

**TOWN OF YORK PLANNING BOARD
THURSDAY, AUGUST 22, 2002, 7:00 P.M.
YORK PUBLIC LIBRARY**

Barrie Munro chaired the meeting in Glenn Farrell's absence. The meeting was attended by Al Bibb, alternate Dan Remick, who voted in absent Torbert Macdonald's place, alternate Mike Estes, who voted in absent Glenn Farrell's place, Town Planner Steve Burns, and Land Use Technician Brett Horr. Patience Horton was the recording secretary. The meeting, which was televised, was called to order at 7:06, with Barrie Munro's announcement that Agenda Item 4, the Zoning Ordinance Discussion, would be deferred until the full Planning Board is present.

Review and approval of Minutes for August 8, 2002 meeting. Al Bibb noticed that the heading read "July 8, 2002", instead of "August 8, 2002," and requested that it be changed. Al Bibb and Dan Remick moved and seconded to approve the minutes as corrected. All voted in favor of the motion, with a 4-0 vote.

York Sports Center. Tabled from August 8, 2002 meeting. Continued discussion about changes to approved design.

Steve Burns said that at the meeting two weeks before, there were two outstanding issues, the design of the access road with accompanying drainage, and the landscaping matter, which Barrie had worked on. Inspection Engineer John Treat had since responded that the new drains should be fine, and the changed grading should be fine. All engineering topics that were raised at the meeting two weeks prior, John Treat told Steve, should work fine. When Barrie Munro asked for comment from the Board, Al Bibb said he was not going to argue with the Town Engineer.

Al Bibb moved, and Dan Remick seconded to accept the new drainage plan. There was no discussion. The motion passed unanimously.

Barrie Munro said that he had met with Terrance Parker, landscape architect, on the Monday following the last Board meeting. They agreed on how to treat the newly identified areas that were considered too thin to represent an adequate buffer that would soften the appearance of the building at the same time. The plan drawings were presented, and Barrie said that it was accurately representative of the decisions he had made with Parker. He recommended its approval.

Al Bibb and Mike Estes moved and seconded that the landscape plan be approved as amended. The vote passed, 4-0.

Al Bibb then motioned to grant final approval to the site plan amendment, as discussed over the last two meetings. Mike Estes seconded the motion, which passed, 4-0.

REMAX Real Estate, Map 54, Lot 10Z, 439 U.S. Route One. Route One Use Permit for expansion of both the building and parking lot.

Brett Horr introduced the matter. In the two weeks since the last hearing, the applicant had incorporated changes in the parking, and in doing so was going beyond the minimal required parking, either with or without removing the greenhouse. Responses from the Fire and Police Chiefs were still outstanding, which prevented the plan from receiving full acceptance. The Code Office

APPROVED York Planning Board Minutes

August 22, 2002

Page 1

recommended waivers for the landscape plan, due to the abundance of natural vegetation, and because the building is already on water and sewer, the high intensity soil survey should also be waived. Brett recommended plan approval, subject to the say-so of the two Chiefs, the holding of a public hearing, and granting of the waivers.

Dan Remick moved to accept the plan as complete. Mike Estes seconded the motion, which passed unanimously,

Dan Remick and Mike Estes moved and seconded to open the Public Hearing. No one spoke to the application, so the same two moved to close it. James Hager of REMAX spoke graciously to the Board. His team had tried to comply in every way possible, always with the intention of being friendly with neighbors and the environment. They also strove to keep the farmhouse style of building. He thanked the Board. Brett Horr described a shift in the handicapped parking, which was the only change from the previous plan to this one.

Al Bibb moved to grant waivers in Articles 6.3.10, for the landscape plan, and 6.3.32, for the high intensity soil survey, for the reasons stated by Brett Horr. Dan Remick seconded the motion, which passed, 4-0.

Barrie asked if his fellow Board members had read the plan notes and Findings of Facts. Each answered individually, "yes."

Mike Estes moved to approve the plan, subject to the approval of the Fire and Police Chiefs. Barrie Munro added, "plus to approve the Findings of Fact." Dan Remick seconded the motion, which passed, 4-0.

Other Business. Draft 10B of the Ordinance was handed to all Board members present. Michelle Moody, the liaison between the Selectmen and the Planning Board, brought up the possibility of having a preference vote rather than having it handed off by the Board. Dan Remick said that his understanding was that the Planning Board was going to look at the final draft and vote whether or not to hand it off. Barrie Munro brought up possible available dates for moving ahead. Michelle said that if the Public Hearing will be on September 10, at which time substantive changes can no longer be made, but minor changes correcting the text can. The Planning Board preference vote would occur after it. Steve Burns said a preference vote is absolutely necessary.

The final vote will be on November 5. The date of the Planning Board meeting will have to be set. Mike Estes thought that having a workshop after the Public Hearing is appropriate. Al Bibb said that he thought Mike Estes was stating that the Planning Board should not hold an independent Public Hearing. Dan Remick said that he wanted the public to realize the changes that have been made. Barrie Munro said that he wanted the public to understand that they have given input that made changes. Barrie asked the others what their understanding was of how to proceed. Dan said that after attending the Selectmen's meeting on September 10 and listening to the input, they would follow with their own vote, either yes or no. Mike explained that the yes or no is whether or not to go ahead with the ballot in November.

Cliff Estes had come into the room and asked to speak. He had been watching the broadcast of the meeting at home and came in to insist that the Public Hearing on September 10 will be a regular hearing where demands can be accepted and listed to, and then substantive changes can be made. From what he was hearing from the broadcast, he believed that changes could *not* be made after the Public Hearing. The Board members explained that at that point, changes could be made only to correct grammatical or typographical errors. However, no substantive changes would come about. That was finished. Cliff Estes made some expletive comment and left the room brusquely. Barrie Munro warned him that such language was never permissible in that boardroom—ever.

Adjourn. Al Bibb moved to adjourn. Mike Estes seconded. It was 7:45.

APPROVED York Planning Board Minutes

August 22, 2002

Page 2