

**York Planning Board**  
**Thursday, September 25, 2008, 7:00 P.M.**  
**York Public Library**

**Call to Order, Determination of Presence of Quorum**

Chairman Tom Manzi opened the meeting and determined the Presence of Quorum. Glen MacWilliams, Dave Woods, Lew Stowe, and Alternate Todd Frederick. A new Alternate, Mallory Gunn, was introduced. Barrie Munro was absent. Todd Frederick voted in place of Barrie Munro. There were five voting members at the meeting. Town Planner Christine Grimando represented planning department staff. Patience Horton recorded minutes. The meeting was televised.

**Public Input**

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

**Tracy Jackson** and **Craig Gosselin** came forward to speak. They are members of the York Beach Village Planning Subcommittee. They reported that the Subcommittee, a group of business owners and residents, will be researching many areas to help the Planning Board. They hope to provide input to the Board, citizens, and voters. Tracy Jackson listed the members. The subcommittee is involved in advising about the infrastructure of York Beach, she said. An article with misinformation about the Subcommittee had been published in the newspaper, Craig Gosselin said. Lew Stowe asked that the Subcommittee update the Planning Board with about 10-15 minutes of information at the beginning of the Board's workshop meetings, the fourth Thursday of the month. Glen MacWilliams said that accurate communication would also help the Select-board's understanding. If the Planning Board gets the information after the fact, then something is missed along the way. The naming of the subcommittee was to be finalized as the York Beach Planning Subcommittee.

**Motion** Glen MacWilliams moved to have the York Beach Planning Subcommittee meet two times a month and provide the Planning Board with a monthly report through the subcommittee's chairman. Todd Frederick seconded the motion, which passed, 5-0.

**Minutes**

**Review and approve draft minutes**

There were no minutes to review.

**Public Hearings on Proposed Site Plan and Subdivision Regulation Amendments**

Town Planner Christine Grimando said most changes made during this meeting do not go on the referendum. The Board made the rules, and the Board can change the rules without a populous vote.

**Site Plan and Subdivision Regulations §2.3. Amendment to Subdivision Rules and Regulations §2.3, Fees. Inclusion of fee for Revisions to Approved Plans**

Christine Grimando said the *Revisions to Approved Plans*: \$200 is the lowers fee the Planning Office has. It has a small impact on the public.

**Motion** Glen MacWilliams moved to approve §2.3 as amended. Lew Stowe seconded the motion.

Chairman Tom Manzi opened the **Public Hearing**. No one came forward to speak.

**Vote** The motion to approve §2.3 passed, 5-0.

**Site Plan and Subdivision Regulations §6.1, Submissions for Sketch Plan. Amendments to §6.1.2, specifically adding a description of the proposed stormwater drainage plan to the Sketch Plan submission requirements.**

Christine Grimando said a description of stormwater drainage should be in the sketch plan. Glen MacWilliams said, if a municipality approves a site plan, and the design affects the neighbors, the town could be party to a claim. The town would end up fixing drainage at the citizens' expense.

**Motion** Todd Frederick moved to accept Subdivision Regulations §6.1, as amended in this document. Dave Woods seconded the motion, which passed, 5-0.

The Board further discussed Route 1 requirements, for which there are no provisions. Dave Woods asked how a Route 1 applicant would ever know if drainage requirements were waive-able. Glen MacWilliams replied that everything in the Site Plan Subdivision Ordinances are waive-able. Tom Manzi read the waivers from the Site Plan and Subdivision manual. Glen MacWilliams said, if someone on Route 1 is affected by water and came to the Planning Board to change it, the Board would be careless not to listen to this request.

**Site Plan and Subdivision Regulations §6.3, Submissions for Preliminary Plan. Amendments to §6.3.3 specifically adding stormwater and drainage requirements to the existing conditions plan; to §6.3.5 amending the requirements of the stormwater management impact statement; and to 6.3.27, amending the requirements of stormwater management narrative.**

Christine Grimando said the amendment adds stormwater drainage to the seven existing items that impact abutting lots. It draws attention to watersheds. Todd Frederick recommended striking the word "critical" from §6.3.5(e), in reference to culverts, streets, swales, and retention areas. Lew Stowe suggested documenting the water table as a requirement of the site plan review. Glen MacWilliams said the soil report could be waived. The subsurface water should be as critical as the surface water. Subsurface wa-

ter is critical to wells. He suggested having a hydrologist come to the Board to speak about that.

**Motion** Glen MacWilliams moved to approve the amendment to Site Plan and Subdivision Regulation §6.3. Todd Frederick seconded the motion, which passed, 5-0.

**Motion** Lew Stowe moved to have the Town Planner contact a hydrologist to come in and educate the board on the issues of ground water. Glen MacWilliams seconded the motion, which passed, 5-0.

**Site plan and Subdivision Regulations §6.4 Submissions for Final Plan. Amendments to §6.4.16.1, requirements of a Stormwater Management Plan**

Christine Grimando said this amendment, calling for cross-sections, is a change to an existing requirement to the stormwater plan. Applicants will present a greater level of detail. It will be added to the Article 6 of the Zoning Ordinance that will go to the voters.

**Motion** Dave Woods moved to accept §6.4 changes to the existing Regulations. Lew Stowe seconded the motion, which passed, 5-0.

**Site Plan and Subdivision Regulations §9.7 Street Construction Standards. Amendment to §9.7.2.5, culvert standards, including changes to minimum culvert size.**

Christine Grimando said the amendment responds to the Town's 2006 stormwater study. Pipe size should be changed from 12- to 15-inch diameters. If smaller sizes are suitable, they can be used. It includes a provision for a 100-year storm event. Dave Woods read a description of the metal pipe varieties and said the language in §9.7.2.5 should be changed to "polymer, or pre-coated . . . steel."

**Motion** Glen MacWilliams moved to approve the §9.7 amendments to the Site Plan and Subdivision Regulations. Dave Woods seconded the motion, which passed, 5-0.

**Site Plan and Subdivision Regulations §9.8, Stormwater Management. Amendments to §9.8.2, changing the stormwater management system design requirements for post-development peak discharge, and pre-development levels; §9.8.3, granting the right of the Town to access drainage easements and swales; §9.8.4 required width of drainage easements; §9.8.6 changes to minimum pipe size, and ability of Planning Board to grant a reduction to minimum pipe size; §9.8.8, addition of an upstream run-off calculations in Preliminary Plan submissions; §9.8.13 Low Impact Design Standards; §9.8.14, regarding maintenance of stormwater management structures.**

Christine Grimando said §9.8.2 refers to storm periods. A drainage system should have capacity for a 100-year storm. In §9.8.3, the subdivision should provide public drainage easements, and the Town should have full access to the easements. In §9.8.4, the easement can be reduced to allow availability and vehicular access. §9.8.6 is about changing

design standards from 12- to 15-inches for pipe size. §9.8.8 eliminates the 25% surplus capacity for the 100-year storm. Enumerating the percentage of the ratio is not a mandatory requirement. The amendment is in response to the Town's Engineer's approach. §9.8.13 firms up language requiring the applicant to submit the low impact design features. In §9.4.24, the maintenance of the drainage would have to be held in perpetuity through the change of ownership. Dave Woods said that when the Town accepts a road and the drainage, the owner is responsible by default for the drainage. Code Enforcement Officer enforces that, said Glen MacWilliams. In §9.8.14, Todd Frederick asked to change "the property is sold," to "the property is conveyed." Dave Woods said he word "permit" should be changed to "permitted use."

**Motions** Dave Woods moved to approve the changes to amendment of §9.8 as discussed. Lew Stowe seconded the motion, 5-0.

**Site Plan and Subdivision Regulations—Site Plan/Subdivision Consistency.**  
**Amendments are proposed throughout the Site Plan and Subdivision Regulations, including the Articles: Article Three, Article Five, Article Six, Article Seven, Article Eight, Article Nine, Article Ten, and Article Eleven.**

Christine Grimando said the proposed changes in Articles 3 and 5-11 are in grammar and word usage. Definitions for words like site plan, subdivision, and development have been added, ending the confusion around their use.

**Motion** Glen MacWilliams proposed to accept the changes and revisions in Article 3. Dave Woods seconded the motion, which ended 5-0.

Christine Grimando said the same was true for residential development in Articles 5, 5.5, and 5.71.

**Motion** Glen MacWilliams moved to approve he changes to Article 5. Todd Frederick seconded the motion, which passed, 5-0.

Christine Grimando said a typing cleanup is needed for the switching back and forth of upper-and lowercase letters in several articles. Tom Manzi added that there were no substantive changes.

**Motion** Glen MacWilliams moved to accept the changes to Article 6, as presented. Todd Frederick seconded the motion, which passed, 5-0.

**Motion** Glen MacWilliams moved to approve Article 7, as reviewed. Todd Frederick seconded the motion, which passed, 5-0.

**Motion** Glen MacWilliams moved to approve Article 8, as reviewed. Todd Frederick seconded the motion, which passed, 5-0.

Dave Woods what in §9.8.2 has been called a 50-year storm, should be changed to a 100-year storm.

**Motion** Dave Woods moved to approve the changes to Article 9. Lew Stowe seconded the motion, which passed 5-0.

**Motion** Glen MacWilliams moved to approve changes to Article 10. Todd Frederick seconded the motion, which passed, 5-0.

Christine Grimando said the recording of site plans have been struck from Article 11. Dave Woods asked about clarification to of clearing land. Glen MacWilliams said, in order to prevent clear cutting, applicants should get advance approval before clearing their own land.

**Motion** Glen MacWilliams moved to approve Article 11, as written. Lew Stowe seconded the motion, which passed, 5-0.

## **New Business**

Dave Woods read the Vision Statement of the York Beach Zoning Subcommittee. He said the Subcommittee wants to get things done, and the Statement gives focus. Glen MacWilliams said the document should go to the Selectmen. He said the Subcommittee should recommend changes in zoning and infrastructure to the Planning Board, and that information can then go to the selectmen. Lew Stowe said he wants the Subcommittee to know the Planning Board is supportive. Dave Woods suggested having members come in pairs, each with a different interest to discuss. Glen MacWilliams said he wanted to hear about the traffic flow and parking, because access recommendations should be revised in the mission statement. They discussed the name of the Subcommittee and came up with York Beach Planning Subcommittee.

Looking ahead to the October 23 Workshop on Wind Energy, a public hearing, the Board will concentrate on changes in the regulatory transitions to wind energy. Currently there is an ad hoc energy committee. Mallory Gunn suggested looking to other towns more advanced in wind energy.

## **Old Business/Adjourn**

Mylars and Findings of Fact were signed for **York Community Services**. The drainage, lighting, sewage system, and authority of the property owner had all met the board's requirements.

Tom Manzi asked everyone to describe his or her background for the benefit of Mallory Gunn. **Mallory Gunn**'s background is largely in real estate, but has also worked in health care and alternative energy. **Todd Frederick** has worked in recreation and forestry for the Massachusetts State government. He owns a small business. **Dave Woods** has been on York all his life. He and his family own several businesses in the hospitality field. **Lew Stowe** has worked consultant for large companies like GE, and General Dy-

namics. In York, he worked on many subcommittees, including the rewriting of Town Ordinance 10B. **Glen MacWilliams** has spent 20 years on municipal projects, including five years on the Planning Board, and 13 years with the York Conservation Commission. He is an architect. **Christine Grimando** said she has been the York Town Planner for a year. She worked in Massachusetts on Boston Parks and for the Town of Concord. She is interested in developing bike and pedestrian ways in York. **Tom Manzi** is retired from a career in engineering and physics, including management training for Boeing and the U.S. Coastguard. For a period he was assigned to Jakarta. He started volunteering for the Town as a member of the Conservation Commission.

The meeting ended at 9:42.