

York Planning Board
Thursday August 28, 2014, 7:00 P.M.
York Public Library

Call to Order, Determination of Quorum; Appointment of Alternates

Chairman Al Cotton called the meeting to order at 7:07. A quorum was determined with five people voting: Chairman Al Cotton; Vice Chairman Peter Smith; Board Secretary Todd Frederick; Lew Stowe; and alternate Amy Phalon, who was asked to vote as a full member. Interim Town Manager Steve Burns, Town Planner Dylan Smith, and Town Stormwater Manager Leslie Hinz represented staff. Patience Horton took minutes.

Work Session with the York Village Study Committee (6-7 P.M.)

Ron McAllister, Chairman of the York Village Study Committee, introduced Committee members, Joel Lefever, Robert Palmer, Peter Smith, and Lew Stowe.

Committee members Christine Hartwell, Antonia DeSoto, Gloria Gustafson, Scott Stevens, Stu Dawson, Jody Merrill, Ron Nowell and Dean Lessard were not present.

Lew Stowe and Peter Smith serve on both the York Village Study Committee and the Planning Board.

The York Village website is www.yorkvillage.org.

Chairman Ron McAllister: The Village Study Committee has been working for the last three years to develop a Master Plan for the Village. The Committee envisions enhancements for the Village, like narrower travel lanes, limited on-street parking that is all parallel, increased off-street parking, designated bike lanes, more green, less black, sidewalks everywhere, crosswalks, sitting areas, street trees, better lighting, relocated utility lines, and better signage.

Three scenarios have been developed for the traffic flow around the Monument: The Monument Garden; The Village Park; and The Town Common, each of which features a different traffic configuration. The Board of Selectmen has authorized the Village Study Committee to hire The Downtown Revitalizing Collaborative to study and advise on the practicality of one design over the others.

Mr. McAllister continued: With the Master Plan phase complete in January, 2015, there will be two further phases of development. The Schematic Design phase will refine overall designs and show estimated construction costs, and the Advanced Design phase, which includes the bidding process. It will include actual construction documents.

Continuing, the role of the Planning Board is increasingly important to the Village Study Committee. The zoning standards in the Village have to match up with the evolving

Master Plan. Changes can't be made without changes to area zoning. In GEN-3 or RES-1-B, there are standards that determine building heights; lot coverage, lot size, and setbacks that have to match up with the evolving plan. Also, there is a Village Overlay District that doesn't conform.

The Village Study Committee's Joel LeFever gave a personal account of the zoning problem. He is the director of the York Historical Society. His building on Monument circle is in the Historic District, but the building right next door and buildings across the street are in the Business District. He wants to see consistency in a central zone.

Peter Smith asked Town Planner Dylan Smith to describe form based zoning as a possible alternative to the conventional zoning currently in force. Dylan: With form based zoning, use is not the driver, but rather architectural design and building appearance are the basic guidelines. It takes months, if not years, to develop zones based on form.

Village Study Committee's Robert Palmer sees new zoning as a means of bringing vitality to the Village. Zoning will set the Village up to invite people to come out and enjoy themselves. Form based zoning won't come so quickly. We could take some steps to get it here, maybe in a couple of years. In the mean time, we could identify zones and do some use-type planning, and then move toward form base planning over time.

Lew Stowe: The Planning Board has to take the lead. We need to understand the issues better. We have held off conventional zoning for almost five years because we didn't have the Master Plan. We can take conventional zoning from standpoints like density, setbacks, and building height, as was done in the Beach. The Village Committee will like to help with that.

Ron McAllister requested that Lew Stowe and Peter Smith report on the work progress of the Planning Board at Village Study Committee meetings, and vice versa, Committee doings to the Board. Those short reports should be agenda items and come at the beginning of the meetings.

The Planning Board/Village Study Committee ended on that note.

Public Forum

Helen Rollins asked if the Planning Board members have had recent legal training. It is important that members understand the laws. Al Cotton answered that all Planning Board members have had some legal training.

Minutes

Nine sets of minutes were reviewed, amended, and approved.

April 24, 2014

- **Motion:** Lew Stowe moved to approve April 24, 2014 minutes as amended. Todd Frederick seconded. The motion passed unanimously.

May 6, 2014

- **Motion:** Lew Stowe moved to approve the minutes of May 6, 2014 as amended. Amy Phalon seconded, and the motion passed unanimously.

May 8, 2014

- **Motion:** Todd Frederick moved to approve the minutes of May 8, 2014 as amended. Amy Phalon seconded, and the motion passed unanimously.

May 22, 2014

- **Motion:** Lew Stowe moved to approve the minutes of May 22, 2014 as amended. Amy Phalon seconded, and the motion passed unanimously.

June 12, 2014

- **Motion:** Lew Stowe moved to approve the minutes of June 12, 2014 as amended. Seconded by Amy Phalon, the motion passed unanimously.

June 26, 2014

- **Motion:** Todd Frederick moved to approve the minutes of June 26, 2014 as amended. Seconded by Amy Phalon, the motion passed unanimously.

July 10, 2014

- **Motion:** Lew Stowe moved to approve the minutes of July 10, 2014 as amended. Seconded by Amy Phalon, the motion passed unanimously.

July 24, 2014

- **Motion:** Peter Smith moved to approve the minutes of July 24, 2014 as amended. Seconded the Amy Phalon, the motion passed unanimously.

August 14, 2014

- **Motion:** Todd Frederick moved to approve the minutes of August 14, 2014 as amended. Seconded by Amy Phalon, the motion passed unanimously.

Field Changes

There were no field changes.

Preference Votes

The Board shall take preference votes on each proposed Code and Comp Plan amendment to be on the ballot in November.

Amendment 1--MS4 Post-Construction Stormwater Management Ordinance

- Recommended by the Planning Board: 5-0

Amendment 2--MS4 Non-Stormwater Discharge Ordinance

- Recommended by the Planning Board: 5-0

Amendment 3--Require Septic System Inspection at Time of Property Transfers

In discussion, Steve Burns explained that the Selectmen do not want to put Amendment 3 forward as written. They have requested two changes, a change in the maximum allotted time for fixing a failed system, and the removal of language concerning penalties.

A new amendment had been presented. By it, septic inspection would be conducted per State Inspection Sheet HHE-240, and paid for by either buyer or seller. Lew Stowe did not respond to the new amendment favorably. It was not vetted. The process was not respected.

Asked to speak, Helen Rollins, a member of the Septic Subcommittee, was hopeful that the Planning Board would accept the amendment that had the two simple changes, and not start the new ordinance. This original ordinance is good, not perfect, but good enough.

The new septic ordinance amendment was put on the worksheet for May.

Peter Smith had concerns about the real estate community's reaction: They will work very hard against the version the Planning Board is putting forward. The preference votes continued.

Amendment 3--Require Septic System Inspections at Time of Property Transfer

- Recommended by the Planning Board: 4-1, with Peter Smith opposed.

Amendment 4--Application Procedures for Piers, Wharfs, Docks and Floats

- Recommended by the Planning Board: 5-0

Amendment 5--Standards for Piers, Wharfs, Docks and Floats

- Recommended by the Planning Board: 5-0

Amendment 6--Medical Marijuana

- Recommended by the Planning Board: 5-0

Amendment 7--Artisanal Food and Drink Amendment

- Withdrawn

Amendment 8--Cape Neddick Watershed Plan Comprehensive Plan Amendment

- Recommended by the Planning Board: 5-0

Presentation

Ashlee Iber-Amenti, Executive Director of the Workforce Housing Coalition of the Greater Seacoast, will lead a Charrette in York on October 15 and 17. Professional architects, engineers, and other experts will create concept designs. The Planning Board was invited to join.

Todd Frederick thought that if Planning Board members attend, they might have to recuse themselves from workforce housing hearings. He asked Dylan Smith to contact MMA with this question, "There are some members of the Planning Board that would like to attend. How can that be done?"

Other Business

Considered Extension of Zoning 6.3.27.2 Outside Display Provision on Route One
Deferred to Steve Burns's presentation.

Discussion of potential May and November Zoning Amendment

Steve Burns reviewed a list called “Community Development Department – Work Heading to Public Vote.” The list tracks Comp Plan and Ordinance work in advance of deadlines. Currently, the Planning Board is working on May, 2015, amendments and thinking ahead to November, 2015, amendments.

Adjourn

9:18