

**TOWN OF YORK PLANNING BOARD  
THURSDAY, DECEMBER 13, 2001—7:00  
GRANT HOUSE**

Chairman Al Bibb began the meeting at 7:00 P.M. by introducing Planning Board members Glenn Farrell, Barrie Munro, Torbert Macdonald, and alternates Richard Arnold and Dan Remick. Mr. Arnold was asked to vote for Dave Marshall, who missed the public hearings, but arrived in time for the other business. Town Planner Steve Burns represented "Staff." Patience Horton was the recording secretary. The meeting was not televised, nor was an audiotape made.

**MINUTES**

In correcting the minutes of the November 3 Planning Board meeting, Mr. Macdonald asked that the fourth paragraph on Page 6, regarding the Jeloe application, be changed to read as follows:

Mr. Macdonald stated that the Town had permitted the development to occur, causing these kinds of problems. *Therefore, "we need to make it easy for these people to do what they want to do. We have an obligation to take this on and not deny this," because the sanctioned development caused the drainage issues here.*

The added language is in italics. Mr. Munro then motioned for the acceptance of the minutes as corrected, which Mr. Macdonald seconded. All voted in favor of the motion, 5-0.

Mr. Munro moved for the acceptance of the November 29 minutes as written. Mr. Macdonald seconded the motion, which passed with a 4-0 vote. Mr. Arnold abstained from voting because he had not attended the meeting.

**PUBLIC HEARINGS**

**Dolly Gordon Meadow, Map 87/Lot 58H.** Request to amend subdivision plan.

Mr. Burns described the application as a request to reduce a drainage easement. An earlier effort, around 1997, by the public works director would have had a culvert split water in two directions. That plan was eliminated. One house ended up in the drainage easement with 20 ft. side setbacks. The application to reduce the drainage easement to 15 feet was acceptable to the staff, and approval was recommended. Mr. Macdonald asked about the conformity of the change with the zoning. Mr. Burns said it was in agreement with the zoning.

Mr. Munro motioned, and Mr. Farrell seconded, the opening of the public hearing. There was no one to speak, so Mr. Munro and Mr. Macdonald moved and seconded the closing of the public hearing. Mr. Burns had heard from three abutters, including the president of the homeowners' association, all of whom said the plan was fine.

Mr. Munro motioned to approve the amendment as presented. Mr. Arnold seconded the motion. All voted in favor of the motion, 5-0. The applicant, Duane Jellison, asked about Mylars being signed, which Mr. Burns said would happen.

**York Corner Place, Map 48/Lot 20, U.S. Route One.** Request for a Route One Use Permit.

Mr. Burns described the property's location next to the superintendent's office. A rundown, old house on the property was to have been torn down some time ago, but that approval lapsed. The application was complete. There were design concerns for the staff.

Duane Jellison, President of J & P Corporation, showed plans and elevation, described the property and former, fallen-through plans.

Mr. Munro motioned to open the public hearing, which Mr. Macdonald seconded. There was no one to speak. Mr. Munro and Mr. Macdonald motioned and seconded the closing of the public hearing.

At Mr. Bibb's prompt, Mr. Munro motioned for the acceptance of the application for review. Mr. Macdonald seconded the motion. All voted in favor of the motion, 5-0.

Mr. Burns said that a neighbor residing two houses past the vet's property had contacted him about the application, saying, "Please pay attention to traffic," that there is constant traffic at that location. Mr. Arnold said her name was Jean Anderson. Mr. Burns said that there is wetland jurisdiction and fill in there. The applicant is proposing to restore the wetland. There is a question about man-made drainage channels on the property. There is question about the wetland boundaries. As well, there are between 250 and 380 anticipated trips per day into the proposed property. Driveway improvements might need to be broadened. They will have to provide two more spaces or reduce the square footage of the building. Mr. Jellison said that he would rather cut the 200 feet out of the building, rather than having to deal with parking. Mr. Burns and Mr. Munro mentioned the possible need for a formal easement.

Bill Anderson, of Anderson Livingston Engineers, brought up the measurement of storage space, which evolved into a discussion of gross area, furnace area, and retail space and their part in settling the formula for measuring. They settled on using gross square footage in their calculations. Discussion included front parking (Mr. Anderson did the math and "rounded up" to get his number of spaces), the dumpster, handicapped parking, and the turnaround, before leading to the discussion of placement of the ATM, actually a bank drive-thru, the actual location for which Mr. Jellison said he would solve.

The landscaping not being done by a Maine licensed landscape architect was corrected. Mr. Jellison said he would hire one.

The presence of a sidewalk from the building to the street sidewalk built in conjunction with the sewer construction was an open issue. They also discussed the turning radius at the entrance, wondering if the proportions given were sufficient. It was decided that the sign-off from the Chief of Police would satisfy the board. In other words, if it's good for the Chief, it's good for the Board.

When the signage issue was raised, the applicant said that the tenant, as yet unknown, would deal with it, later. Mr. Munro and Mr. Arnold motioned and seconded to waive the sign requirement until a later time when there are tenants in the building. Mr. Farrell added that the CEO would decide the matter. All voted in favor of the motion, 5-0.

Mr. Burns discussed the grade, which drops from 50 to 42 feet, going toward the back of the building. Mr. Anderson said that the building would be stepped proportionally to the grade. Also, the details of the sewer on the plan, which were marked "proposed," need to have the "proposed" word taken off, as the sewer is actually in place. Mr. Burns said the Fire Chief was agreeable to the proposal on first look, the Police Chief hadn't seen the project, and neither had the Town Engineer.

Wetland boundary issue was discussed. The natural drainage on the property is gone. The line between drainage and wetland was not established, and neither was the differentiation between natural and man-made drainage. Mr. Anderson showed his plan to fill in some area and reestablish wetland elsewhere. Mr. Macdonald explained the need for a Wetland Assessment. Mr. Jellison said someone named "Kenny" would look at it. Mr. Munro said that Mr. Jellison had to get a soil scientist.

Mr. Jellison reviewed several points of concern, mentioning the wetland, the waiver on the signage, the turning radius, the sidewalk connection, the drive-thru location, and the parking problem.

Mr. Munro made the motion to table this application until the applicant is ready. Mr. Farrell seconded the motion. It was passed unanimously, with a 5-0 vote.

David Marshall joined the panel at the end of this matter.

## **OTHER BUSINESS**

### **Capital Planning**

Mr. Munro reported on the current text of the Town of York Comprehensive Plan/Capital Investment Plan, describing it as an unencumbered, policy-like document meeting the changing development needs of the town. Mr. Burns said they are trying to get the Capital Improvement Plan to match the Comp Plan.

There was discussion about how Water and Sewer is required to be consistent with the zoning of the town, but not with the spending. The capital plans of those departments are not consistent with the Comprehensive Plan, and don't have to be. Neither the Planning Board nor the Selectmen have any control over the Water and Sewer budget.

Mr. Bibb said that Mr. Munro did a good job rewording the document without changing the intent.

Mr. Munro described the *ad hoc* committee made up of many representatives from different branches of the town government. He described the drafting process and how money is not involved. It is a policy document indicating the direction of assigned responsibility. In the future, there will be a budget, but it won't be part of the Comp Plan.

Mr. Burns explained that it is important for the Planning Board to understand the Comp Plan, because the Planning Board represents the Comp Plan. The second phase is the budgeting element.

Mr. Munro said that the public had not been involved. A Planning Board Public Hearing will occur, as will one concerning the Selectmen. There was a discussion about voting.

Mr. Bibb asked for a motion to support the proposal he brought in the Capital Investment Plan, which Mr. Macdonald made, and Mr. Marshall seconded. The vote was unanimously made, 5-0.

Mr. Munro read from a letter he had written Jim Amoroso, stating that there was need for a policy statement about the educational facilities. There is to be a 10-year facilities process covering many areas with an emphasis on maintaining facilities.

Mr. Macdonald raised the need to specify the circumstance when something can be taken from the plan. Mr. Burns said that that was not a good idea, for when something is denied, it does not mean it will not be requested again. Mr. Bibb said he doesn't want to put that in for the benefit of the budget committee. Mr. Burns replied that it is for the benefit of the people who request from them, and that the plan was a great start for getting the whole Town's act together.

There was no other business. Mr. Marshall moved to adjourn the meeting, which Mr. Macdonald seconded. It was 9:00.