prohibited. This ordinance is
49 intended to create a use and basic guidelines for people who are renting out their homes
50 as a business.

51

52 Selectman Mike Estes: Any house with more than three bedrooms has to show the
53 ability to park on the site. Parking will not be available at the High School any more.
54 The cost for permitting of \$250.00 is not reasonable.

55

56 Todd Frederick said that since this was presented at the first joint meeting in November,
57 2016, the ordinance has gone “from zero to one hundred mph,” but there was silence
58 between the two boards. The Planning Board hearing had a packed house. The Select
59 Board public hearing had a packed house. “People are talking to me on the street about
60 that ordinance,” said Todd. “Rarely do people talk to me about town government. They
61 talked about that ordinance.”

62

63 Steve Burns: “How about Dylan and I draft something up and get it to both boards?
64 How’s that?”

65

66 **Energy Chapter of the Comprehensive Plan**

67

68 Steve Burns: The chapter went “off the rails” because the early draft had too many (50)
69 energy actions. When those actions were cut back to 10, that was not enough. Committee
70 member Wayne Boardman said that the number of actions was not "cut back" but rather
71 that the actions were "consolidated" in a way that the overall intent was not lost.

72

73 The Energy Survey results show that the community supports the energy plan.

74

75 **Next Phase of Shoreland Zoning Changes**

76

77 Work on Shoreland Zoning changes will be suspended until Brett Horr, “the GIS person,”
78 is finished remapping the wetlands. The 1971 National Wetland Inventory maps are being
79 used as the most recent wetland maps. New federal LIDAR wetland maps combined with
80 aerial photography, to include infrared depiction, will be part of the package.

81 Mike Estes was outspoken about Wetland/Shoreland zoning changes. 1) We should go
82 from regulating ten acres of watershed, which we do as a town, to four acres, which is what
83 the state does. 2) State regulation of the wading bird habitat was “a flop.” Therefore, why
84 do we still have that? 3) Our dock regulations should be in compliance with state law.

85

86 **New Planning Board Initiatives**

87

88 **Revisions to Zoning 11.3.2 and 8.3.8.2 to distinguish access ways around parking**
 89 **lots from driveways**

90

91 Dylan Smith: In some situations, as with the new York County Credit Union, access
 92 ways around and through parking lots are being treated the same as the driveways that
 93 gain access to those parking lots from the road. Based on the current ordinance specifics,
 94 builders are allowed to fill wetlands and encroach on the shoreland/wetland. In addition,
 95 there is no definition for “driveway.” The idea is to add clarity the term “driveway” and
 96 the related rules for filling wetlands to provide a driveway.

97

98 **York Village sign standards**

99

100 Dylan: We updated the village zoning last year and the next step is to assure conformity in
 101 village signs. We’ll be looking to the Historic District for input. State Street toward the
 102 river in Portsmouth is an excellent example of pleasant urban signage.

103

104 Mike Estes said he would like the Planning Board to solve the Rte. 1 sign standards
 105 problem where buildings with multiple tenants only have one 25 square foot sign to list
 106 them all on.

107

108 **Zoning 6.3.13.4—Rte. 1 building materials and rooflines**

109

110 Amend zoning regarding cementitious siding and PVC trim, which have become
 111 predominate building materials and should no longer require waivers.

112

113 **Bike/Ped Master Plan**

114

115 The recently completed Bike/Ped Master Plan including comprehensive mapping will be
 116 brought forward as part of the Comp Plan by reference.

117

118 **Growth area boundaries in areas at risk due to sea-level rise.**

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120 Amy Phalon: “Within the next 50 years, we are going to be experiencing serious flooding
 121 problems. It might not be a good idea to continue growing, developing, and having high
 122 density, transportation, and infrastructure if it’s not going to be viable. That’s what we
 123 want to start look at and researching.”

124

125 Dylan Smith: “This would be a Comp Plan change called a Flood Plain Risk Ordinance,
 126 or maybe Flood Management Risk Ordinance. The idea would be to look at where the
 127 flooding potential area is.”

128

129 This work is being suspended until the new LIDAR maps arrive.

130

131 **Parks Overlay Ordinance**

132

133 Steve Burns: This would be a way to designate parks. There are about half-dozen Town
134 parks, including Ellis Park, Sohier Park, Goodrich Park, and Moulton Park. The idea is
135 to put an overlay in the zoning ordinance or a develop a standalone ordinance that
136 identifies these areas as parks.

137

138 **Other Discussion**

139

140 There was no more discussion. The quarterly joint meeting of the Select Board and the
141 Planning Board adjourned at 7:29pm.

142

143

144 **York Planning Board - Workshop Meeting**

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146 **Call to Order, Determination of Quorum; Appointment of Alternates.**

147 Planning Board Chairwoman Amy Phalon called the meeting to order at 7:50. A quorum
148 was determined with five people voting, Chairwoman Amy Phalon, Vice Chairman Peter
149 Smith, Board Secretary Gordon Eldridge, Lew Stowe, and Al Cotton. Alternates Wayne
150 Boardman, and Kathleen Kluger were present, but did not vote. Patience Horton took
151 minutes. York Director of Planning, Dylan Smith, represented staff.

152

153 **Public Forum**

154 No one came forward to speak.

155

156 **Public Hearings – Applications**

157

158 ~~1375 Rte. 1; Map/Lot: 0097-0018~~

159 ~~Application is for a revision of an existing Planning Board approved sit plan for a~~
160 ~~mixed use lot to add a garage to be associated with the residential unit on the lot.~~

161

162 This application was not heard.

163

164 **Preference Votes on May 2017 Ordinance Amendments**

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166 **Article 8—Shoreland Overlay District**

167 Chairwoman Amy Phalon asked those who prefer Article 8, Shoreland Overlay
168 District, to raise their hands. There was a 5-0 preference.

169

170 **Article 9—Green Buildings**

171 Chairwoman Amy Phalon asked those who prefer Article 9, Green Buildings, to their
172 hands. There was a 5-0 preference.

173

174 **Discussion/Review November 2017 Comprehensive Plan Initiatives**

175

176 **Bike Ped Master Plan**

177

178 Board members spent five minutes reviewing and made minor textural changes to this
179 developing master plan document.

180

181 **Energy Comprehensive Plan Chapter**

182

183 Rozanne Patane, Chair of the Energy Committee, said that there is community-wide
184 support for energy actions, but also noted that no one in the school system has stepped
185 forward to create and implement an energy program for the High School students. There
186 are directional statements for department heads and committees to go ahead with, but no
187 one has stepped forward to do the work.

188

189 Rozanna plans to pass the next draft of the chapter on to teachers and the superintendent.

190

191 **Capital Investment Plan - Funding of Sewer Projects**

192

193 Dylan used outdated maps for reviewing the proposed sewer service expansion areas.
194 Those were the only maps available, and the information was sketchy and incomplete.
195 The outdated budget of \$1.2 million is likely to be increased. The current priority is to
196 finish major sections of the Route 1-3 corridor up to the newly-acquired DOT barn, Old
197 Post Road, and York Cliffs.

198

199 **Discussion/Review November 2017 Ordinance Initiatives**

200

201 Work on the Short Term Residential Rentals ordinance will restart soon, targeting the main
202 concerns of the Select Board. The Planning Board is hoping to have work completed for
203 the November 2017 referendum, but realizes that the May referendum is more likely.

204 Kathleen Kluger said the areas of concentration are: 1) Short term rentals; 2) Town-wide
205 community issues; 3) Parking on Garrison Avenue; and 4) Construction of homes built on
206 inappropriate lot sizes.

207

208 STRR committees and work groups are thus composed:

209

- Short Term Residential Rental Committee:

210

Kathleen Kluger, Gordon Eldridge, Al Cotton, Lew Stowe,

211

- Work Group for nonconforming structures on nonconforming lots:

212

Lew Stowe and Gordon Eldridge

213

- Work Group for parking requirements related to nonconforming structures:

214

Lew Stowe and Gordon Eldridge

215

York resident Troy Williams is part of the STRR committee.

216

- 217 2017 Fall Ordinances Initiatives
218 1. Short Term Residential Rentals
219 2. Parks Overlay Zone
220 3. Sign standards for the Village and Rte. 1-3.
221 4. Wetland fill in parking areas versus access ways (driveways)
222 5. Acceptable Route1 building materials
223 6. Shoreland (hold off until new data and LIDAR map are available)
224

225 **Minutes**

- 226
227 • Motion: Gordon Eldridge moved to accept the minutes of February 23, 2017.
228 Pete Smith seconded. The motion passed 5-0.
229
230 • Motion: Lew Stowe moved to approve the minutes of February 27, 2017. Pete
231 Smith seconded. The motion passed 5-0.
232
233 • Motion: Al Cotton moved to accept the minutes of March 9, 2017 as corrected.
234 Pete Smith seconded. The motion passed 5-0.
235
236

237 **In Other Business**

238
239 **Findings of Fact**

- 240
241 • Motion: Gordon Eldridge moved to accept the Findings of Fact for York Housing;
242 Tax Map Lot 0044-0050, 117 Long Sands Road, York, Maine. Al Cotton seconded.
243 The motion passed 5-0.
244
245 • Motion: Al Cotton moved to accept the Findings of Fact for 369 Route 1.
246 Pete Smith seconded. The motion passed 5-0.
247

248 **Adjourn**

249 Gordon Eldridge moved to adjourn.
250 9:40 p.m.