



Town of York

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Department
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Department
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BOARD OF SELECTMEN'S MEETING AGENDA

6:00/7:00PM MONDAY, DECEMBER 7, 2015
YORK LIBRARY

6:00PM: Quarterly Joint Meeting of Board of Selectmen and Planning Board

Call to Order

Committee Interviews: Bryce Waldrop and Helen Rollins

Opening Ceremonies

A. Minutes

B. Chairman's Report

C. Manager's Report

D. Awards

1. Bid Award: Police Vehicle
2. Bid Award: Rock Crushing for Beach Access Road

E. Reports

F. Citizens' Forum – The Citizens' Forum is open to any member of the audience for comments on any matter. All comments should be respectful in tone and should be directed to the Chair. Comments should be brief and to the point. Questions that require extended answers or that cannot be readily answered will be referred to the Town Manager for follow-up. Anyone who wishes to submit a written request for future agenda items can do so on the form available at this meeting or may obtain the form through the Town Manager's Office.

G. Public Hearings

H. Endorsements

Business Licenses:

- Thomas Veronesi DBA: York Elks Lodge #2788 for Food Service, Liquor, Special Amusement, Coin-Operated Amusement and Flea Market; located at 1704 US Route One

- Woods Family, Inc. DBA: The Daily Grind for Food Service; located at 21 Railroad Avenue
- John Shaw DBA: Frankie and Johnny's for Food Service; located at 1594 US Route One
- Natalie Lawrence-Taylor DBA: Grass Roots for Food Service; located at 369 US Route One

I. Old Business

1. Discussion: Complete Streets on Long Beach Avenue
2. Discussion and Action: Police Station/Connector Road Violations
3. Discussion: York Community Dialogue – Report on Facilities Discussion
4. Discussion and Possible Action: Agreements with Maine Department of Transportation – Cider Hill Road Improvement Project

J. New Business

1. Discussion: Emergency Communications – Overview, Issues, Plans
2. Discussion: Possible Transfer of Parcels to York Land Trust
3. Discussion and Possible Action: Proposed New Rules to Designate Urban Compact Areas
4. Resignation from the Board of Design Review
5. Property Redemption: 43 Old Post Road
6. Special Event Permit: 30 Degrees for Wildlife

K. Other Business

L. Citizens' Forum

Adjourn



MEMO

TO: Board of Selectmen
Cc: Planning Board
FROM: Dylan Smith, Planning Director
DATE: December 4, 2015
RE: Future Comprehensive Plan and Ordinance Initiatives

On December 1, 2015 the Town Manager requested I put together a summary of planning initiatives that the Planning Board and Board of Selectmen should consider completing during the next 1-3 years. These initiatives have been reviewed in general terms at past meetings and are included within the “Work Task” spreadsheet that I handed out at the last joint Planning Board and Board of Selectmen meeting.

The Planning Board has been busy reviewing and drafting a new “York Village Center” (YVC) zoning district. The Board has completed an initial draft of the YVC district and will be holding a public hearing on December 10th (copy attached). The Planning Board is also reviewing changes to State Shoreland rules and how they may apply to York’s current ordinance. Leslie Heinz will be working with the Planning Board to review the proposed changes at the December 17th work session (copy attached). Both ordinance amendments are intended to be before the Board of Selectmen for hearings in February and March in order to be placed on the May 2016 Special General Referendum ballot. In regards to proposed shoreland amendments and due to a tight timeline, I completely understand if the Board of Selectmen wish to hold off until November 2016 as this is probably the first glance at these proposed amendments.

Although we just got through this November’s vote, getting ready for next November’s vote is not farfetched. Ordinance and comp plan amendments should be 90% complete no later than April 2016 in order to ensure proper notice deadlines are adhered to. With that in mind it is my intent to work with the Energy Committee and Planning Board to have a draft Energy Chapter for inclusion into the Comp Plan. That is the only comp plan amendment proposal being worked on for this year. As for ordinance amendments, the Planning Board has been working with Southern Maine Planning and Development Commission (SMPDC) in reformatting the current zoning ordinance as well as trying to separate subdivision regulations from the site plan regulations. This has been kept on the back burner as the Board has been very busy with other initiatives, but will be back before the Board very soon and I anticipate will require a public vote on the changes. The other substantial ordinance amendment I hope to complete for the November 2016 is a unified stormwater ordinance. I have not worked out the details on this quite yet, but the goal is to begin working with the

Stormwater Manager to ensure we have a robust unified stormwater ordinance in place. Also, the Town Manager stated the Board of Selectmen indicated an interest in revisiting the issue of municipal building height in a broader context although I am not that clear on the details yet.

The Town Manager and I see two other substantial planning initiatives in the coming years:

1) A Comprehensive Plan Update in FY 18/19. This would include appropriating money in order to hire a consultant to lead a public process, facilitate and update/rewrite the Comprehensive Plan. The current plan has not been fully updated for almost 20 years and I believe it would be prudent to go through a public process in order to modernize the document and capture public opinion on future land use directives.

2) A detailed Economic Vulnerability Assessment to Sea Level Rise (SLR). The Comprehensive Plan, though detailed on this subject, calls for greater examination on fiscal impacts from SLR. This would involve working with a qualified consultant to review economic impact(s) from SLR that would utilize depth damage function analysis. Also, it would be my hope that the assessment would examine costs associated with adaptation strategies for specific sea level rise scenarios (should we retreat, reinforce or accommodate?). This will provide decision makers with real dollar (\$) amounts and continue to set the stage for implementing policy's that handle this current and future dilemma.

Other comp plan/ordinance initiatives on the radar include architectural design standards for the YVC district, special/new residential zoning districts, development of a green enterprise recreation overlay district, evaluation and potential rezoning of the GEN-1 and GEN-2 districts, potential development of a food truck ordinance, adoption of new d-firm flood maps, rural road standards, mandatory cluster/conservation subdivision and incorporation of a Bike/Ped master plan within the Comprehensive Plan. Most of these can be completed in tandem with a Comprehensive Plan update however, some of the larger zoning ordinance initiatives such as rezoning GEN and residential districts should be linked to the updated Comprehensive Plan and the detailed implementation plan/timeline as found within the updated comp plan.

I believe most of the planning initiatives discussed above can be completed, however it will be important that the Planning Board and Board of Selectmen be on the same page when it comes to seeing these initiatives through the planning process.



**Notice of Public Hearing
Planning Board
Thursday, December 10, 2015
7:00 PM
York Public Library**

The York Planning Board will conduct a Public Hearing regarding a proposed zoning ordinance amendment to be potentially considered at the May 21, 2016 Special General Referendum as follows:

1. York Village Center Zoning District

Printed copies of the proposed district boundary map and associated text of the amendment (draft document dated November 19, 2015) are available with the Town Clerk at the Town Hall, and digital copies are available on the Town's Web page (www.yorkmaine.org).

Proposed Amendments

to be considered at the

May 2016 Special General Referendum

Amendment

1. York Village Center Zoning District

Amendment #1

York Village Center Zoning District

Ballot Language: The following language would appear on the ballot:

Article X

The Town hereby ordains amendment of the **Zoning Ordinance** to establish a new Zoning District called the York Village Center (YVC) Zoning District.

Statement of Fact: The purpose of this amendment is to promote and implement recommendations found within Volume 1 of the Comprehensive Plan as referenced and articulated under Future Land Use area #8 regarding revising current zoning to establish a specific York Village Center (YVC) zoning district and as discussed in the recently adopted York Village Master Plan. The establishment of this district includes identifying the boundaries of the district and creating village appropriate dimensional requirements, density allowances, permitted and prohibited uses, parking standards and including development performance standards as appropriate within the defined zone. The following sections of the zoning ordinance as it relates to the establishment of the York Village Center zoning district have been included or amended.

Recommendations:

Recommended by the Planning Board:

Recommended by the Board of Selectmen:

Amendment: Add a new section to 1.3.13-Concerning Village Zones with the following:

1.3.13 Concerning Village Zones

The Comprehensive Plan recognizes the unique conditions in four village centers in Town, including York Village, York Harbor, York Beach, and Cape Neddick. Within each of these areas, standards relating to use, dimensions, density and design should be treated differently than in other areas of the community.

- A. Goal for the York Beach Village Area. Promote an attractive, inviting, safe, pedestrian-focused, family-oriented environment; safeguard the historic flavor, character and diversity; safeguard clean healthy beaches; and help support coordinated improvements to businesses, residences and public places through a predictable and timely process.

- B. *Goal off the York Village Center District. Promote an attractive, inviting, safe, pedestrian-focused, family-oriented environment, four season*

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environment; safeguard the historic flavor and architecture, character and diversity; and help support coordinated improvements to businesses, residences and public places through a predictable and timely process.

Amendment: Add a new definition of Building Footprint to Article 2-Definitions with the following:

Building Footprint: The exterior outline of a building where it meets the ground surface, measured on a horizontal plane.

Amendment: Add York Village Center (YVC) district to section 3.4-Map of Base Zoning Districts as follows:

3.4 Map of Base Zoning Districts

A Base Zoning Districts

The boundaries of base zoning districts established pursuant to this Ordinance are delineated in detail on a map entitled, “York Zoning Ordinance: Base Zoning Districts” dated **November 3, 2015**. The following base zones are delineated:

RES-1	Residential 1
RES-2	Residential 2
RES-3	Residential 3
RES-4	Residential 4
RES-5	Residential 5
RES-6	Residential 6
RES-7	Residential 7
BUS-1	Business 1
BUS-2	Business 2
YBVC	York Beach Village Center
YVC	<i>York Village Center- (consists of two sub-districts; the York Village Center Core and the York Village Center Peripheral)</i>
RT 1-1	Route One-1, River
RT 1-2	Route One-2, Small Makes Sense
RT 1-3	Route One-3, Big Makes Sense
RT 1-4	Route One-4, Tourism/Recreation
RT 1-5	Route One-5, Cape Neddick Village
RT 1-6	Route One-6, Rural Mixed Use
GEN-1	General Development 1
GEN-2	General Development 2
GEN-3	General Development 3

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Amendment: In Article 4, Use Regulations, add a new section to 4.1.2-Business, Village and General Districts with the following permitted use section:

Permitted Uses in YVC

(Includes the York Village Center Core and York Village Center Peripheral sub-districts)

Residential Use Category (YVC)

- ***Single-Family Dwelling*** *(Permitted throughout district except on lots with frontage on York Street, Woodbridge Road or Long Sands Road the use shall only be permitted within a mixed-use building except that the use may also occupy no more than 50% of the first floor gross floor area)*
- ***Two-Family Dwelling*** *(Permitted throughout district except on lots with frontage on York Street, Woodbridge Road or Long Sands Road the use shall only be permitted within a mixed-use building except that the use may also occupy no more than 50% of the first floor gross floor area)*
- ***Multi-Family Dwelling*** – *Only on lots served by public sewer and public water. (Permitted throughout district except on lots with frontage on York Street, Woodbridge Road or Long Sands Road the use shall only be permitted within a mixed-use building except that the use may also occupy no more than 50% of the first floor gross floor area)*
- ***Boarding House Only*** *on lots served by public sewer and public water. (Permitted throughout district except on lots with frontage on York Street, Woodbridge Road or Long Sands Road the use shall only be permitted within a mixed-use building except that the use may also occupy no more than 50% of the first floor gross floor area)*
- ***Bed & Breakfast Only*** *on lots served by public sewer and public water.*
- ***Elderly Housing*** *Only on lots served by public sewer and public water. (Permitted throughout district except on lots with frontage on York Street, Woodbridge Road or Long Sands Road the use shall only be permitted within a mixed-use building except that the use may also occupy no more than 50% of the first floor gross floor area)*
- ***Elderly Congregate Housing*** *Only on lots served by public sewer and public water. (Permitted throughout district except on lots with frontage on York Street, Woodbridge Road or Long Sands Road the use shall only be permitted within a mixed-use building except that the use may also occupy no more than 50% of the first floor gross floor area)*

Commercial Use Category (YVC)

- ***Service Businesses Serving Local Needs*** *such as, but not limited to, barber shops/hair salons/spas, shoe repair, laundromat, dry-cleaning pick-up agency, tailoring, printing shop, caterer or other similar uses (Individual establishment not to exceed 2,500 square feet of gross floor area)*

- Store for Retail Sale of Merchandise provided all display, storage and sale of materials are conducted within a building. Store may also produce goods onsite, provided such are sold on site and the production area is smaller than retail area. (Individual establishment not to exceed 3,500 square feet of gross floor area).
- Banks (without drive-through window, not to exceed 2,500 square feet of gross floor area).
- Lodging and Tourist Homes/Inns
- Restaurants (Individual establishment not to exceed 3,500 square feet of gross floor area)
- Artisanal Food and/or Beverage Facility (Individual establishment not to exceed 5,000 square feet of gross floor area; retail sales of merchandise as part of this use shall not supersede 2,500 square feet of gross floor area)
- Ice Cream Stands (Individual establishment not to exceed 2,500 square feet of gross floor area)
- Florists (Individual establishment not to exceed 2,500 square feet of gross floor area)
- Pet Supply Shops (Individual establishment not to exceed 2,500 square feet of gross floor area; shall not include sales of live animals)
- Commercial Schools (Permitted throughout district except if the lot contains frontage on York Street, Woodbridge Road or Long Sands Road the use shall be located on the second floor or higher and individual establishment not to exceed 2,500 square feet of gross floor area)
- Day Care Facilities (Individual establishment not to exceed 2,500 square feet of gross floor area)
- Produce Stores- such as but not limited to small grocery stores selling meats, cheeses, fruits and vegetables or other similar goods (Individual establishment not to exceed 2,500 square feet of gross floor area)
- **EXPRESSLY PROHIBITED** Motels/Hotels; Fast Food Restaurants, whether the use is a principal use or an accessory use; Formula Restaurants, whether the use is a principal use or an accessory use; Truck Stops; Marinas; Medical Marijuana Production Facility; Medical Marijuana Registered Dispensary; Dry Cleaning Facility.

Office Use Category (YVC)

- Business, Financial, Professional or Government Offices, Except Town of York or York School District Offices (Provided the use does not occupy more than 50% of the street level gross floor area and shall not occupy more than 50% of the front portion of the building facing the street)
- Town of York or York School District Offices

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- Offices and Clinics for Medical, Psychiatric, or Other Health Services for the Examination or Treatment of Persons as Outpatients, including Laboratories that are Part of Such Office or Clinic (Provided the use does not occupy more 50% of the street level gross floor area and shall not occupy more than 50% of the front portion of the building facing the street)
- Radio or Television Studio (provided such use(s) are located on the second floor or above and does not include a tower or antenna)

Civic & Public Use Category (YVC)

- Cemeteries
- Civic Use
- Cultural Facility
- Essential Services
- Hospitals (Shall only be permitted within hospital overlay district)
- Medical Facility (Shall only be permitted within hospital overlay district)
- Membership Organization (provided such use is located on the second floor or above another permitted use)
- Municipal Use
- Religious Use
- School
- Utility District
- Nursing Homes (Shall only be permitted within hospital overlay district)
- **EXPRESSLY PROHIBITED:**

Industrial Use Category (YVC)

- Printing, Binding, Publishing and Related Arts and Trades (Individual establishment not to exceed 2,500 square feet of gross floor area)
- Bottling of Beverages (permitted only as accessory to an Artisanal Food and/or Beverage Facility)
- **EXPRESSLY PROHIBITED:** Waste Processing or Disposal Facility; Bulk Fuel Storage; Truck Terminals; Waste Transfer Facility; Bulk Storage Collection Bin; Wood Manufacturing and Fabrication; Wholesale Business and Storage in a Roofed Structure; Machine Shop, Assembly, Packaging, or Manufacturing.

Vehicular Use Category (YVC)

- **EXPRESSLY PROHIBITED:** Sale, Rental and Accessory Storage of Automobiles, Light Trucks, Motorcycles, and Mopeds Conducted Wholly or Partially in Open Lots; Sale of Pickup Coaches, Campers, Tent Trailers and Similar Equipment, Including Snowmobiles; Salvage Yards, Junk Yards,

Wrecking Yards; Car Washing Establishment; Vehicle Service Stations, Auto Repair Garages; Auto Body Repair Shops; Place for Repair, Sale, Rent or Storage of Pleasure Boats.

Rural & Agricultural Use Category (YVC)

- *Soil and Water Conservation Practices – Conducted in accordance with the standards of the USDA Natural Resources Conservation Service including but not limited to creation and maintenance of farm ponds for agricultural purposes.*
- *Aquaculture*
- *General Purpose Farm, Agriculture and Nurseries*
- *Timber Harvesting*
- *Forest Management Activities Except for Timber Harvesting*
- *Sale of Produce Raised on Same Premises*
- *Wildlife Management Practices*
- *Harvesting of Wild Crops*
- *EXPRESSLY PROHIBITED: Commercial Stables; Veterinary Establishment, Kennel, or Similar Establishment; Mineral Exploration; Sand/Gravel Pits, Quarries, etc.*

Recreation & Amusement Use Category (YVC)

- *Indoor Amusement/Entertainment/Assembly Place which may include a performing arts facility (Enclosed and individual establishment not to exceed 5,000 square feet of gross floor area)*
- *Open Air Venues/Areas for Theatrical and Musical Performances (capacity not to exceed 300 persons)*
- *Indoor Sports Facility (No Gambling)*
- *Outdoor Sport and Amusement Facilities*
- *EXPRESSLY PROHIBITED: Campgrounds and Travel Trailer Parks; Amusement Arcades (as Primary or Accessory Use); Drive-In Theater; Bath House for Non-Commercial Purposes; Country Club.*

Miscellaneous Use Category (YVC)

- *Piers, Docks, Wharves, Breakwaters, Causeways, Bridges and Other Structures and Uses Extending Over or Below the Normal High Water Mark – Temporary or Permanent.*
- *Mortuary, Undertaking or Funeral Establishment (Individual establishment not to exceed 2,500 square feet of gross floor area)*
- *Lettering or Sale of Gravestones (Individual establishment not to exceed 2,500 square feet of gross floor area)*
- *Filling or Other Earthmoving Activities*
- *Road and Driveway Construction*

- *Structures Accessory to Permitted Uses – If the principal structure or principal use is a dwelling unit, an accessory structure shall not have cooking facilities and shall not have more than one of the following: living facilities, sanitary facilities or sleeping facilities.*
- *Accessory Uses Customarily Incident to Allowed Uses*
- *Uses Similar to Permitted Uses*
- ***EXPRESSLY PROHIBITED:** Casino; Head Shop; Obscene Exhibitions; Dumps; Billboards; Flea Markets; Uses Similar to Prohibited Uses; Drive through facility.*

Amendment: In Article 5, Dimensional Regulations, add a new YVC Zoning District, which includes two sub-districts (York Village Center Core and York Village Center Peripheral) to 5.2.2 – Other Districts with the following dimensional requirements and amended footnotes:

Note: These footnotes apply to the Dimensional Regulation Tables identified in Sections 5.2.1, 5.2.2, 5.2.3 and 5.2.4

FOOTNOTES

- t Where the owners of 2 adjoining buildings agree, in writing, to connect their buildings, the side yard setback requirement may be waived by the Town, provided the Fire Chief with jurisdiction approves the request. The Fire Chief's decision shall be based on public safety standards, taking into account life-safety code requirements, ability to access the building inside and out during an emergency, and other matters relevant to the situation. *Lots within the YVC shall have a minimum side yard setback of 6' except that this may be reduced to 0', provided the cumulative side yard setbacks are not less than 12'.*
- v *The maximum front setback of 15' may be increased in the York Village Center Core if the space within the setback is devoted to open air use for the public. Examples may include but not be limited to space for outdoor seating, gardens, pocket parks, green space etc.) as determined by the Planning Board. The minimum front setback in the York Village Center Peripheral is 15' or no more than the average depths of adjacent front lots, whichever is lesser.*
- x *The maximum lot coverage may be increased up to 100% if the owner provides innovative stormwater design using low impact development (LID), public space, and or innovative landscape design as determined by the Planning Board.*

Amendment: In Article 5, Dimensional Regulations, add YVC to section 5.3.3 regarding minimum floor space in a multifamily unit as follows:

5.3.3 Provisions Applicable to RES-1, RES-2, RES-3, GEN-1, GEN-2, GEN-3 and YVC Districts

Amendment: In Article 5, Dimensional Regulations, repeal section 5.4.12 regarding York Village Apartments in the GEN-3 Zone as follows:

5.4.12 ~~York Village Apartments Reserved.~~

~~In the GEN-3 Zone easterly of Long Sands Road (on the north side of York Street) and easterly of Lindsay Road (on the south side of York Street), the number of dwelling units permitted above a commercial or office use shall not be limited by lot size or the density limits specified in §5.4.1. **AMENDED 11/03/09**~~

Amendment: In Article 6, Supplemental Use Requirements, specifically 6.1 Non-Residential Performance Standards, add YVC as follows:

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6.1 Non-Residential Performance Standards -- Applicable to RES-1, RES-2, RES-3, YBVC, YVC, GEN-1, GEN-2, and GEN-3 Districts

Any non-residential development and use shall meet or exceed the Performance Standards listed below to the greatest extent practical.

Amendment: In Article 6, Supplemental Use Requirements, specifically 6.1.8.3 regarding screening of non-residential uses add the following language:

6.1.8.3 Boundaries with existing residential properties shall be screened with a dense evergreen hedge 6 feet or more in height. Non-residential developments shall have screening at least twenty (20) feet in depth along all side and rear lot lines. Screening may include, but not be limited to, evergreen shrubs, trees, fences, earth or wall berms or any combination thereof, forming a visual barrier not less than six (6) feet in height. (Except, chain-link fencing that includes interwoven plastic or metallic slats or interwoven fabric shall be prohibited.) The Planning Board, by written waiver, may reduce the depth of screening to eight (8) feet, if the Planning Board determines that the results of such waiver will not be inconsistent with the purposes of this ordinance, that the public's health, safety and general welfare will be adequately protected and that reduction will not significantly deprive neighboring properties of the protections provided by this ordinance. *The YVC district is exempt from this provision except for lots that abut a residential district.*

Amendment: In Article 6, Supplemental Use Requirements, specifically 6.1.8.5 regarding buffer strip requirements for separating parking or storage areas:

6.1.8.5 All parking or storage areas shall be separated from any public street by a landscaped buffer strip at least 15 feet wide, planted with shade trees (minimum 2" caliper, planted at least every 50 feet along the street frontage) and dense medium height shrubs (three feet in height, to screen parked vehicles). *With the exception of storage areas, this provision shall not apply to the YVC district.*

Amendment: In Article 6, Supplemental Use Requirements, specifically 6.1.12 Relation of Proposed Building to Environment, add the following language:

6.1.12 Relation of Proposed Building to Environment

Proposed structures shall be related harmoniously to the terrain and to existing buildings in the vicinity that have a visual relationship to the proposed buildings. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of terrain features or other buildings. In areas with a high concentration of historic properties, the Board may require new construction to utilize exterior building materials which harmonize with surrounding properties, and to be designed so as not to be architecturally incompatible in terms of scale, height, window size, and roof pitch.

6.1.12.1 YVC Non-residential Performance Standard

The Planning Board shall give consideration to how any proposed project within the YVC enhances the traditional northern New England village character of the York Village Center District, in a manner consistent with the Comprehensive Plan. Proposed buildings or other structures must be designed and constructed so as to respect the historic architectural styles of existing buildings. All new buildings and major renovations will complement the best village and architectural character in terms of scale, proportion, building height, window size, roof pitch, and exterior building materials. For major renovations to existing buildings that trigger Planning Board Review per Article 18.15-D, the removal of distinctive materials or alteration of features that represent the best architectural character of a property will be avoided. New buildings shall not diminish the prominence of the existing church steeples or historic markers. The following materials are expressly prohibited from building exteriors in YVC: vinyl siding, aluminum siding, Exterior Insulation and Finishing System (“EIFS”), foam or PVC materials.

Amendment: In Article 6, Supplemental Use Requirements, specifically 6.2 Commercial Development Requirements add reference to the YVC district as follows:

6.2 Commercial Development Requirements -- Applicable to RES-1, RES-2, RES-3, YBVC, YVC, GEN-1, GEN-2, and GEN-3 Districts

No residential building may be altered or converted to a commercial use without the required density, setbacks, or parking.

Amendment: In Article 7, Special Provision, specifically 7.1-A regarding Temporary Use of Manufactured Housing Unit, add reference to the YVC district as follows:

7.1 Temporary Use of Manufactured Housing Unit

Any person who can show good intentions of building a home may apply to the Board of Selectmen for a permit to locate a manufactured housing unit or recreation vehicle on the proposed home site during the construction of said home for a period of one year. If the applicant, at the end of one year, has not finished the proposed home to a livable state, the applicant may re-apply to the Board of Selectmen for a maximum of twelve (12) months extension of said permit. The Board of Selectmen, after being satisfied of good faith on the part of the applicant, may issue such permit for one year and extend such permit not to exceed twelve (12) months beyond the initial year. This allowance shall apply within the following zones:

- A. RES 1-A, RES 1-B, RES-2, RES-3, YBVC, YVC, GEN-1, GEN-2 and GEN-3 base zoning districts;

Amendment: In Article 7, Special Provisions, 7.5-Conversion of Historic Buildings, specifically 7.5.1 and 7.5.1.1 add reference to the YVC district and correct a reference to the former BUS-3 district by replacing it with YBVC as follows:

7.5 Conversion of Historic Buildings

The provisions of §7.5 shall be available only for a building that is a contributing building in a Local Historic District or that is listed in this Ordinance as an Historic Landmark.

7.5.1 Provisions Applicable to RES-5, RES-6, RES-7, YBVC, and YVC Districts

7.5.1.1 The Planning Board may review and authorize the conversion of an existing large single-family dwelling or other building to accommodate more than one family (and commercial use in the ~~BUS-3~~ YBVC and YVC zone) provided that all the following conditions are met:

- a. The house or building has at least 5,000 square feet of gross living area.
- b. The house or building shall be located on a lot served by public water and public sewer.
- c. The house or building has historical significance (in accordance with Section 7.5.1.2 below).

Amendment: Repeal Article 10-E, York Village Center Overlay District:

ARTICLE TEN-E

YORK VILLAGE CENTER OVERLAY DISTRICT

~~10-E.1~~ Purpose

~~In keeping with the policies of the Comprehensive Plan, the purpose of this overlay district is to allow higher lot coverage to better match existing development patterns and to accommodate new municipal facilities in York Village.~~

~~10-E.2~~ Lot Coverage Limits

~~Within this Overlay District, maximum lot coverage shall be 50%. However, the Planning Board may increase the maximum permitted lot coverage to 75% in exchange for increased buffers and/or other impact mitigation, including but not limited to enhanced stormwater drainage systems, as determined appropriate by the Planning Board. These limits shall supersede lot coverage limits in the base zoning district, as allowed per §21.2. — Amended 5/20/2006~~

~~10-E.3~~ Municipal Building Height

~~Building height for a principal municipal building shall not exceed 50 feet. This standard shall supersede more restrictive building height limits imposed by the base zone, as allowed by §21.2. AMENDED 5/19/2007~~

Amendment: In Article 15, Parking, add a new parking performance standards section for the YVC Zoning District as follows:

15.3 *Parking Performance Standards in the YVC Zoning District*

The parking standards of §15.1.1.2 are national standards based on suburban-style development, where people drive rather than walk or bike from one use to the next. Such standards are completely unsuitable in a village area which is focused on pedestrian movement, and will in fact result in designs which may completely be out of character with the Town's design goals for this village. Parking spaces shall be provided to conform to the number required in this section. Where a proposed use does not fall clearly into one of the listed activities, the Board shall determine the activity, which most closely resembles the proposed use, and the proposed use shall comply with the parking standards of that category.

- A. *Alternative Standard for Required Parking in YVC. Parking requirements in the YVC base zone shall be 50% of that specified in §15.1.1.2.*
- B. *Change or Expansion of Non-Residential Use without Building Enlargement in YVC. A change of use from one non-residential use to another, or an expansion of a non-residential use, shall trigger parking analysis subject to (§15.3-E) below unless the change or expansion of use is found to be in compliance with (§15.3-A) above.*
- C. *Parking Non-Conformity in YVC. The provisions of §17.4.B, which require lessening of non-conformity, shall not apply to parking in the YVC base zone.*
- D. *Parking in the Front Yard. No portion of any lot which is used to satisfy the front yard requirements of this ordinance shall be used for parking. Parking shall be located in the rear of the lot (behind the building), unless the applicant can demonstrate to the Planning Board the need for parking to be located on the side of the building using pertinent standards located in §15.3-E and §15.3-F below.*
- E. *The Planning Board may reduce off-street parking requirements of proposals in the YVC Zone greater than what is specified in this section provided the Board considers the following:*
 - 1. *Where legal on-street parking is located within 1,000 feet of a nonresidential use and the Board determines that this parking will be available to meet some or all of the parking demand for the particular use(s).*
 - 2. *Where publicly supplied off-street parking is located within 1,000 feet of a nonresidential use and the Board determines that this parking will be safe, convenient, and available to meet some or all of the parking demand.*
 - 3. *Where it is clearly demonstrated that the parking demand will be lower than that established by this section and that the reduction will not detract from neighborhood property values, inconvenience to the public, or increase congestion on adjacent streets.*

4. *For the reuse or redevelopment of a parcel if the Planning Board determines that the new use will not significantly increase the demand for parking compared to the former use except as prescribed in §15-3-B above.*
 5. *If the Planning Board determines that the demand for parking will be less than the required standard because some customers/users will walk or take alternative transportation to the site. In these cases, the owner of the property seeking the reduction or their representative, shall be responsible for providing documentation to the Planning Board substantiating the reduced parking demand or alternative supply.*
- F. *In applying or modifying the parking standards for any proposed use in the YVC district, the Planning Board shall consider:*
1. *Parking spaces shall be sufficient to accommodate the residential or non-residential use during a typical week.*
 2. *The likelihood of people walking or bicycling to the proposed use and the number of bicycle racks proposed. The Board shall consider any plan by the applicant to make the site more appealing for pedestrians and bicyclists.*
 4. *The size of the structure and the site.*
 5. *The environmental, scenic, or historic sensitivity of the site (including applicable limitations on impermeable surfaces). In cases where sufficient area for parking cannot be created on the site without disturbance to these resource values, the board may require a reduction in the size of the structure so that the available parking will be sufficient.*
 6. *The availability of on-street parking.*
 7. *Availability of off-site off-street parking that is open to the public, owner or controlled by the applicant, or available on a shared unit basis. Availability of accessible satellite parking shall also be considered.*
 8. *Accessibility to public transit facilities such as public bus stations or routes, or scheduled bus services to the site.*
 9. *Other standards used in generally accepted traffic engineering and planning manuals.*
- G. *Parking requirements for residential dwellings and related uses. The requirements of §15.3-A above may be waived for applications that involve dwelling units with less than 1,000 square feet of floor area and elderly or workforce housing as defined in this ordinance. These requirements may also be waived if the applicant can demonstrate that all required parking can be accommodated through mixed use development, shared parking or other situations deemed acceptable by the Planning Board as prescribed in §15.3-E and §15.3-F above.*

Amendment: In Article 16, Sign Standards, add YVC in the following Summary Table of Dimensional Standards:

Draft Amendments to be voted in May 2015

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Summary Table of Dimensional Standards

Type of Sign	Zoning District	Maximum Sign Area	Total Number Allowed	Min. Setback	Maximum Height
A-Frame Signs	All Zones	8 sq. ft.	1 per business	n/a	4 ft.
Blade Signs	All except RES-1-A, RES 1-B, RES-2, RES-3	8 sq. ft.	1 per 1st floor business	n/a	12 ft.
	RES-1-A, RES 1-B, RES-2, RES-3	4 sq. ft.	1 per principal use	n/a	12 ft.
Directory Sign	All Zones	4 Sq. ft.	1 per public entrance	n/a	n/a
Freestanding Signs Multiple Business Signs	Route 1 Zones	100 sq. ft.	1 per lot, unless lot fronts on more than one road	12 ft.	15 ft.
	BUS-1, BUS-2, GEN-1, GEN-2, GEN-3, RES-4, RES-5, RES-6, RES-7, YBVC, YVC	64 sq. ft.	1 per lot, unless lot fronts on more than one road	12 ft.	12 ft.
Freestanding Signs	Route 1 zones	48 sq. ft.	1 per lot, unless lot fronts on more than one road	12 ft.	15 ft.
	BUS-1, BUS-2, GEN-1, GEN-2, GEN-3, RES-4, RES-5, RES-6, RES-7, YBVC, YVC	20 sq. ft.	1 per lot, unless lot fronts on more than one road	12 ft.	12 ft.
	RES-1-A, RES 1-B, RES-2, RES-3	4 sq. ft.	1 per principal use	n/a	12 ft.
Identification Sign	All Zones	3 sq. ft.	n/a	n/a	7 ft.
New Business Openings	Route 1 Zones	32 sq. ft.	1 per business	n/a	n/a
	All Other Zones	20 sq. ft.	1 per business	n/a	n/a
Open Flags	All Zones	15 sq. ft (3ft. X 5ft.)	1 per business	n/a	n/a
Open House	All Zones	5 sq. ft.	4 per open house	n/a	n/a
Temporary Development	All Zones	16 sq. ft. each/32 sq. ft. total	n/a	n/a	n/a
Temporary Event Signs	Route 1 Zones	32 sq. ft.	1 per business, unless lot fronts on more than one road	n/a	n/a
	All Other Zones	20 sq. ft.	1 per business, unless lot fronts on more than one road	n/a	n/a
Temporary Real Estate Signs	Route 1 Zones	12 sq. ft.	1 per unit for sale for each street frontage	n/a	n/a
	All Other Zones	5 sq. ft.	1 per unit for sale for each street frontage	n/a	n/a
Wall Signs	All Zones	25 sq. ft or 10% of wall area	1 per business	n/a	15 ft.
Window Signs	All Zones	25% of window surface	n/a	n/a	n/a
Yard Sale Signs	All Zones	5 sq. ft. each	4 signs off premise	n/a	n/a

Draft Amendments to be voted in May 2015

DRAFT – November 19, 2015

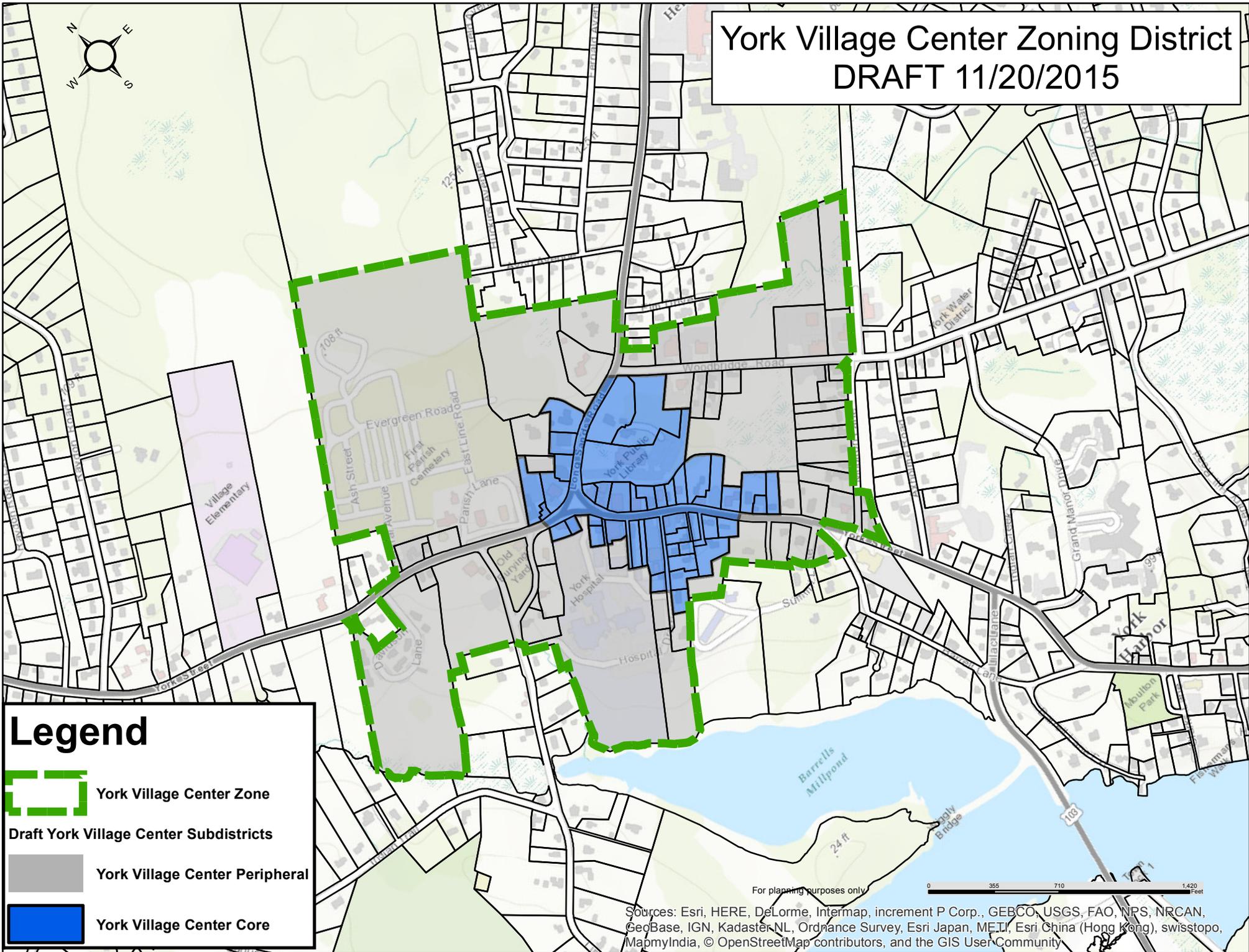
Amendment: In Article 17, Non-Conforming Situations, specifically 17.3.4-Dimensional Requirements for Non-Conforming Lots of record add YVC to 17.3.4.2 as follows:

17.3.4.2 In Districts GEN-1, GEN-2, GEN-3, YVC, RES-1, RES-2, and RES-3 side yard setbacks must be at least 12% of the width, and the rear yard setback must be at least 12% of the average depth, but in no case may the side yard or rear yard setback be less than 5 ft., and in no case shall setbacks for non-conforming lots of record be made to be greater than that required for conforming lots in that base zone.

Amendment: In Article 18, Administration, specifically 18.15 Delegation of Site Plan Review Authority, add the following language regarding the Planning Boards jurisdiction to review site plans in the YVC district:

- D. Regarding non-residential development in the YVC district. In addition to applicable Planning Board authorization to regulate sites; any non-residential development *that alters more than 50% of the exterior façade, any expansion of 1,500 square feet of gross floor area or more, or a proposal for a new principle non-residential or mixed-use building shall be subject to applicable ordinance, Site Plan and Subdivision regulations.*

York Village Center Zoning District DRAFT 11/20/2015



Legend

-  York Village Center Zone
-  York Village Center Peripheral
-  York Village Center Core

Draft York Village Center Subdistricts

For planning purposes only



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, MEIL, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

AMENDMENT TO THE ZONING ORDINANCE, ARTICLE 8 SHORELAND OVERLAY DISTRICT

Ballot Language: The following language would appear on the ballot:

Article X

The Town hereby ordains to amend the **Zoning Ordinance**, specifically amending: Article 2, Definitions; Article 8, Shoreland Overlay District; and Article 17, Non-Conforming Situations.

Statement of Fact: The purpose of this amendment is to bring the currently Zoning Ordinance, specifically Article 8, Shoreland Overlay District in line with the newly adopted (January 26, 2015) State Chapter 1000, Guidelines for Municipal Shoreland Zoning Ordinances. The Town is required under the **Mandatory Shoreland Zoning Act, 38 M.R.S.A. sections 435-448**, to adopt, administer, and enforce ordinances which regulate land use activities within 250 feet of great ponds, rivers, freshwater and coastal wetlands, including all tidal waters; and within 75 feet of streams as defined.

Under Chapter 1000, municipalities have three options to choose for timber harvesting in shoreland areas. The Town of York is currently under Option 3 allowing a municipality to retain the its current timber harvesting standards which are inconsistent with the State’s timber harvesting standards, and which means the Town will administer timber harvesting standards without State assistance. A repeal of §8.3.12 (Option 1) would mean the Bureau of Forestry (Maine Forest Service) shall administer and enforce the statewide standards within the Town upon approval by the voters. The state has the personnel to administer timber harvesting whereas the Town of York does not employ a licensed forester to regulate harvesting activities.

Amendment: Amend Article 2, Definitions, as follows:

CERTIFIED EXCAVATION CONTRACTOR: *An individual or firm, certified by the Maine Department of Environmental Protection, engaged in a business that causes the disturbance in the shoreland area of soil, including grading, filling and removal, or in a business in which the disturbance of soil results from an activity that the individual or firm is retained to perform.*

FOOTPRINT: *The entire area of ground covered by the structure(s) on a lot, including but not limited to cantilevered or similar overhanging extensions, as well as unenclosed structures, such as patios and decks.*

HAZARD TREE: *A tree with a structural defect, combination of defects, or disease resulting in a structural defect that under the normal range of environmental conditions at the site exhibits a high probability of failure and loss of a major structural component of the tree in a manner that will strike a target. A normal range of environmental conditions does not include meteorological anomalies, such as, but not limited to: hurricanes; hurricane-force winds; tornados; microbursts; or significant ice storm events. Hazard trees also include those trees that pose a serious and imminent risk to bank stability. A target is the area where personal injury or property damage could occur if the tree or a portion of the tree fails. Targets include roads, driveways, parking areas, structures, campsites, and any other developed area where people frequently gather and linger.*

IMPERVIOUS SURFACE: Any surface that has been compacted or covered with a material that substantially reduces or prevents the infiltration of stormwater. *Naturally occurring ledge and rock outcroppings are not counted as non-vegetative surfaces when calculating impervious surface for lots of record on March 24, 1990 and in continuous existence since that date.*

Covered surfaces include all buildings, all structures (including decks), parking areas, driveways, roads, sidewalks, and any areas of concrete or asphalt. A raised deck (no roof) constructed above an earthen surface shall be considered to reduce or prevent the infiltration of stormwater at a ratio of twenty percent (every five square foot of deck shall be considered one square foot of impervious surface in determining impervious surface ratio). Gravel driveways and parking areas shall be considered to reduce or prevent the infiltration of stormwater at a ratio of seventy-five percent (every four square foot of gravel driveway or parking area shall be considered three square foot of impervious surface in determining impervious surface ratio).

LOT COVERAGE: (Used to calculate the lot coverage percentage) The maximum projected horizontal area of all buildings or structures on a lot at or above ground level. No land located below the normal high water mark of a body of water located below sea level shall be used in the calculation of lot coverage. *Naturally occurring ledge and rock outcroppings are not counted as non-vegetative surfaces when calculating lot coverage for lots of records on March 24, 1990 and in continuous existence since that date.*

STREAM: A channel between defined banks. A channel is created by the action of surface water and has 2 or more of the following characteristics:

- A. It is depicted as a solid or broken blue line on the most recent, *highest resolution version of the nation hydrography dataset available from the United States Geological Survey.*

TEMPORARY DOCKS: *A structure that remains in or over the water for six (6) months or less in any period of twelve (12) consecutive months, and shall not have a permanent fixed location on or in the ground.*

TRIBUTARY STREAM: *A channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. "Tributary stream" does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity. NOTE: This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland.*

Amendment: Amend Article 8, Shoreland Overlay District, as follows:

Article 8.2.1.B Limited Residential Subdistrict

Commercial Use Category (Limited Res. Shoreland)

- ~~Restaurants - Expansion is defined as meaning: 1) construction of additions to existing facilities, buildings and structures, and 2) construction of new free-standing facilities buildings and structures. Under definition 1 and 2 above, construction is limited to an expansion, within lot lines existing as of November 5, 1996, of existing facilities, buildings and structures and other facilities, buildings and structures reasonably or~~

~~customarily associated with said existing facilities, buildings and structures. All expansions, regardless of the amount of expansion, shall satisfy to the maximum extent practical, as determined by the Planning Board, the requirements of the Town of York Planning Board Subdivision and Site Plan Regulations. Also, a Shoreland Permit from the Planning Board required.~~

- ~~**Ice Cream Stands** - Expansion is defined as meaning: 1) construction of additions to existing facilities, buildings and structures, and 2) construction of new free standing facilities buildings and structures. Under definition 1 and 2 above, construction is limited to an expansion, within lot lines existing as of November 5, 1996, of existing facilities, buildings and structures and other facilities, buildings and structures reasonably or customarily associated with said existing facilities, buildings and structures. All expansions, regardless of the amount of expansion, shall satisfy to the maximum extent practical, as determined by the Planning Board, the requirements of the Town of York Planning Board Subdivision and Site Plan Regulations. Also, a Shoreland Permit from the Planning Board required.~~

Article 8.2.1.C Resource Protection Subdistrict

Residential Use Category (Res. Protection Shoreland) – Shoreland permits/approvals are required. Jurisdiction to issue Shoreland permits/approvals is established by use as specified in §4.1.A, except where indicated below. – **ENTIRE CATEGORY AMENDED 5/19/2012**

- Single Family Dwelling – Requires a Special Use Permit per §18.2.7; *no creation of new lots per §18.2.7.a.*

8.3.3 Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting

8.3.3.2

- (a) There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. However, a *single* footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed *for accessing the shoreline* provided that a cleared line of sight to the water through the buffer strip is not created.

8.3.6 Piers, Docks, Wharves, Breakwaters, Causeways, Marinas, Bridges, and uses extending over or below beyond the Normal High Water Mark of a Waterbody or within a Wetland, and Shoreline Stabilization

No more than one pier, dock, wharf or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot; except that when a single lot contains at least twice the minimum shore frontage as specified in §8.1.1, a second structure may be allowed and may remain as long as the lot is not further divided.

8.3.11 Structures

8.3.11.4 Expansions of Non-conforming Structures

In the Shoreland Overlay District, only that portion of the structure which is in compliance with the required setback from the normal high water mark may expand without the footprint or percent limitation, provided all expansions conform to the current setback requirements.

In the Shoreland Overlay District, the portion of a principal structure that does not satisfy the required shoreland setback may be expanded only in accordance with the following provisions:

~~a. Expansion of the nonconforming portion of the structure is limited as follows: total expansion of the nonconforming portion can no exceed 30% of the floor area or building volume of the non-conforming portion of the structure as it existed as of January 1, 1989. Basements which have a ceiling height of greater than 6 feet and a solid non earthen floor shall be considered in calculating the permitted amount of floor area and volume expansion. No accessory structure shall be included in the calculation of existing floor area or building volume calculations. In the event that the principal structure is destroyed or removed by any means, the Code Enforcement Officer shall determine the base floor area and volume of that structure using the measurements shown on a prior building permit, property tax card, or the most reasonable record available.~~

a. Expansion of any portion of a principal structure within 25 feet of the normal high-water line of a water body, tributary stream, or upland edge of a wetland is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream or wetland setback requirement. Expansion of an accessory structure that is located closer to the normal high water mark of a water body, tributary stream, or upland edge of a wetland than the principal structure is prohibited, even if the expansion will not increase nonconformity with the water body, tributary stream, or wetland setback requirement.

b. Notwithstanding paragraph a. above, if a legally existing non-conforming principal structure is entirely located less than 25 feet from the normal high water mark of a waterbody, tributary stream, or upland edge of a wetland, that structure may be expanded as follows, as long as all other applicable municipal land use standards are met and the expansion is not prohibited by §8.3.11.4.a above.

1. The maximum total footprint for the principal structure may not be expanded to a size greater than 800 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of the principal structure may not be made greater than 15 feet or the height of the existing structure.

c. All other legally existing non-conforming principal and accessory structures that do not meet the water body, tributary stream, or wetland setback requirements may be expanded or altered as follows, as long as other applicable municipal land use standards are met and the expansion is not prohibited by Section §8.3.11.4 or §8.3.11.4.a above.

1. *For structures located less than 75 feet from the high water mark of a water body, tributary stream, or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,000 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any structure may not be made greater than 20 feet or the height of the existing structure, whichever is greater.*
2. *For structures located less than 100 feet from the normal high water mark of a great pond classified as GPA or a river flowing to a great pond classified as GPA, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet or 30% larger than the footprint that existed on January 1, 1989, whichever is greater. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater. Any portion of those structures located less than 75 feet from the normal high water mark of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height limits in §8.3.11.4.b.1 above.*
3. *In addition to the limitations in subparagraphs 1 and 2, for structures that are legally non-conforming due to their location within the Resource Protection Overlay when located at less than 250 feet from the normal high water mark of a water body or upland edge of a wetland, the maximum combined total footprint for all structures may not be expanded to a size greater than 1,500 square feet or 30% larger than the footprint that existed at the time the Resource Protection Overlay was established on the lot, whichever is greater. The maximum height of any structure may not be made greater than 25 feet or the height of the existing structure, whichever is greater, except that any portion of those structures located less than 75 feet from the normal high water mark of a water body, tributary stream, or upland edge of a wetland must meet the footprint and height limits in §8.3.11.4.b.1 above.*

- d. No part of the addition that does not comply with a minimum setback requirement shall be closer to any waterbody, tributary, stream, or wetland than any part of the existing structure.
- e. Any non-conforming use of such structure shall not be expanded or intensified and:
- f. For structures within the Resource Protection Subdistrict which are less than 100 feet, within the Limited Residential Subdistrict which are less than 75 feet, within the Stream Protection Subdistrict which are less than 50 feet, or within the Mixed Use Subdistrict which are less than 75 feet (but 35 feet on Harris Island only) from the Normal High Water Mark or upland edge of the shoreland resource, the new addition must be on the side of the structure located the furthest away from the high water mark or upland edge and the direction of the expansion must be away from the water. The requirements of §8.3.11.4.d does not apply to vertical expansion above existing interior enclosed living space for the principal building (not to include screen porches, decks, patios and similar structures, but does include attached garages) which shall be permitted

so long as the expansion does not exceed the height of the building as it existed on January 1, 1989.

- g. Whenever a new, enlarged or replacement foundation is constructed under a non-conforming structure, the structure and new foundation must be placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board, basing its decision on the criteria specified in subsection “f” below. This section shall expressly supersede any conflicting provisions of §17.2. If the completed foundation does not extend beyond the exterior dimensions of the structure, except for expansion in conformity with subsections “b” and “d” above, and the foundation does not cause the structure to be elevated by more than 3 additional feet, as measured from the uphill side of the structure (from original ground level to the bottom of the first floor sill), it shall not be considered to be an expansion of the structure.
- h. *An approved plan for expansion of a non-conforming structure must be recorded by the applicant with the registry of deeds, within 90 days of approval. The recorded plan must show the existing and proposed footprint of the non-conforming structure, the existing and proposed structure height, the footprint of any other structures on the parcel, the shoreland zone boundary and evidence of approval by the municipal review authority.*
- i. Reconstruction or Replacement. Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, or damaged or destroyed, regardless of the cause by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within 18 months of the date of said damage, destruction or removal, and provided that such reconstruction or replacement is in compliance with waterbody or wetland setback requirements to the greatest practical extent as determined by the Planning Board or its designee in accordance with the purposes of this Overlay District. In no case shall a structure be constructed or replaced so as to increase its non-conformity, *as determined by the non-conforming footprint of the reconstructed or replaced structure at its new location. If the total footprint of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at less than the setback requirement for a new structure.*

8.3.12 Timber Harvesting *Repeal and Replace with the following:*

NOTE: This section pertains to timber harvesting only. For provisions regarding the clearing for approved development, see section 8.3.3.

- ~~8.3.12.1~~ ~~No substantial accumulation of slash shall be left within fifty (50) feet of the normal high water mark of any waterbody. At distances greater than fifty (50) feet from the normal high water mark of such waters and extending to the limits of the Shoreland Overlay District, all slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four feet above the ground. Any debris that falls below the normal high water mark of a waterbody shall be removed.~~

- ~~8.3.12.2~~ Harvesting operations shall be conducted in such a manner and at such a time that minimal soil disturbances results. Adequate provision shall be made to prevent soil erosion and sedimentation of surface waters.
- ~~8.3.12.3~~ Harvesting operations shall be conducted in such a manner that a well disturbed stand of trees and other natural vegetation is retained.
- ~~8.3.12.4~~ In any stand, harvesting shall remove not more than forty (40) percent of the trees 4 inches or more in diameter, measured at 4 ½ feet above ground level, in any ten (10) year period. For the purpose of these standards, a stand means a contiguous group of trees, sufficiently uniform in species, arrangement of age classes, and conditions, to be identifiable as a homogeneous and distinguishable unit.
- ~~8.3.12.5~~ Within one hundred (100) feet, horizontal distance of the normal high water mark of a great pond, and within seventy five (75) fee, horizontal distance, of the normal high water mark of other waterbodies, tributary streams, or the upland edge of a wetland, there shall be no clear cut openings and a well disturbed stand of trees and other vegetation, including existing ground cover, shall be maintained.
- ~~8.3.12.6~~ In areas other than those described in section 8.3.12.5 above, harvesting operations shall not create single clear cut openings greater than 7,500 sq. ft. in the forest canopy. Where such openings exceed five thousand (5,000) sq. ft. they shall be at least one hundred (100) feet apart. Such clear cut openings shall be included in the calculation of total volume removal.
- ~~8.3.12.7~~ No roads requiring earthmoving, cut or fill shall be constructed within the Shoreland Overlay District solely for the purpose of Timber Harvesting.
- ~~83.12.8~~ Within any Resource Protection Subdistrict abutting a great pond, there shall be no timber harvesting within the strip of land extending 75 feet inland from the normal high water mark except to remove safety hazards.
- ~~8.3.12.9~~ Timber harvesting equipment shall not use stream channels as travel routes except when:
- ~~a.~~ Surface waters are sufficiently frozen to support the weight of the equipment; and
 - ~~b.~~ The activity will not result in any ground disturbance.
- ~~8.3.12.10~~ All crossings of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surface which would not be eroded or otherwise damaged.
- ~~8.3.12.11~~ Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the waterbody, tributary stream or wetland. Upon completion of timber harvesting, temporary bridges and culverts shall be removed and areas of exposed soil revegetated.
- ~~8.3.12.12~~ Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least seventy five (75) feet in width for slopes up to ten (10) percent shall be retained between the exposed mineral soil and the normal high water mark of a waterbody or wetland. For each ten (10) percent increase in slope, the unscarified strip shall be increased by twenty (20) feet. The provisions of this

paragraph apply only to a face sloping toward the waterbody or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than twenty five (25) feet from the normal high water mark of a waterbody or wetland.

8.3.12

Hazard Trees, Storm-Damaged Trees, and Dead Tree Removal

1. *Hazard trees in the shoreland may be removed provided a shoreland permit is obtained from the Code Enforcement Officer, and complies with the following:*
 - a. *The removal of standing dead trees, resulting from natural causes, is permissible without the need for replanting, as long as the removal does not result in the creation of new lawn, or other permanently cleared areas, and stumps are not removed. For the purposes of this provision dead trees are those trees that contain no foliage during the growing season.*
 - b. *The Code Enforcement Officer shall require the property owner to submit an evaluation from a licensed forester or arborist before any hazard tree can be removed*
 - c. *The Code Enforcement Officer shall require more than a one-for-one replacement for hazard trees removed that exceed eight (8) inches in diameter measured at four and one half (4.5) feet above the ground level.*

Amendment: Amend, Article 17 Non-Conforming Situations, as follows:

17.2 Non-Conforming Structures

17.2.1 Repair, Enlargement

17.2.1.2 Enlargement.

- I. *An approved plan for expansion of a non-conforming structure shall be recorded by the applicant with the York County Registry of Deeds, within 90 days of approval. The recorded plan must show the existing and proposed footprint of the non-conforming structure, the existing and proposed structure height, the footprint of any other structures on the parcel, the shoreland zone boundary and evidence of approval by the municipal review authority.*

18.2.3 ~~Reserved~~ Replace with: Contractor Certification Required

For projects starting on or after May – 2016, and where an activity requires or results in more than one (1) cubic yard of soil disturbance, the Erosion and Sediment Control Law (M.R.S.A. 420-C) requires the person responsible for management of erosion and sedimentation control practices at the site, be certified in erosion control practices by the Maine Department of Environmental Protection. This person, a Certified Excavation Contractor, must be present at the site each day earthmoving activity occurs for a duration that is sufficient to

ensure that proper erosion and sedimentation control practices are followed. This is required until erosion and sedimentation control measures have been installed, which will either stay in place permanently or stay in place until the area is sufficiently covered with vegetation necessary to prevent soil erosion. The name and certification number of the person who will oversee the activity causing or resulting in soil disturbance shall be included on the permit application. This requirement does not apply to a person or firm engaged in agriculture or timber harvesting if best management practices for erosion and sedimentation control are used; and municipal, state and federal employees engaged in projects associated with that employment.

DRAFT



AGENDA ITEM NUMBER: _____

REQUEST FOR ACTION BY BOARD OF SELECTMEN

Date Submitted: December 4, 2015	Type of Action: <input type="checkbox"/> Procedural <input checked="" type="checkbox"/> Formal Action <input type="checkbox"/> Other: _____
Date Action Requested: December 7, 2015	
Regular <input checked="" type="checkbox"/> Work Session _____	
Subject: Acceptance of the bid for one 2016 Ford Utility Police Cruiser.	

TO: BOARD OF SELECTMEN
FROM: Captain Charles J Szeniewski
RECOMMENDATION: For the BOS to approve the bid for one 2016 Ford Utility Police Cruiser from Quirk Ford of Augusta, ME.
PROPOSED MOTION I move to award the bid for the purchase of one 2016 Ford Utility Police Cruiser to Quirk Ford of Augusta in the amount of \$ 24,740.00 from the capital cruiser account of the Police Department.

Discussion:

FISCAL IMPACT: \$24,740.00
DEPARTMENT LINE ITEM ACCOUNT: Capital cruiser account
BALANCE IN LINE ITEM IF APPROVED: \$14,809.00

Prepared By: Captain Charles J Szeniewski *Charles J Szeniewski*
Reviewed By: Town Manager Stephen H. Burns *Stephen H Burns*



TOWN OF YORK, MAINE

Police Department

Douglas P. Bracy
Chief of Police

Memorandum

Mailing Address:
36 Main Street
York, Maine 03909

Dispatch:
Non-Emergency
(207) 363-4444

Administration:
(207) 363-1031

Facsimile:
(207) 361-6818

www.yorkpolice.org

**Committed
to excellence**

Date: December 4, 2015

To: Board of Selectmen

Cc: Town Manager Steven Burns *CS*

From: Captain Charles J Szeniewski

RE: Ford Police Utility Interceptor Bid Acceptance

The Police Department is replacing a 2011 Crown Victoria Cruiser that is used by patrol in the performance of their duties. The current vehicle has 96,000 miles. Maintenance due to its road miles and engine miles is a concern and starting to become costly. We recently replaced the electric cooling fan, and now have a transmission that needs to be replaced in order to have the vehicle operable for patrol. We have been quoted a price of 2,500 to 2,800 for a certified rebuilt transmission. The warranty is only six months because it is a Police Cruiser. The vehicle we are looking to purchase is a 2016 Ford Utility Police Cruiser with a V6 engine.

A bid request for a 2016 Ford Utility Police Interceptor was sent out to six Ford dealerships. Three bids were received by the December 3, 2015 1200 PM deadline and were opened in the Town Manager's Office on December 4, 2015.

Quirk Ford of Augusta Maine submitted a total bid price of \$24,740.00. This price reflected a base price of \$26,565.00 for the unit minus \$ 1,825.00 for the trade-in value for the 2011 Crown Victoria's.

Yankee Ford of South Portland Maine submitted a total bid price of \$25,742.00. This price reflected a base unit price of \$30,342.00 for the new vehicle minus the trade-in value of \$2000.00 for the 2011 Crown Victoria.

Starkey Ford of York Maine submitted a total bid price of \$25,105.00. This price reflected a base unit price of \$27,105.00 for the new vehicle minus the trade-in value of \$1,500.00 for the 2011 Crown Victoria.

This process reflected a difference of \$865.00 between the bids of Starkey Ford and Quirk Ford and a difference of \$1002.00 between the bids of Yankee Ford and Quirk Ford. In light of these differences, it is my recommendation that the Board of Selectmen award the bid to Quirk Ford of Augusta for the purchase of the 2016 Ford Utility Police Interceptor.



TOWN OF YORK, MAINE

Police Department

Douglas P. Bracy
Chief of Police

Mailing Address:
36 Main Street
York, Maine 03909

Dispatch:
Non-Emergency
(207) 363-4444

Administration:
(207) 363-1031

Facsimile:
(207) 361-6818

www.yorkpolice.org

**Committed
to excellence**

PURCHASE OF ONE 2016 FORD UTILITY POLICE INTERCEPTOR

The Town of York is now accepting bids for one (1) 2016 Ford Utility Police Interceptor K8A AWD 4DR vehicle. Bids should be forwarded to the office of the Town Manager, 186 York Street, York, Maine 03909 no later than 12:00 P.M., on Thursday, December 3, 2015. Mark the outside of the envelope "Bid for Utility Police Interceptor Vehicles".

Bids will be opened by the Town Manager's office on Friday, December 4, 2015 at 10:00 A.M. and awarded on Monday, December 7, 2015, at the Selectmen's Meeting. The Board of Selectmen reserves the right to accept or reject any or all bids.

SPECIFICATIONS:

Type and model:	2016 Ford Utility Police Interceptor K8A AWD 4 door vehicle.
Exterior color:	Sterling Gray Metallic (UJ)
Interior color:	Charcoal Black (9W)
Engine assembly:	3.7L V6 TI-VCT FFV – Inc.: High efficient police calibrated (99R)
Wheelbase:	Standard
Rear Axle:	3.65 Axle Ratio
Transmission:	6 Speed Automatic – Inc.: Exclusively police calibrated for Maximum acceleration and faster closing speeds.
Electrical system:	12 volt, with at least 220 amp heavy duty alternator, Noise Suppression Bonds – Inc.: ground straps (60R). Instrumentation; Speedometer Certified, digital readout in message center and analog gauge. Air Conditioning, Rear Defroster, Power Driver's Seat.

Suspension: Independent front and rear.

Brakes: 4 wheel heavy duty disc w/H.D. Front and Rear Calipers, ABS with traction Control.

Wheels/Tires: Five (5) wheels heavy duty steel vented with center cap, includes full size spare tire. Tires 245/55R18 A/S BSW.

Steering: Electric Power-Assist (EPAS)

Speedometer: Certified, digital readout in message center and analog gauge.

Floor Mats: Heavy Duty Vinyl

Additional: Heated side view mirrors (549), Front license plate bracket (153), Drive only incandescent spot lamp (51Y), Keyed alike (1294X), Rear door handles inoperable/lock operable (68L), Dark car feature – inc: Courtesy lamp disabled when any door is opened (43D), Red/White dome lamp in cargo area (17T), Reverse Sensing (87R), Noise suppression Bonds – inc: ground straps (60R), Rear power window delete –inc: Operable from front driver side switches, Front Headlamp/Police Interceptor Housing Only (86P).

Delivery: Within ninety (90) days of bid award. Final acceptance and approval by the Chief of Police upon inspection and satisfaction that all specifications are met.

Trade in: 2011 Ford Crown Victoria (Unit 89), cruiser should have an estimated 96,000 miles at trade time. Cruisers transmission is slipping.

POLICE CRUISER BID PROPOSAL DEALERSHIP

Starkey Ford, Inc.
ATTN: Mr. Robert Berry
P.O. Box 37, 422 Route 1
York, ME 03909

Phone: 363-2483
FAX: 363-3547

Quirk Ford of Augusta
ATTN: Mr. Leo Chicoin
P.O. Box 1055, Lower State Road
Augusta, ME 04332-0859
lchicoine@quirkauto.com

FAX: 207-622-9528

Arundel Ford
Attn: Mr. Rod Brackett
P.O. Box 560B
Arundel, ME 04046

Phone
800-889-7171
FAX: 985-7173

Casco Bay Ford
ATTN: Mr. Joe Cook
1213 US RT 1.
Yarmouth, ME 04096

Phone: 800-295-1505
207-846-5577
Fax: 207-846-5064

Yankee Ford
Attn: Mr. Scott Bonney
165 Waterman Drive
South Portland, ME 04106

scott@yankeeford.com

Phone: 207-799-5591
Fax: 207-799-9412

Rodman Ford
Attn: Mike Wagner
53 Washington Street
Foxborough, MA 02035

mwagner@rodmanford.com

Phone: 508-698-4037
FAX: 508-698-4101

MHQ, Inc.
Attn: Mike Curtin
401 Elm Street
Marlborough, MA 01752

mcurtin@mhq.com

Phone: 508-573-2600
FAX: 508-573-2720

INTERCEPTOR BID
OF YORK
YORK STREET
YRK, ME 03909
Phone: (207) 363-4444

Prepared By:
LEO CHICOINE
QUIRK AUTO GROUP
7 WATER STREET
HALLOWELL, ME 04347
Phone: (207) 430-1621
Fax: (207) 991-5539
Email: lchicoine@quirkauto.com

2016 Fleet/Non-Retail Ford Utility Police Interceptor AWD 4dr K8A

WINDOW STICKER

Advert/Adjustments	\$0.00
Destination Charge	\$945.00
TOTAL PRICE	\$32,555.00
Est City: 16.00 mpg	
Est Highway: 21.00 mpg	
Est Highway Cruising Range: 390.60 mi	

(Unit 89) 2011 Ford C/V. - 1825⁰⁰
\$26325⁰⁰
\$24,740.00

Leo Chicoine
Ph: 430-1621
430-1621

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 413.0, Data updated 11/17/2015
© Copyright 1986-2012 Chrome Data Solutions, LP. All rights reserved.

Customer File:



STARKEY FORD, Inc.

Tel. 207.363.2483
Fax. 207.363.3547
E-mail. info@starkeyford.com

422 Route 1
P.O. Box 37
York, Maine 03909-0037
www.starkeyford.com

DECEMBER 3, 2015
TOWN MANAGER
TOWN OF YORK MAINE
186 YORK STREET
YORK, ME 03909

DEAR SIR;

STARKEY FORD, INC. SUBMITS THE FOLLOWING BID FOR ONE (1) 2016 FORD UTILITY POLICE INTERCEPTOR.

AS QUOTED FOR THE TOWN OF YORK POLICE DEPARTMENT:

PRICE OF ONE 2016 FORD POLICE INTERCEPTOR	\$27,105.00
LESS TRADE OF 2011 FORD CROWN VICTORIA	<u>1,500.00</u>
NET PRICE	\$25,605.00

SINCERELY,

ROBERT BERRY

SALES & LEASING CONSULTANT

ENC: 2

DELIVERY TIME AS DICTATED BY MANUFACTURER

CNGP530 VEHICLE ORDER CONFIRMATION 11/30/15 17:56:50
==> Dealer: F11209

2016 EXPLORER 4-DOOR

Page: 1 of 1

Order No: 0001 Priority: A2 Ord FIN: QK866 Order Type: 5B Price Level: 635
Ord Code: 500A Cust/Flt Name: YORK P.D. PO Number:

	RETAIL	DLR INV		RETAIL	DLR INV
K8A 4DR AWD POLICE	\$30930	\$29152.00	549 PWR MIRR HTD	\$60	\$57.00
.112.6" WB			59C KEY CODE C	50	48.00
UJ STERLING GRAY			60R NOISE SUPPRESS	100	93.00
9 CLTH BKTS/VNL R			68L RR DR HND INOP	35	32.00
W EBONY INTERIOR			794 PRICE CONCESSN		
500A EQUIP GRP			REMARKS TRAILER		
PREM SINGLE CD			86P FRT LMP HOUSING	125	117.00
99R 3.7L V6 TIVCT	NC	NC	87R RR VIEW MIR/CAM	NC	NC
44C .6-SPD AUTO TRAN	NC	NC	SP FLT ACCT CR		(396.00)
153 FRT LICENSE BKT	NC	NC	FUEL CHARGE		4.74
17T CARGO DOME LAMP	50	48.00	DEST AND DELIV	945	945.00
18W RR WINDOW DEL	25	23.00	TOTAL BASE AND OPTIONS	32555	30342.74
422 CALIF EMISSIONS	NC	NC	TOTAL	32555	30342.74
43D COURTESY DISABL	20	19.00	*THIS IS NOT AN INVOICE*		
51Y DRV SDE SPT LMP	215	200.00	*TOTAL PRICE EXCLUDES COMP PRICE ALLOW*		

F1=Help F2=Return to Order F3/F12=Veh Ord Menu
F4=Submit F5=Add to Library F9=View Trailers
S099 - PRESS F4 TO SUBMIT QC09035

fmcdealr@SCOTT-PC
Nov 30, 2015 5:56:56 PM

2400
940
3340

\$30342 DLR COST
<2600> DISCOUNT

BID: \$27742

LESS TRADE <2000>

BID: \$25742
LESS TRADE

Scott A. Bonney
FLEET MANAGER
YANKEE FORD SALES
11/30/15

YANKEE FORD SALES 
 Yankee 1-800-233-2548 / 207-799-5591
 Brunswick 1-800-514-3110 / 207-725-1228
 Rockland 1-800-888-5856 / 207-594-4466
SCOTT A. BONNEY
 Fleet Mgr. / Comm. Accts
 scott@yankeeford.com



165 WILHELM DR. • SOUTH PORTLAND, ME 04106



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 1, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 7, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Award Crushing of Rock for York Beach Access Road	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

A summary of the relevant history for this project is as follows:

- On May 29, 2009 the voters approved up to \$2,000,000 to fund the acquisition of land for a new York Beach access road and Public Safety Building.
- On May 21, 2011 the voters approved \$1,626,882 for the design and construction of the proposed Route 1 – York Beach Connector Road.
- On May 18, 2013 the voters rejected the appropriation of \$525,000 for a Traffic Signal and Road improvements on Route 1 at the proposed police station connector Road.
- On May 16, 2015 the voters approved a Traffic Signal and Road improvements on Route 1 at the proposed police station connector Road.
- On July 21, 2015 the KACTS Policy committee unanimously approved Federal and State Transportation funds for a new signalized intersection and road improvements on Route 1 at the proposed beach access road. The total project cost is \$677,500 (80% federal, 10% state & 10% local)
- On August 24, 2015 The Board of Selectmen approve the development of an RFP and Solicit proposals from interested engineering firms for the planning, surveying, preliminary design engineering including signalized intersection design, environmental permitting, construction bid documents and project management services for a York Beach access road from Ridge Road to US Route 1 utilizing a portion of the previously designed access road and a portion of the existing Wild Kingdom Road and its US Route 1 entrance.
- On November 16, 2015 The Board of Selectmen awarded the conceptual planning and layout of a new alignment for the connector road between Ridge Road and US Route 1 to Ransom Consulting, Inc. at no cost to the Town.
- DPW solicited bids for the Crushing, Loading and stacking of rock for the York Beach Access Road. Proposal results are as follows:

1. Superior Crushing, Inc.	\$6.95/Cu.Yds. (Est. 9,000 Cu.Yds. - \$62,550)
2. Portable Crushing LLC	No Bid
3. Gorham Sand and Gravel	\$45,000 Lump Sum

RECOMMENDATION: Approve the award for the crushing, loading and stacking of rock for the York Beach Access Road to Gorham Sand and Gravel in the amount of \$45,000.

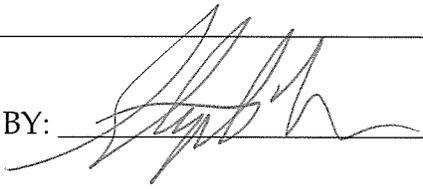
PROPOSED MOTION: I move to approve the award for the crushing, loading and stacking of rock for the York Beach Access Road to Gorham Sand and Gravel in the amount of \$45,000.

FISCAL IMPACT: \$45,000

DEPARTMENT LINE ITEM ACCOUNT: mitigation work to be reimbursed by PC Construction

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: _____ *Dean Lessard* _____

REVIEWED BY: _____  _____

SUPERIOR CRUSHING, INC.

**P.O. Box 1086
Scarborough, ME 04070
207-883-9669
Fax 207-883-7669**

PROPOSAL

**Dean Lessard
Town of York Public Works
115 Chases Pond Rd.
York, ME 03909**

11/27/15

Location of material : Jobsite at York Beach.

Description of Material: Blasted Ledge.

Products Desired: 1-1/2" gravel.

Quantity: 5,000cy,+-, by bucket count.

Rate: \$6.95/cy for everything run through the plant.

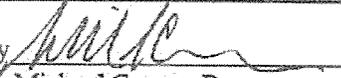
Total Cost: \$ depends on exact quantity.

Terms: \$8,500. upon mobilization and the balance upon completion. Invoices are due upon receipt.

This proposal includes: Primary and secondary crushers, loading and stacking equipment, operators, fuel, and mobilization.

Schedule: Mid- December, weather permitting.

The owner agrees to provide a clear, level area of adequate size to set up the equipment and stack the finished product. It is also the responsibility of the owner to notify Superior Crushing, Inc. of any concerns with sizing of product, bucket count- size, etc.: so they may be addressed immediately. Your business is very important to us! Superior Crushing, Inc. is M.S.H.A. and Me. D.E.P. compliant.

Authorized By 
Michael Cowan, Pres.

Accepted By _____

Date _____



QUOTE

939 Parker Farm Road
 Buxton, ME 04093
 207 839-2442 FAX 207 839-5445

Quote expires: 12/31/2015

Crushing

Bill To:

Town of York
 186 York St.
 York, ME 03909

Quote number: 0000537

Quote date: 12/1/2015

P.O.Number:

(207)363-1000

Terms:

Qty	Units	Description	Price	Amount
1	LS	Mobilize Crusher and Loader to former police station site Crush existing piles of sand and blasted ledge rock on site. Stockpile on site in area designated by Town of York Entire operation should take between 6 and 9 working days Contract Price Based on our observations of the materials stockpiled on site, the final crushed material should be suitable for use as sub-base material in roads or parking areas but we cannot guarantee that the material will meet an MDOT specification due to the limited amount and type of material on site.	45,000.00	45,000.00

Exclusions: (Not included in proposal price.):

Protection and or repair of existing pavement

Any item not specifically included is excluded

All permits and fees

Excavation of ledge or large boulders.

Protection and or repair of unmarked or mismarked underground utilities

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from specifications below involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry builder's risk and or any other applicable insurance. Our workers are fully covered by workman's compensation insurance.



QUOTE

939 Parker Farm Road
Buxton, ME 04093
207 839-2442 FAX 207 839-5445

Quote expires: 12/31/2015

Crushing

Bill To:

Town of York
186 York St.
York, ME 03909

Quote number: 0000537

Quote date: 12/1/2015

P.O.Number:

(207)363-1000

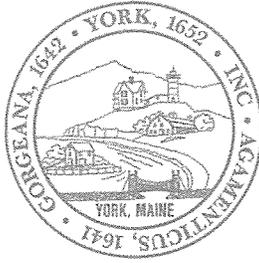
Terms:

Qty	Units	Description	Price	Amount
-----	-------	-------------	-------	--------

Date of Acceptance: _____
 Signature: _____
 Signature: _____

Total before Taxes 45,000.00

Total due: 45,000.00



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Business License Applications

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: All appropriate departments have given approval; See "Department Approvals" on page two of the application.

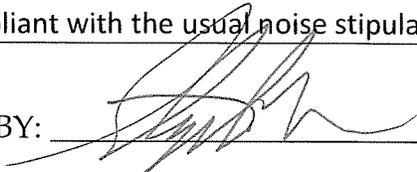
RECOMMENDATION: Approve the Business License(s) attached.

PROPOSED MOTION: I move to approve the following licenses:

- *Thomas Veronesi DBA: York Elks Lodge #2788 for Food Service, Liquor, Special Amusement, Coin-Operated Amusement and Flea Market; located at 1704 US Route One*
- *Woods Family, Inc. DBA: The Daily Grind for Food Service; located at 21 Railroad Avenue*
- *John Shaw DBA: Frankie and Johnny's for Food Service; located at 1594 US Route One*
- *Natalie Lawrence-Taylor DBA: Grass Roots for Food Service; located at 369 US Route One*

All subject to taxes, fees and inspections being current and compliant with the usual noise stipulations.

PREPARED BY: _____
Melissa M. Avery, Assistant to the Town Manager

REVIEWED BY: _____


THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: YORK Elks Lodge #2782

Street Address: 1704 US RTE 1 YORK, ME 03909

Business Owner: THOMAS VERONESI Business Manager: SAME

Mailing Address: PO BOX 711 Mailing Address: _____

YORK, ME 03909

Phone Number: 207-361-2782 Phone Number: _____

E-mail Address: tomveronesi@gmail.com E-mail Address: _____

Please indicate who is to be the Primary Contact with the Town: OWNER or MANAGER

Is the Business Owner same as the prior year? YES NO

Please indicate which Licenses or Local Approvals you seek:

Lodging:

___ Bed and Breakfast License (C/F)

___ Innkeeper License (C/F)

Number of Rooms: _____

Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

___ Bottle Club License (F/P)

Number of Seats: _____

Entertainment:

Special Amusement License (F/P)

___ Dance Hall License (F/P)

___ Bowling Alley License (F)

Coin-Operated Amusement License (P)

___ Bingo, Beano and Games of Chance

Miscellaneous:

___ Transient Seller's License

Flea Market License

___ Junkyard, Auto Graveyard/Recycling License

___ Other: _____

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	1035114	4579 RETAILER	110013
Expiration Date(s):	NONE	3/31/16	3/31/16
Classification(s):	RETAILER	HEALTH	SEAFOOD

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: John Vachon Have you ever been convicted of a Felony? YES NO
Signature

Business Manager: _____ Have you ever been convicted of a Felony? YES / NO
Signature
(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES	Amount	Map - Lot: 0100 .0024-C
Application and First License (\$60)	60.-	Processed By: mmavery
Subsequent Licenses (\$30 each)	120.-	Received Date: 11/9/2015
New License Fee (\$50)	150.-	Amount Received: \$ 180.00
License Amendment (\$25)	-	Check # 8603 or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
TOTAL DUE	\$ 180.-	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	__ N/A	11/13/2015 K Newell	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Fire	__ N/A	12/4/2015 D Bridges	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Police	__ N/A	11/9/2015 O DAVIS	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Tax Collector	__ N/A	11/12/2015 M Szaniawski	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Board of Selectmen	_____	_____	YES <input type="checkbox"/> NO <input type="checkbox"/>
Town Manager for the Board of Selectmen		Date	

THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: WOODS Family INC D/B/A THE Daily Grind

Street Address: 21 Railroad Ave York

Business Owner: WOODS Family INC Business Manager: San KOVARIK

Mailing Address: 21 Railroad Ave York ME 03909 Mailing Address: STAKE

Phone Number: 363-5040 Phone Number: _____

E-mail Address: _____ E-mail Address: _____

Please indicate who is to be the Primary Contact with the Town: OWNER or MANAGER

Is the Business Owner same as the prior year? YES NO

Please indicate which Licenses or Local Approvals you seek:

Lodging:

___ Bed and Breakfast License (C/F)

___ Innkeeper License (C/F)

Number of Rooms: _____

Food and Beverage:

Food Service License (C/F)

___ Liquor License (F/P)

___ Bottle Club License (F/P)

Number of Seats: _____

Entertainment:

___ Special Amusement License (F/P)

___ Dance Hall License (F/P)

___ Bowling Alley License (F)

___ Coin-Operated Amusement License (P)

___ Bingo, Beano and Games of Chance

Miscellaneous:

___ Transient Seller's License

___ Flea Market License

___ Junkyard, Auto Graveyard/Recycling License

___ Other: _____

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):	1-932		
Expiration Date(s):	3/31/16		
Classification(s):	Dept Agriculture		

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: [Signature]
Signature

Have you ever been convicted of a Felony? YES / NO

Business Manager: _____
Signature

Have you ever been convicted of a Felony? YES / NO

(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES	Amount	Map - Lot: 0026 - 0001
Application and First License (\$60)	60.-	Processed By: mmavery
Subsequent Licenses (\$30 each)	-	Received Date: 10/29/15
New License Fee (\$50)	-	Amount Received: \$ 60.-
License Amendment (\$25)	-	Check # 23126 or Cash <input type="checkbox"/>
Other: _____	-	LICENSE #: _____ - _____
TOTAL DUE	\$ 60.-	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>N/A</u>	11/3/2015 KNewell	YES <u>NO</u>
Fire	<u>N/A</u>	12/4/2015 D Bridges	YES <u>NO</u>
Police	<u>N/A</u>		YES NO
Tax Collector	<u>N/A</u>	10/30/15 M Szeniawski	YES <u>NO</u>
Board of Selectmen _____ Town Manager for the Board of Selectmen Date			YES NO

Rec'd 9/21/15
\$60. SHB

THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Tranre Johnny's

Street Address: 1594 US Rte

Business Owner: John Shu Business Manager: John Shu

Mailing Address: 1594 US Rte Mailing Address: 1594 US Rte

Phone Number: 207-363-1909 Phone Number: Cell 860-307-5434

E-mail Address: _____ E-mail Address: _____

Please indicate who is to be the Primary Contact with the Town: OWNER or MANAGER

Is the Business Owner same as the prior year? YES NO

Please indicate which Licenses or Local Approvals you seek:

Lodging:

___ Bed and Breakfast License (C/F)

___ Innkeeper License (C/F)

Number of Rooms: _____

Food and Beverage:

Food Service License (C/F)

___ Liquor License (F/P)

___ Bottle Club License (F/P)

Number of Seats: 10

Entertainment:

___ Special Amusement License (F/P)

___ Dance Hall License (F/P)

___ Bowling Alley License (F)

___ Coin-Operated Amusement License (P)

___ Bingo, Beano and Games of Chance

Miscellaneous:

___ Transient Seller's License

___ Flea Market License

___ Junkyard, Auto Graveyard/Recycling License

___ Other: _____

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):			
Expiration Date(s):			
Classification(s):			

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

Business Owner: *[Signature]* Have you ever been convicted of a Felony? YES NO

Signature

Business Manager: *[Signature]* Have you ever been convicted of a Felony? YES NO

Signature

(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES	Amount	Map - Lot: <u>0100 . 0024-B</u>
Application and First License (\$60)	<u>60.-</u>	Processed By: <u>mmanery</u>
Subsequent Licenses (\$30 each)	<u>-</u>	Received Date: <u>9/21/2015</u>
New License Fee (\$50)	<u>-</u>	Amount Received: \$ <u>60.00</u>
License Amendment (\$25)	<u>-</u>	Check # <u>287</u> or Cash <input type="checkbox"/>
Other: _____	<u>-</u>	LICENSE #: _____ - _____
TOTAL DUE	\$ <u>60.-</u>	

Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>-</u> N/A	<u>9/30/2015 K Dewell</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Fire	<u>-</u> N/A	<u>12/4/2015 J Bridges</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Police	<input checked="" type="checkbox"/> N/A		YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Tax Collector	<u>-</u> N/A	<u>9/22/2015 M Szeniewski</u>	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
Board of Selectmen			YES <input type="checkbox"/> NO <input type="checkbox"/>
_____		_____	
<i>Town Manager for the Board of Selectmen</i>		<i>Date</i>	

THE TOWN OF

YORK, MAINE

186 York Street, York, Maine 03909

BUSINESS LICENSE APPLICATION

NOTE: Business Licenses are not transferable to another person, business or location.

Business Name: Grass Roots

Street Address: 369 US Route 1 York ME 03909

Business Owner: Nathalie Lawrence-Taylor Business Manager: Danielle Lawrence-Taylor

Mailing Address: PO Box 4 Mailing Address: Po Box 4

South Berwick, ME 03908 South Berwick, ME 03908

Phone Number: 603-866-0481 Phone Number: 603-785-3757

E-mail Address: Grassrootsme@yahoo.com E-mail Address: Grassrootsme@yahoo.com

Please indicate who is to be the Primary Contact with the Town: OWNER or MANAGER

Is the Business Owner same as the prior year? YES NO N/A - *start up business*

Please indicate which Licenses or Local Approvals you seek:

Lodging:

Bed and Breakfast License (C/F)

Innkeeper License (C/F)

Number of Rooms: _____

Food and Beverage:

Food Service License (C/F)

Liquor License (F/P)

Bottle Club License (F/P)

Number of Seats: 20

Entertainment:

Special Amusement License (F/P)

Dance Hall License (F/P)

Bowling Alley License (F)

Coin-Operated Amusement License (P)

Bingo, Beano and Games of Chance

Miscellaneous:

Transient Seller's License

Flea Market License

Junkyard, Auto Graveyard/Recycling License

Other: _____

C - Code Enforcement Inspection Required F - Fire Department Inspection Required P - Police Department Inspection Required

Code Enforcement: (207) 363-1002

Police Department: (207) 363-1031

Village Fire Department: (207) 363-1015

Beach Fire Department: (207) 363-1014

FEES: Each application will incur a \$60 fee, plus \$30 for each license after the first. All NEW applications will have an additional \$50 fee, and all license amendments will have a \$25 fee. All fees are to be paid at time of submittal and shall be non-refundable. Cash or Check only; Please make check payable to Town of York.

Provide the following information about any relevant State licenses:

STATE LICENSE INFORMATION			
ID Number(s):			
Expiration Date(s):			
Classification(s):			

Please read the following and sign to complete your application:

I understand that a license is required before operating or conducting any business or activity governed by the Town's Business Licensing Ordinance and that ongoing compliance with the provisions of the Town's Business Licensing Ordinance and other applicable Town codes is required throughout the entire license period.

I understand that this Business License Application must be filled out completely, all fees must be paid, and all necessary department inspections must be completed and passed before the license(s) will be considered by the Board of Selectmen.

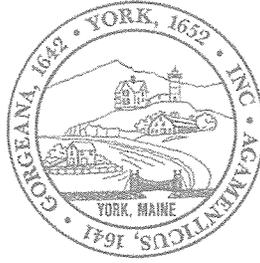
Business Owner: Mathalia Lawrence Taylor Have you ever been convicted of a Felony? YES / NO
Signature

Business Manager: Donielle Lawrence Taylor Have you ever been convicted of a Felony? YES / NO
Signature

(If either person has a Felony conviction, please attach an explanation of the circumstances)

FOR OFFICE USE ONLY

FEES		Amount	Map - Lot: <u>0053 - 0004</u>
Application and First License (\$60)		<u>60.-</u>	Processed By: <u>mmavery</u>
Subsequent Licenses (\$30 each)		<u>-</u>	Received Date: <u>9/21/2015</u>
New License Fee (\$50)		<u>50.-</u>	Amount Received: \$ <u>110.00</u>
License Amendment (\$25)		<u>-</u>	Check # <u>587</u> or Cash <input type="checkbox"/>
Other: _____		<u>-</u>	LICENSE #: _____ - _____
TOTAL DUE		\$ <u>110.-</u>	
Department Approvals		Date of Approval	Special Conditions (Attached if Necessary)
Code Enforcement	<u>-</u> N/A	<u>9/30/2015 IC Newell</u>	YES <input checked="" type="radio"/> NO
Fire	<u>-</u> N/A	<u>10/20/2015 D Appar</u>	YES <input checked="" type="radio"/> NO
Police	<input checked="" type="checkbox"/> N/A		YES NO
Tax Collector	<u>-</u> N/A	<u>9/22/2015 MSzeniausk</u>	YES <input checked="" type="radio"/> NO
Board of Selectmen _____		_____	YES NO
Town Manager for the Board of Selectmen		Date	



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 3, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Long Beach Master Plan – Complete Streets and Sea Wall design elements

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

The combined project history is as follows:

- On May 19, 2012 the voters approved \$350,000 to fund the drainage project just north of the Anchorage Hotel.
- On May 18, 2013 the voters approved \$350,000 to fund the drainage project just north of the Long Sands Bath House.
- On September 23, 2013 the Board of Selectmen authorized town staff to put out a Request for Proposal for survey work for the three capital projects.
- On January 27, 2014 the Board of Selectmen awarded the Long Beach Avenue Existing Conditions Survey bid to North Easterly Surveying, Inc. in the amount of \$19,465.
- On April 14, 2014 the Board of Selectmen approved the submittal of a MPI Grant Application.
- On June 24, 2014 Maine DOT notified that the towns MPI Grant application was approved.
- On January 12, 2015 The Board of Selectmen approved the release of the RFP for the Long Beach Master Plan.
- On February 23, 2015 the Board of Selectmen awarded the Long Beach Master Plan to Ransom Engineering Team.
- On March 20, 2015 Mike Sullivan, Steve Bradstreet and Dean Lessard met with Bill Bullard of Maine DEP for a Pre-application meeting.
- On April 13, 2015 The Board of Selectmen approved the acceptance of a Maine DOT MPI grant in the amount of \$500,000.
- On October 30, 2015 the Town received the NRPA permits from Maine DEP for the installation of both Long Beach Drainage projects.
- On November 16, 2015 the Board of Selectmen approved finalizing the drainage design and soliciting construction bids for both Long Beach Drainage Projects.

Included with the selectmen's action form is the proposed complete streets and sea wall design element improvements for Long Beach Avenue to be included in the Long Beach Master Plan.

RECOMMENDATION: Seeking feedback from the Board regarding proposed design elements

PROPOSED MOTION:

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

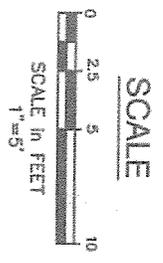
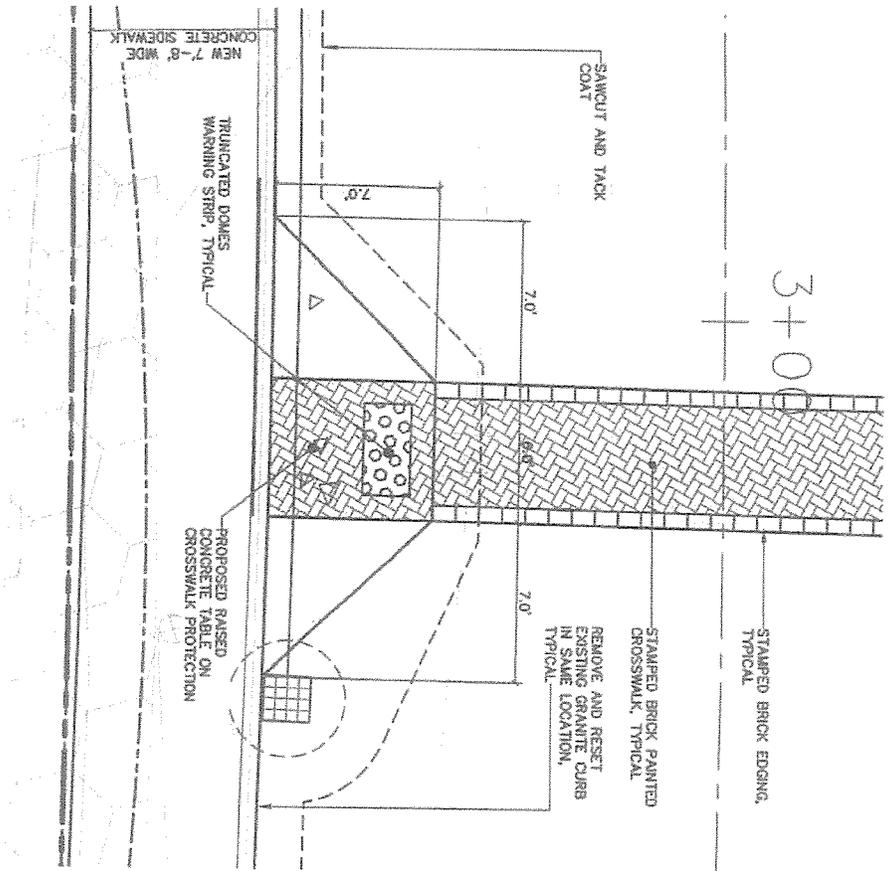
PREPARED BY: _____ *Dean Lessard* _____

REVIEWED BY: _____

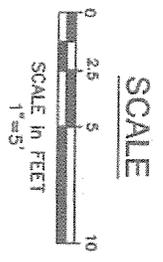
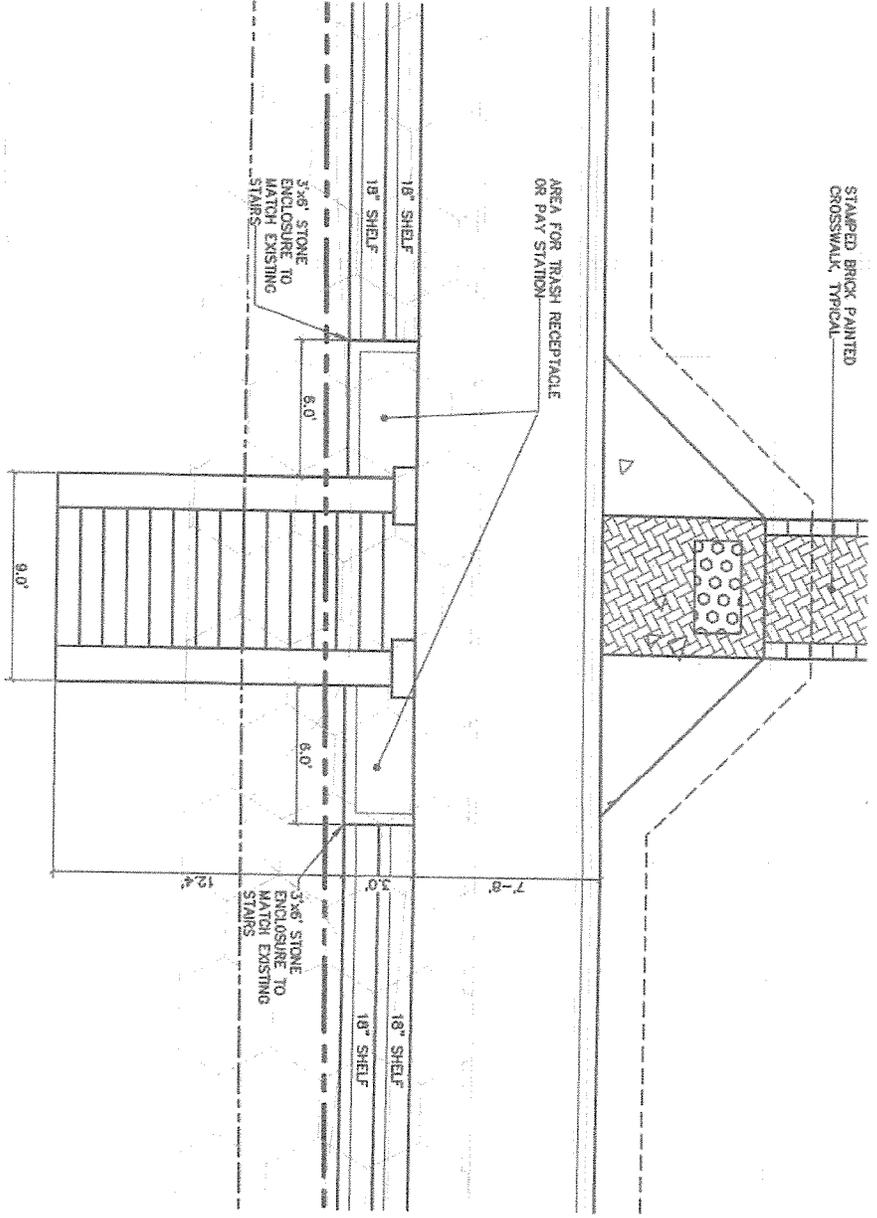
A handwritten signature in black ink, appearing to be 'D. Lessard', written over a horizontal line.



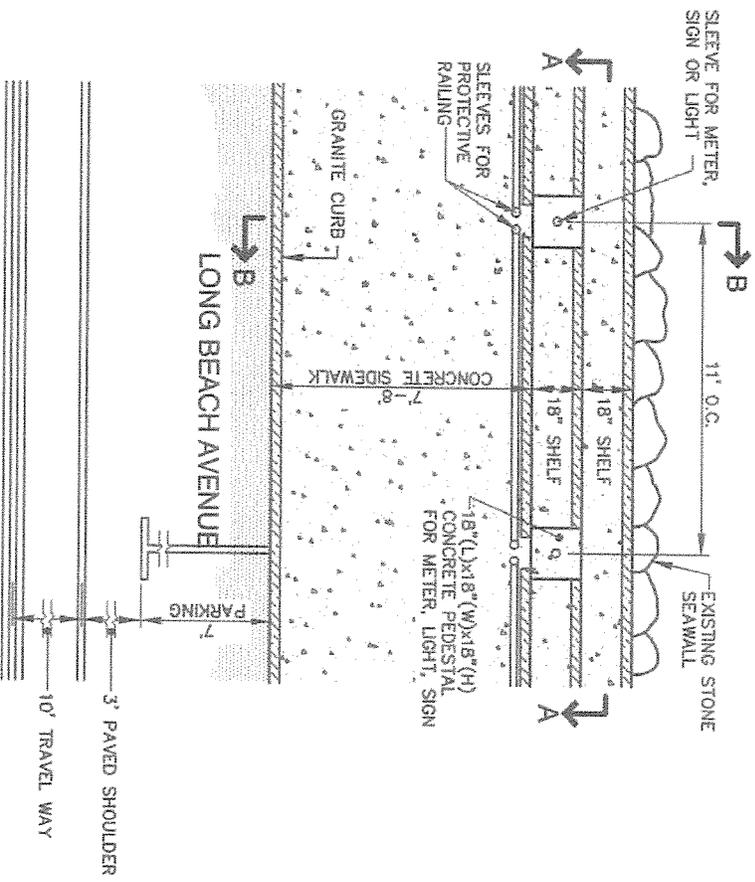
3+00



RANSOM Consulting, Inc.	PREPARED FOR:	TOWN OF YORK 186 YORK STREET YORK, MAINE
	SITE:	LONG BEACH AVE. IMPROVEMENTS YORK, MAINE
PLAN		DATE: 11-24-2015 PROJECT: 151.060011 FIGURE: 1

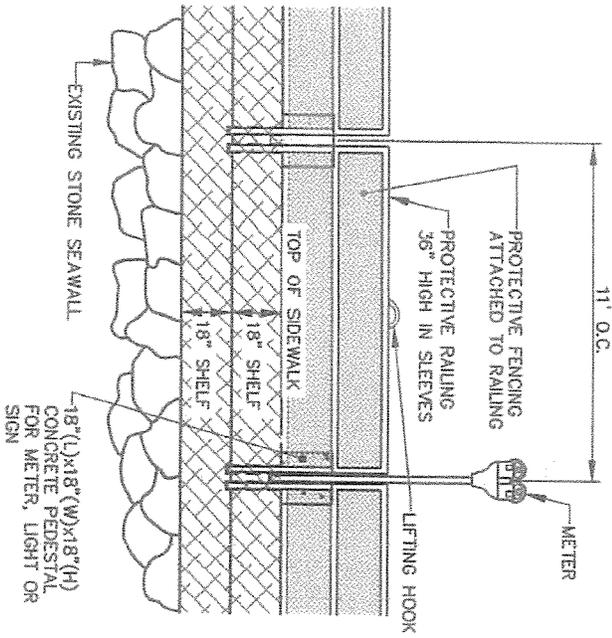


RANSOM Consulting, Inc.	PREPARED FOR: TOWN OF YORK 186 YORK STREET YORK, MAINE	SITE: LONG BEACH AVE. IMPROVEMENTS LONG BEACH AVENUE YORK, MAINE	PLAN
	DATE: PROJECT: FIGURE:	11-24-2015 151.060011 3	

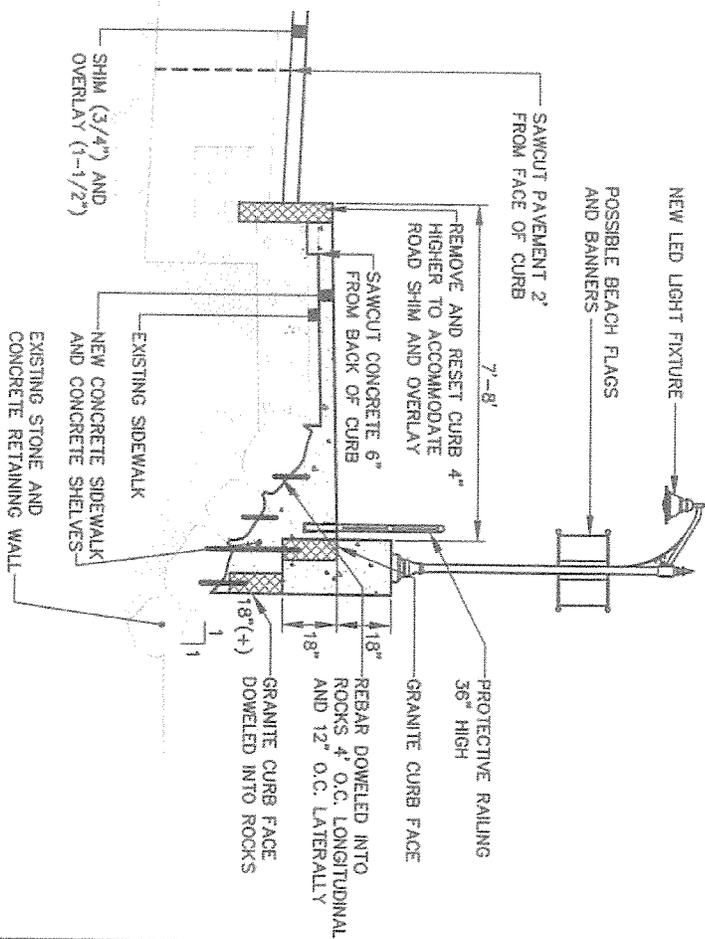


SIDE WALK DETAIL
NOT TO SCALE

	PREPARED FOR: TOWN OF YORK 188 YORK STREET YORK, MAINE	SITE: LONG BEACH AVE. IMPROVEMENTS LONG BEACH AVENUE YORK, MAINE	DATE: 11-24-2015
	DP/PLANS		PROJECT: 151.060011
			FIGURE: 4

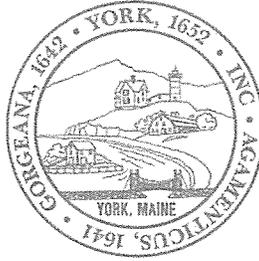


SECTION A-A
NOT TO SCALE



SECTION B-B
NOT TO SCALE

<p>RANSOM Consulting, Inc.</p>	<p>PREPARED FOR: TOWN OF YORK 185 YORK STREET YORK, MAINE</p>	<p>SITE: LONG BEACH AVE. IMPROVEMENTS YORK, MAINE</p>	<p>SECTIONS</p>
	<p>DATE: 11-24-2015 PROJECT: 151.060011 FIGURE: 5</p>		



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015	<input checked="" type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 7, 2015	<input type="checkbox"/> DISCUSSION ONLY
SUBJECT: Correction of Violations – York Beach Site (414 Ridge Road)	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Attached is a memo I prepared on November 20th, following up on direction of the Board at the November 16th meeting. This memo my proposal to complete the required restoration work at the Ridge Road property. I submitted this memo to Jay Clement of the United States Army Corps of Engineers and Chris Coppi of the Maine Department of Environmental Protection. Each has responded that our proposed approach is acceptable. In my opinion, it is now critical that we keep this restoration work on track.

First, we will get the rock piles removed from the buffer. The Board will hopefully be awarding this work at the meeting on Monday night.

Second, I will release an RFP for the wetland buffer restoration, consistent with the Stantec restoration plan. I will seek to have a recommendation for that award on January 11th. I had thought that the Board of Selectmen should authorize the release of this RFP but the approved motion of November 16, written on the front page of my memo, authorized this action already. I will simply bring back a recommendation for award of the work.

Third, I will reach out to Stantec to see if they are agreeable to continue their monitoring work at the site. The Town is obligated to monitor the success of restoration work for the coming 3 years.

Fourth, this spring I will arrange for a site walk with Chris Coppi (MDEP) and Ken Wood (Attar Engineering, the State's on-site inspector) to evaluate the vegetation in the roadside stormwater buffers. If necessary, we will have additional plantings completed. My hope is that they have re-vegetated sufficiently that additional work is unnecessary. This is really a call for MDEP. The requirement for some of these may also be eliminated if the western end of the road is re-routed to the Wild Kingdom entrance. With Ransom's conceptual engineering work to be completed in the coming few weeks, we'll have this answer in advance of this springtime buffer site walk.

RECOMMENDATION: I recommend the Board accept the proposed sequence of events to resolve the open violations.

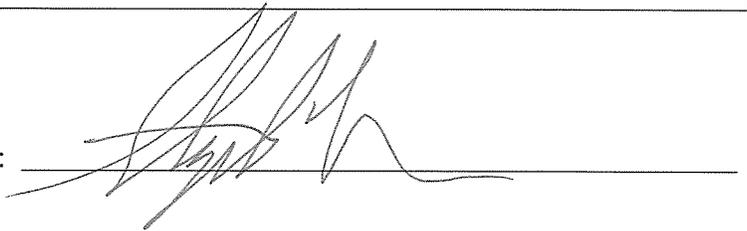
PROPOSED MOTION: I move to approve the Town Manager's proposed timeline for actions required to correct violations cited by the regulatory agencies, as contained in his Memo of November 20, 2015, and to direct the Manager to implement the required actions.

FISCAL IMPACT: none

DEPARTMENT LINE ITEM ACCOUNT: PC Construction has agreed to reimburse the Town for the cost of required impact mitigation.

BALANCE IN LINE ITEM IF APPROVED: n.a.

Prepared by Stephen H. Burns, Town Manager:

A handwritten signature in black ink, appearing to read "Stephen H. Burns", is written over a horizontal line. The signature is stylized and cursive.

MEMO



TO: Board of Selectmen
FROM: Stephen H. Burns, Town Manager *SHB*
DATE: November 20, 2015
RE: Correction of Violations – York Beach site (414 Ridge Road)

At the Board of Selectmen's meeting of November 16th the following motion was approved:

I move to direct the Town Manager to create a timeline for specific actions, and solicitation of bids for the restoration work to correct violations cited by the regulatory agencies. All necessary work to be completed by June 30, 2016. Further, the Town Manager shall work with the Town Attorney to address the responsibilities of PC Construction for payment.

I have prepared this memo in response to this direction regarding work to be completed. It does not address the legal and financial matters, which shall be addressed separately at the appropriate times. This proposed course of action is, of course, subject to the agreement of the regulatory agencies.

Summary

Some aspects of the violations at the site of the connector road and formerly-planned public safety building remain unresolved. This memo documents the plan to move forward to resolve these violations and to bring the site into full conformance with restoration requirements before June 20, 2016. Monitoring will continue through calendar year 2018 to ensure success of restoration actions.

Stantec Consulting's Restoration Plan

The Restoration Plan (revised May 2013) calls out requirements to complete three actions:

1. Restore Wetland 3 following direct impacts – already completed
2. Restore Wetland Buffer B-12, adjacent to Wetland 3 and Wetland 2
3. Restore Wetland Buffer B-4, adjacent to Wetland 1 (behind the Blinn House)

Restoration of the direct wetland impacts was completed years ago. The other two tasks remain un-addressed at this time. The remainder of this memo spells out the process and timeline to resolve these two matters.

Wetland Buffer B-12

About 2½ acres of buffer, originally planned to remain as undisturbed forest, was cut and stripped of topsoil. Subsequent to this, piles of topsoil, rock and sand were stockpiled in this area. Proposed actions to complete the planned restoration are as follows:

1. **Remove fill and stockpiled rock and soil.**
 - a. **Contract for Rock Crushing/Processing.** The plan is to convert the rock and sand piles into gravel, which will be stored on the former building site.
 - i. The Public Works Department has removed the old rebar and foundation forms, and has regraded the site to make it safe and ready to accommodate gravel stockpiles.
 - ii. At the meeting of November 16, 2015, the Board of Selectmen directed the Town Manager to obtain bids for crushing the rock piles. Two firms have been approached. Costs will be presented to the Board on December 7th. Three questions were asked of each firm – cost per yard to process the material, the projected time to complete the work, and the ability to pick stones from the pile during the process. This is the information that will be presented back to the Board on the 7th, and the award for completion of work will be made that night.
 - b. Removal of the rock and sand piles will happen as soon after the December 7th award as possible.
 - c. It is essential that all work relating to the removal of these stockpiles not be allowed to impact the wetland again. This is of critical importance.
2. **Complete the Restoration Work.** The Town will implement the restoration plan for this area, including the spreading of topsoil, placement of drainage control measures, and plantings and all other activities specified in the Restoration Plan.
 - a. I will seek authorization to put restoration work out to bid at the Board of Selectmen's meeting of December 14, 2015. Award of the contract for remaining restoration work will be issued at the Board's meeting of January 11, 2016, which is the Board's next regularly scheduled meeting.
 - b. It is anticipated that earthwork can be completed any time during the winter and spring seasons, and all final physical work including plantings will be completed no later than June 20, 2016.
 - c. The areas within 100' of Wetland 3 and Wetland 2 shall be re-forested, while the area identified as "reserved for future municipal use" shall not be re-forested but shall be stabilized with suitable ground cover only.

Wetland Buffer B-4

About 5,700 square feet of buffer, originally planned to remain as undisturbed forest, was cut. This buffer is called out in the Restoration Plan because it is located near the vernal pool in Wetland 1. Based on discussions with Ken Wood, PE, who has performed as the MDEP's site inspector, this wetland has successfully re-established its vegetative cover with some success, therefore it would be appropriate to re-evaluate the specific condition of the buffer at the time planting of Buffer B-12, in the Spring of 2016. If it is decided at that time that additional plantings are required, such action will be implemented. The thinking here is that this buffer may now be better left untouched. Any work or re-plantings required, if any, shall be completed no later than June 20, 2016.

Other Stormwater Buffers

Early in the Spring of 2016, when the snow is gone, I will request a site walk with Ken Wood and Chris Coppi of MDEP, to evaluate each of the stormwater buffers along the proposed road. By that time the Town should have a good understanding of the possibility of re-routing the western end of the road to enter Route One at the York's Wild Kingdom, so the very need for some of these buffers, including Buffer B-4, may possibly be eliminated.

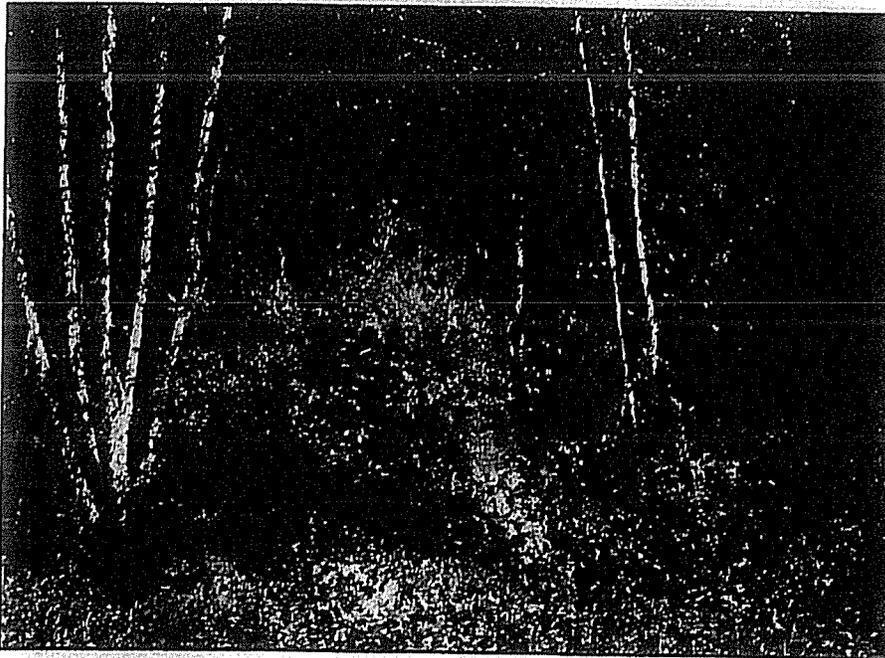
Monitoring

The restoration plan calls for monitoring. The Town shall hire an environmental consultant to engage in the specified monitoring process, complete reporting and direct any required remedial actions necessary to ensure successful restoration. This shall include monitoring of Wetland 3, Buffer B-12, and Buffer B-4. It is proposed to have this monitoring conducted for in calendar years 2016, 2017 and 2018 following completion of physical restoration work. Reports to the USACOE and MDEP would be filed no later than January 31st following each of these years.

Revised Vernal Pool Buffer, Stormwater Buffers and Wetland Restoration Plan

**York Police Station
York, Maine**

October 2012 (Revised May 2013)



Prepared For:
Town of York
186 York Street
York, ME 03909

Prepared By:
Stantec Consulting
30 Park Drive
Topsham, ME 04086

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- Table 2: Typical Wetland Seed Mix for Wetland Restoration Area
- Table 3: Recommended Tree and Shrub Plantings for the Primary Buffer Restoration Area
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- Table 5: Recommended Tree and Shrub Plantings for Stormwater Buffer B-4

Appendices

- Appendix A: Representative Photographs
- Appendix B: Figures
 - Figure 1: Project Location Map
 - Figure 2: Pre-Construction Conditions
 - Figure 3: Altered Vernal Pool Buffer and Stormwater Buffers B-11 and B-12
 - Figure 4: Primary Buffer Restoration Area
 - Figure 5: Altered Stormwater Buffer B-4
- Appendix C: Invasive Species Control Plan

1.0 PROJECT DESCRIPTION

The Town of York is constructing a new access road that will be located between U.S. Route 1 and Ridge Road in York, ME, as well as a new public safety building for the York Police Department (Figures 1 and 2). The public safety building will be located along the eastern side of the proposed access road and will include an access drive and parking area. In June 2012, the proposed project received both a Maine Site Location of Development Act/Natural Resource Protection Act Tier II Wetland Alteration (Site Location) permit (L-25623-26-A-N/L-25623-TE-B-N) and a U.S. Army Corps of Engineers (Corps) Programmatic General Permit (NAE-201-01928). The project also received approval under the Maine Permit-By-Rule program for impacts that would be associated with two stream crossing and impacts to a Significant Vernal Pool (SVP) buffer, which are the result of new road construction. Under these permits, the project received approval to alter 16,630 square feet (SF) of forested wetlands, 4,920 SF of stream bed, and 12 percent of the critical terrestrial habitat associated with the SVP. A wetland compensation plan was developed to mitigate for these resource impacts, as well as for impacts to the critical terrestrial habitat of three additional non-significant vernal pools that were under Corps jurisdiction. Preservation of a property located on Bell Marsh Road in York, which includes wetlands and vernal pools, was proposed and accepted by the regulatory agencies as mitigation for impacts to resources.

2.0 UPLAND BUFFER AND WETLAND IMPACTS

Following approvals from the regulatory agencies, the contractor for the Town of York began clearing and preparing the site for construction of the public safety building. Activities at the building site included vegetation clearing, blasting to remove ledge/rock, removal of topsoil, and site grading. The contractor also began initial preparation of the road corridor, which was limited to clearing and grubbing. During the course of these initial site preparation activities, planned upland buffers along the road corridor and a portion of a wetland located northeast of the road corridor were altered. In mid-August 2012, the Maine Department of Environmental Protection (MDEP) received notification regarding potential unpermitted impacts. Subsequently, on August 16, 2012, the project's Third-Party Inspector provided notification to the Corps regarding these impacts. On August 17, 2012, the Town of York (Town) Code Enforcement Office issued a Corrective Order related to these unpermitted impacts, which are described below.

2.1 VERNAL POOL BUFFER IMPACTS

The vernal pool buffer is associated with vernal pool VP07KW and located northwest of the public safety building site (Figure 3). This forested buffer was intended to remain intact and to function as critical terrestrial habitat for vernal pool VP07KW, a non-significant vernal pool under Corps jurisdiction. On August 21, 2012, Stantec Consulting (Stantec) conducted a site visit and used a Global Position System (GPS) Trimble® unit to establish the area of the buffer that had been altered. This area is approximately 119,871 SF (2.75 acres) in size, and has been cleared of vegetation, grubbed, and has had the topsoil removed (Figure 3). Following these activities, topsoil and blasted rock were stockpiled within this area (Photos 1-2).

2.2 STORMWATER BUFFERS B-11 AND B-12 IMPACTS

Stormwater buffers B-11 and B-12 are located to the northwest of the public safety building site and adjacent to the new access road (Figure 3). Both buffers are also within the vernal pool habitat buffer described in Section 2.1. In accordance with the Site Location permit, these two stormwater buffers and 10 others were intended to remain forested to treat runoff from the new access road. All of stormwater buffer B-12 (approximately 5,664 SF) was impacted, as was approximately 133 SF of stormwater buffer B-11. The area of impact associated with these two stormwater buffers is included within the approximately 2.75 acres of impacts identified in Section 2.1.

2.3 Stormwater Buffer B-4 Impacts

Stormwater buffer B-4 is located near the western end of the new access road (Figure 5). This buffer was intended to remain forested to treat runoff from the access road. During a site visit conducted on August 27, 2012, SMRT and Stantec determined that all of Buffer B-4 (approximately 1,500 SF) was cleared of vegetation (Photo 3).

2.4 WETLAND 3 IMPACTS

Wetland 3, which includes vernal pool VP07KW, is located to the northwest of the public safety building site and south of Wild Kingdom Road (Figure 3). Approximately 1,979 SF of Wetland 3 was cleared of vegetation (Photos 4-5). Clearing occurred along the southwestern edge of the wetland, and a bark-mulch erosion control berm was placed inside of the wetland edge. The vernal pool depression was not directly altered by the clearing activities.

3.0 PRE-DISTURBANCE CONDITIONS

Following are descriptions of pre-disturbance conditions in altered portions of the buffers and Wetland 3.

3.1 WETLAND 3

Wetland 3 is a small, mixed scrub-shrub and emergent wetland that is located southwest of the covered bridge on Wild Kingdom Road (Photo 9). It is hydrologically connected to a larger wetland system located to the northeast via a culvert under the road. The shrub layer, where present, is comprised of highbush blueberry (*Vaccinium corymbosum*), common winterberry (*Ilex verticillata*), speckled alder (*Alnus incana*), and red maple (*Acer rubrum*). The herbaceous layer is dominated by cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*), soft rush (*Juncus effusus*), sedges (*Carex* sp.), royal fern (*Osmunda regalis*), common cat-tail (*Typha latifolia*), fowl manna grass (*Glyceria striata*), white meadowsweet (*Spiraea alba*), common arrowhead (*Sagittaria latifolia*), swamp dewberry (*Rubus hispidus*), and wool-grass (*Scirpus cyperinus*). Soils within this wetland are fine sandy loam with a gleyed matrix. At the time of the 2007 delineation, soils exhibited redoximorphic features within seven inches of the mineral soil surface. Hydrologic indicators included saturation to soil surface and water-stained leaves.

The wetland includes a documented vernal pool (Photos 10-12). Stantec surveyed this pool on April 25, 2008. At the time of the vernal pool survey, the pool had more than 12 inches of surface water. Three wood frog (*Lithobates sylvaticus*) egg masses and 15 spotted salamander (*Ambystoma maculatum*) egg masses were observed. Adult green frog (*Lithobates clamitans*) and spring peepers (*Pseudacris crucifer*) also were observed within the pool.

3.2 VERNAL POOL BUFFER & STORMWATER BUFFERS B-11 & B-12

Based upon pre-disturbance observations and data collected to support the permit application process, the upland buffer associated with vernal pool VP07KW was an early to mid-successional forest (Photos 6-8). Trees in this buffer were generally sapling-sized with an average diameter-at-breast-height (DBH) of one to three inches. This area was historically cleared, as evidenced by stumps and skidder/equipment trails. Dominant trees included eastern white pine (*Pinus strobus*), red maple (*Acer rubrum*), sweet birch (*Betula lenta*), and gray birch (*Betula populifolia*), along with scattered northern red oak (*Quercus rubra*), eastern hemlock (*Tsuga canadensis*), red spruce (*Picea rubens*), and American beech (*Fagus grandifolia*). Dominant shrubs included sheep laurel (*Kalmia angustifolia*), highbush blueberry, chokecherry (*Prunus virginiana*), and alder-buckthorn (*Frangula alnus*). Wintergreen (*Gaultheria procumbens*), lowbush blueberry (*Vaccinium angustifolium*), Canada mayflower (*Maianthemum canadense*), and wild sarsaparilla (*Aralia nudicaulis*) occurred commonly in the herbaceous layer.

.3.3 STORMWATER BUFFER B-4

Based upon the surrounding habitat, stormwater buffer B-4 was a second-growth forested community prior to disturbance. Red maple, gray birch, sweet birch, and eastern white pine dominated the canopy with a smaller component of eastern hemlock and northern red oak. Seedlings of these canopy species formed much of the understory. Species including bracken fern (*Pteridium aquilinum*), Canada mayflower, and partridge-berry (*Mitchella repens*) were present in the herbaceous layer.

4.0 RESTORATION REQUIREMENTS

Specific buffer and wetland restoration requirements were set forth by MDEP at an August 27, 2012, on-site meeting, and by the Corps at a September 18, 2012, on-site meeting and in a subsequent e-mail. The Town of York Community Development Department, which handles code enforcement, also required restoration of portions of the Shoreland Overlay District Mixed-Use Subdistrict (refer to Figure 3) that were impacted. Restoration will be required to meet the requirements of MDEP Site Location and Stormwater permits, the Corps General Permit, and the standards of the Town of York Zoning Ordinance. Those requirements are summarized below:

1. Top priority is to restore the area of unauthorized wetland alteration (i.e., a portion of Wetland 3). This shall be accomplished in the fall of 2012.
2. The bark mulch erosion control berm previously placed within the wetland shall be fully removed and relocated to the upland, immediately outside the area of wetland restoration.
3. Coarse woody debris, presently stockpiled on site, and stones will be used as appropriate within the restoration area to provide habitat diversity and structure.
4. A 100-foot buffer around the vernal pool boundary is the target for long-term restoration. This will conform to the minimum standards found in the Corps' Maine General Permit and shall be accomplished no later than the end of the 2013 growing season.
5. A 100-foot buffer around the wetland to the northwest of the altered area (Wetland 2) will be restored in order to meet the minimum requirements of the Town's Shoreland Zoning Ordinance.
6. The impacted stormwater buffers located along the proposed road will be relocated or restored to a vegetated state as required in the Site Location permit in order to adequately treat stormwater runoff generated from the project.
7. The revised buffer restoration plan (i.e., this document) shall contain a timetable for both immediate restoration of the wetland and longer-term restoration of the surrounding uplands.

5.0 WETLAND AND UPLAND BUFFER RESTORATION

The following plan addresses the restoration of Wetland 3 and the vernal pool and stormwater buffers to meet the requirements outlined above in Section 4. Restoration areas are shown on Figures 4 and 5.

5.1 RESTORATION GOALS

The principal goals for the restoration are to:

1. Re-establish scrub-shrub vegetation in affected portions of Wetland 3.
2. Re-establish forested conditions in a 100-foot wide vernal pool buffer, a 100-foot wide adjacent wetland/Shoreland Zone buffer, and in designated stormwater buffers B-4 and B-11 that were recently cleared.

3. Relocate and redesign stormwater buffer B-12.
4. Protect these buffers and Wetland 3 from future disturbance.

5.2 RESTORATION SCOPE

The restoration plan includes the following steps:

1. Within cleared portions of Wetland 3, remove the erosion control berm, add coarse woody debris, seed, and plant shrubs to re-establish vegetation.
2. Remove fill and stockpiled rock and soil within 100 feet of the vernal pool, within 100 feet of Wetland 2, and in stormwater buffer B-11, down to the approximate original ground. These buffers are hereafter referred to as the "Primary Buffer Restoration Area" and are shown on Figure 4.
3. Relocate stormwater buffer B-12 into the restored vernal pool buffer, and redesign as a Buffer with Stone Berm Level Lip Spreader, as approximately indicated on Figure 4.
4. Redistribute topsoil across the Primary Buffer Restoration Area to approximately pre-existing grades.
5. Distribute coarse woody debris from topsoil stockpiles across the Primary Buffer Restoration Area.
6. Seed the Primary Buffer Restoration Area and stormwater buffer B-4 to stabilize the soils and provide native plant cover.
7. Plant the Primary Buffer Restoration Area and stormwater buffer B-4 with native woody stock that will re-establish forest and understory cover.
8. Install signs around the Primary Buffer Restoration Area and Wetland 3 to protect these areas from future disturbance.¹
9. Monitor Wetland 3 and all restored buffer areas to determine the success of restoration efforts.

5.3 RESTORATION ACTIVITIES

5.3.1 Construction Oversight

A wetland scientist experienced with wetland and upland restoration will be on-site to monitor the site restoration activities and to help achieve the specifications of this plan. The wetland scientist primarily will be responsible for providing the site contractor with recommendations and guidance on re-soiling, final grading (i.e., matching pre-existing grades), planting, seeding, and coarse woody debris placement.

5.3.2 Restoration of Wetland 3

Schedule

Restoration work at Wetland 3, as described below, will be initiated in the fall of 2012. Signage may be completed in 2013 in association with the buffer restoration work.

Removing Erosion Control Berm:

The erosion and sedimentation control bark mulch berm previously installed in the cleared portion of Wetland 3 and the vernal pool buffer will be removed from the wetland and placed in uplands approximately 5-10 feet from the wetland edge.

¹ The stormwater buffers will be marked in accordance with the requirements of Maine Site Location of Development Act/Natural Resource Protection Act Tier II Wetland Alteration permit (L-25623-26-A-N/L-25623-TE-B-N).

Distributing Coarse Debris:

The topsoil stockpiles located on-site contain coarse woody debris in the form of stumps, logs (greater than 12 inches in diameter), and root masses. Some of this coarse woody debris, along with a few large rocks and boulders, will be spread randomly across cleared portions of Wetland 3 prior to planting, to cover approximately one to three percent of the total cleared wetland area. This will provide structural diversity and microhabitat for wildlife, in particular for amphibians and small mammals.

Planting Woody Stock

The wetland restoration area, totaling 1,979 SF, will be planted with a mix of native shrubs similar to what is present in the undisturbed portion of the wetland. Shrubs will be planted at a density of approximately 600 plants per acre. Table 1 provides a summary of suggested species and number of plants needed. The actual number of each species to be installed may vary depending on availability at the time of planting. Installation will follow the methods described in Section 5.3.3 below.

Table 1: Recommended Shrub Plantings for Wetland 3 Restoration Area.

Type	Species	Common Name	NWI Status	~ Number of Plants Needed
Shrubs	<i>Alnus incana ssp. rugosa</i>	Speckled alder	FACW	8
	<i>Ilex verticillata</i>	Common winterberry	FACW	8
	<i>Vaccinium corymbosum</i>	Highbush blueberry	FACW	8
	<i>Salix bebbiana</i>	Long-beaked willow	FACW	6
Total Plants:				30

Seeding and Mulching:

The wetland restoration area will be seeded with a native seed mix. It is anticipated that the New England Wetmix® available from New England Wetland Plants, Inc. (Table 2), or similar mix, will be used. The seed mix will be applied per the manufactures recommendations. Seeding and mulching methods will follow those described in Section 5.3.3 below.

**Table 2: Typical Wetland Seed Mix for Wetland Restoration Areas
New England Wetmix®, Example Species Diversity***

Species	Common Name
<i>Alisma plantago-aquatica</i>	Mud plantain
<i>Asclepias incarnata</i>	Swamp milkweed
<i>Symphotrichum novi-belgii</i> (syn. <i>Aster novi-belgii</i>)	New York aster
<i>Bidens cernua</i>	Nodding bur marigold
<i>Carex comosa</i>	Bristly/Cosmos sedge
<i>Carex crinita</i>	Fringed sedge (Nodding)
<i>Carex lupulina</i>	Hop sedge
<i>Carex lurida</i>	Lurid sedge (Shallow)
<i>Carex scoparia</i>	Blunt broom sedge
<i>Carex vulpinoidea</i>	Fox sedge
<i>Eupatorium maculatum</i>	Spotted joe pye weed
<i>Eupatorium perfoliatum</i>	Boneset
<i>Glyceria canadensis</i>	Rattlesnake grass
<i>Glyceria striata</i>	Fowl manna grass
<i>Juncus effusus</i>	Soft rush
<i>Mimulus ringens</i>	Square stemmed monkey flower
<i>Onoclea sensibilis</i>	Sensitive fern
<i>Scirpus atrovirens</i>	Green bulrush
<i>Scirpus cyperinus</i>	Wool grass
<i>Schoenoplectus tabernaemontani</i> (syn. <i>Scirpus validus</i>)	Soft stem bulrush

*Recommended application: 18 pounds per acre

Installing Signage:

The installation of signs around the vernal pool habitat buffer will include Wetland 3. See Section 5.3.3 below for details.

5.3.3 Primary Buffer Restoration Area

Schedule

Restoration work in the Primary Buffer Restoration Area, as described below, will be initiated when construction activities resume for the York Police Station. It is expected that the restoration work will be completed by the end of the 2013 growing season, pending approval of the project by the Town planning board.

Removing Blast Rock:

The recent fill and stockpiles of blast rock and stone will be removed from the Primary Buffer Restoration Area at the time of the restoration. This material will either be used on site for project construction or will be moved to the cleared and filled area between the proposed police station and the Primary Buffer Restoration Area, depending on the timing of restoration and project construction. Re-located stockpiles will be protected from erosion using Best Management Practices (e.g., erosion control berms, blankets, temporary seeding).

Redistributing Topsoil:

Following removal of rock piles and fill, stockpiled topsoil will be redistributed across the Primary Buffer Restoration Area to approximately match pre-existing grades. The interface between the fill and original ground should be apparent upon fill removal. Approximately 12 to 24 inches of topsoil will be spread evenly over the restoration area to re-create the pre-disturbance grading and contours. To minimize potential erosion and sedimentation, earthwork will not occur during or immediately following heavy rain events.

Distributing Coarse Debris:

The topsoil stockpiles include coarse woody debris in the form of stumps, logs (greater than 12 inches in diameter), and root masses. This coarse woody debris, along with a few large rocks and boulders, will be spread randomly across the Primary Buffer Restoration Area to cover approximately one to three percent of the total area. This will provide structural diversity and microhabitat for wildlife, in particular for amphibians and small mammals.

Planting Woody Stock:

The Primary Buffer Restoration Area, totaling approximately 37,490 SF (+/- 0.86 acre), will be planted with a mix of native trees and shrubs similar to what was present prior to disturbance. Trees and shrubs will be planted at a density of approximately 425 plants per acre, at a ratio of 70 percent trees and 30 percent shrubs. Table 3 provides a breakdown of tree and shrub plantings and the suggested species and number of plants needed to achieve this density.

Table 3: Recommended Tree and Shrub Plantings for the Primary Buffer Restoration Area

Type	Species	Common Name	~ Number of Plants Needed
Trees	<i>Acer rubrum</i>	Red maple	40
	<i>Betula lenta</i>	Sweet birch	20
	<i>Betula populifolia</i>	Gray birch	40
	<i>Quercus rubra</i>	Northern red oak	40
	<i>Picea rubens</i>	Red spruce	40
	<i>Pinus strobus</i>	Eastern white pine	40
	<i>Tsuga canadensis</i>	Eastern hemlock	40
		<i>Total Trees:</i>	260
Shrubs	<i>Corylus comuta</i>	Beaked hazelnut	40
	<i>Hamamelis virginiana</i>	Witch-hazel	40
	<i>Kalmia angustifolia</i>	Sheep laurel	30
		<i>Total Shrubs:</i>	110
		Total Plants:	370

Trees and shrubs will be installed singly or in small groups evenly distributed at approximately 10-foot spacing. At the time of planting, the majority of the trees will range in height from approximately 3 to 4 feet with approximately 10 percent ranging from 5 to 6 feet in height. Shrubs will range from 12 to 36 inches at the time of planting. Actual heights will vary by species and age of available plants. It is anticipated that planting stock will primarily consist of container-grown material.

Trees and shrubs will be planted by hand. Holes will be dug up to 50 percent wider than and as deep as the root mass of the plants. The planting holes will be backfilled with topsoil around the roots and lightly compacted around the plants to remove air pockets. Each plant will be watered immediately following installation unless the soil is sufficiently saturated at the time of planting. Tree guards may be installed on deciduous tree species to protect from browsing and girdling. Bark mulch at least three feet in diameter will be placed around the base of plants for moisture and weed control purposes. As needed, plants may be watered for the first several weeks after installation if natural soil moisture is insufficient or rain is not in the immediate forecast.

The planting schedule for the restoration sites will depend on approval of this plan and the completion of ground preparation activities. Planting will occur only when conditions are favorable for plant survival, which is typically either early fall (September 1 through mid-October) or in the spring (prior to June 20). Summer planting is acceptable, though watering on a weekly basis would likely be required to make up for the typical lack of summer rainfall. The actual planting schedule will be communicated to MDEP and the Corps once the completion of site preparation activities can be accurately predicted. Following the completion of planting, a summary of the number of plants by species installed in each buffer area will be provided to MDEP and the Corps.

Seeding and Mulching:

The Primary Buffer Restoration Area will be seeded with a native seed mix. It is anticipated that the New England Conservation/Wildlife Mix® available from New England Wetland Plants, Inc. (Table 4), or a similar mix, will be used. The seed mix will be applied per manufacturer recommendations. If applied by hydroseeding methods, supplemental watering or mulching may not be required at the time of seeding. If applied by hand (i.e., shoulder-mounted broadcaster), seeded areas will be covered with a thin layer of weed-free straw mulch to retain soil moisture and promote seed germination. Straw mulch will be applied over the seed at a rate of approximately 2 bales per 1,000 SF for a total of approximately 75 bales. Seeded areas may be watered for the first several weeks after seeding, as needed, if natural soil moisture in the restoration area is insufficient or rain is not in the immediate forecast.

If timing of activities allow, seeding will occur following planting at each of the buffer areas but only when conditions are favorable for germination and growth (typically spring, early summer, and early fall). For erosion control purposes, seeding may need to occur before planting. If seeding occurs after approximately October 1, seeding rates will be increased by as much as 50 percent. A cover crop of annual ryegrass (*Lolium multiflorum*) also will be applied during late-season seeding to provide more immediate cover to the areas.

**Table 4: Typical Seed Mix for Upland Buffer Areas
New England Conservation/Wildlife Mix®, Example Species Diversity***

Species	Common Name
<i>Andropogon gerardii</i>	Big bluestem
<i>Asclepias syriaca</i>	Common milkweed
<i>Aster novae-angliae</i>	New England aster
<i>Chamaecrista fasciculata</i> (Cassia f.)	Partridge pea
<i>Desmodium canadense</i>	Showy tick trefoil
<i>Elymus virginicus</i>	Virginia wild rye
<i>Eupatorium maculatum</i>	Spotted joe pye weed
<i>Euthamia graminifolia</i> (Solidago g.)	Grass leaved goldenrod
<i>Festuca rubra</i>	Creeping red fescue
<i>Helopsis helianthoides</i>	Ox eye sunflower
<i>Panicum clandestinum</i>	Deer tongue
<i>Panicum virgatum</i>	Switch grass
<i>Rudbeckia laciniata</i>	Tall/Green headed coneflower
<i>Schizachyrium scoparium</i>	Little bluestem
<i>Solidago juncea</i>	Early goldenrod
<i>Sorghastrum nutans</i>	Indian grass

*Recommended application: 25 pounds per acre

Installing Signage:

Following the completion of planting and seeding, signs will be installed at 100-foot intervals along the edge of the Primary Buffer Restoration Area. The signs will be mounted on sturdy metal or cedar posts. The signs will indicate that the habitat buffer and wetland are protected and that no vegetation removal or disturbance beyond the boundary of the signs is allowed. The stormwater buffers will be marked in accordance with the requirements of Maine Site Location of Development Act/Natural Resource Protection Act Tier II Wetland Alteration permit (L-25623-26-A-N/L-25623-TE-B-N).

5.3.4 Relocation and Redesign of Stormwater Buffer B-12

Schedule

Stormwater buffer B-12 will be relocated to inside the Primary Buffer Restoration Area, specifically within the 100 foot vernal pool buffer (Figure 4). As indicated in Section 5.3.3 above, it is expected that restoration of this area will be completed by the end of the 2013 growing season, pending approval of the project by the Town planning board. Installation of the redesigned stormwater buffer B-12 will follow this same schedule.

Redesign of Stormwater Buffer B-12

In order to conform to the standards of the MDEP Stormwater Manual, stormwater buffer B-12 will be revised to a Buffer with Stone Berm Level Lip Spreader. For additional information regarding the design of this buffer, refer to addendums to the Stormwater Management Report prepared by SMRT.

5.3.5 Restoration of Stormwater Buffer B-4

Schedule

Restoration work in Stormwater Buffer B-4, as described below, will be initiated in the spring of 2013 and will be completed before July 1, 2013.

Planting Woody Stock:

The planting density for stormwater Buffer B-4, which totals 1,500 SF, will be 600 plants per acre. Because of the small size of this area, only tree species will be planted. Table 5 provides a summary of suggested species and number of plants needed. The actual number of each species to be installed may vary depending upon availability at the time of planting. Methods for planting will follow those described in Section 5.3.3 above.

Seeding and Mulching:

Stormwater buffer B-4 will be seeded with a native seed mix. It is anticipated that the New England Conservation/Wildlife Mix® available from New England Wetland Plants, Inc. (see Table 4 above), or a similar mix, will be used. Seeding and mulching will follow methods described in Section 5.3.3.

Table 5: Recommended Tree and Shrub Plantings for Stormwater Buffers B-4 and B-5

Buffer	Species	Common Name	~ Number of Plants Needed
B-4	<i>Acer rubrum</i>	Red maple	6
	<i>Betula populifolia</i>	Gray birch	6
	<i>Pinus strobus</i>	Eastern white pine	6
		Total Trees:	18

6.0 MONITORING AND REPORTING

6.1 SUCCESS STANDARDS

Post-restoration monitoring is necessary to determine whether the restored upland buffers and wetland are achieving/approaching pre-disturbance conditions. Restoration efforts in the upland buffer areas and wetland will be determined to be successful if at the end of the monitoring period, the following conditions are met.

1. **Woody Plant Density:** In the Primary Buffer Restoration Area, there are at least 400 native, non-invasive trees and shrubs per acre that are healthy and vigorous and in 75 percent of the planted area. In the restored wetland and in Stormwater Buffer B-4, there are at least 500 native, non-invasive trees and shrubs per acre that are healthy and vigorous and in 75 percent of the planted area. Native, woody volunteer species will be counted toward this density standard.
2. **Percent Areal Plant Cover:** There is at least 75 percent areal cover by native, non-invasive herbaceous plant species. In the wetland restoration area, at least 60 percent of the areal cover shall consist of native, hydrophytic plant species.
3. **Invasive Species:** Control of alder-buckthorn, multiflora rose (*Rosa multiflora*), Morrow's honeysuckle (*Lonicera morowii*), Japanese barberry (*Berberis thunbergii*), and other identified non-native, invasive species has been accomplished during the monitoring period, in accordance with the Invasive Species Control Plan for this site (see attached). The goal of the invasive species control will be to not allow invasive species to suppress or hinder the growth of planted

trees and shrubs, and to prevent the occurrence of contiguous, monotypic stands of invasive plants that are greater than 500 square feet in size.

4. **Erosion Control:** Soils within the restoration areas are stabilized and soil erosion is minimized.

6.2 MONITORING SCHEDULE

Post-Construction monitoring of the upland buffers and the restored portion of Wetland 3 will begin in the first full growing season after the completion of site work and planting. It is anticipated that monitoring will occur on the following schedule:

- Wetland 3 – 2013, 2014, and 2015 (3 years)
- Primary Buffer Restoration Area and Stormwater Buffer B-4 – 2014 and 2015 (2 years)

6.3 MONITORING METHODS

A qualified wetland scientist will conduct and/or oversee the monitoring. Site visits will occur once a year for each of the monitoring years, and will be scheduled towards the end of the growing season (i.e., between July 15 and September 30). Monitoring will include assessments of woody stock survivorship, herbaceous plant cover, the presence of invasive species, and soil stability. During the site visits, each of the buffer areas and the restored portion of Wetland 3 will be evaluated to determine if corrective measures are necessary.

Wetland 3

The conditions within the restored portion of Wetland 3 will be assessed using meander surveys. During the meander surveys, the wetland scientist will count and assess the health of all of the planted woody stock within the restored portion of the wetland. Native woody volunteer species within the wetland restoration area will also be counted. In addition to counting woody species, general signs of herbaceous plant cover, the presence of non-native invasive plants, and soil erosion will be documented. Representative photographs will be taken from similar locations each year.

Primary Buffer Restoration Area - Vernal Pool Buffer & Stormwater Buffers B-11

Seven 10-meter by 10-meter (10-m²) plots will be sampled within the Primary Buffer Restoration Area to evaluate the success of restoration efforts. This sampling level will allow the assessment of approximately 20 percent of the restored area. The plots will be randomly located throughout the restored area at the discretion of the wetland scientist who performs the monitoring. Within each 10-m² plot, planted trees and shrubs will be counted by species, and the overall areal coverage of tree and shrub species within the plot will be estimated to the nearest 5 percent. Native, woody volunteer species within each monitoring plot will also be counted. A meander survey of each plot will be used to assess herbaceous plant cover, the presence of non-native invasive plants, and soil erosion. Representative photographs will be taken from similar locations each year.

Stormwater Buffer B-4

Because of the small size of Buffer B-4, meander surveys will be conducted to count and assess the health of all of the planted woody stock in the area. Native woody volunteer species within the restored buffer will also be counted. In addition to counting woody species, the wetland scientist will record general signs of herbaceous plant cover, the presence of non-native invasive plants, and soil erosion. Representative photographs will be taken from similar locations each year.

6.4 REPORTING

An annual monitoring report will be prepared for each monitoring year and submitted to the Corps and MDEP by January 31 of the year following monitoring. The report will describe the methodology and results of the monitoring, and provide an assessment of the upland buffer and wetland restoration

success relative to the performance standards. The report will also include recommendations for remedial actions that may need to be implemented to improve the success of the restoration, and a description of corrective measures completed during that year. Potential remedial actions identified during monitoring will be addressed in a timely manner. The MDEP and Corps will be consulted on a case-by-case basis regarding the need for on-site corrections or adaptive management measures. Such measures may include replacing dead shrubs and trees, invasive species control, supplemental seeding, fertilizing woody plantings, and erosion control or repair. Rodent or deer browsing will be considered a natural process, and such damage will not be remediated unless it is widespread and significantly impacts restoration of vegetation cover.

**APPENDIX A
REPRESENTATIVE PHOTOGRAPHS**



Photo 1: Habitat buffer associated with vernal pool 07KW following clearing and stockpile activities.
Stantec Consulting. August 21, 2012.

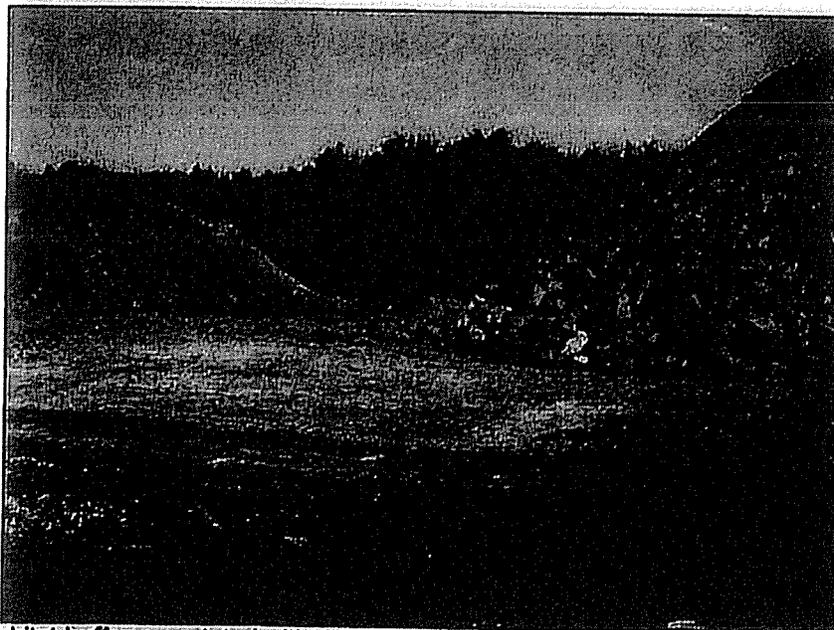
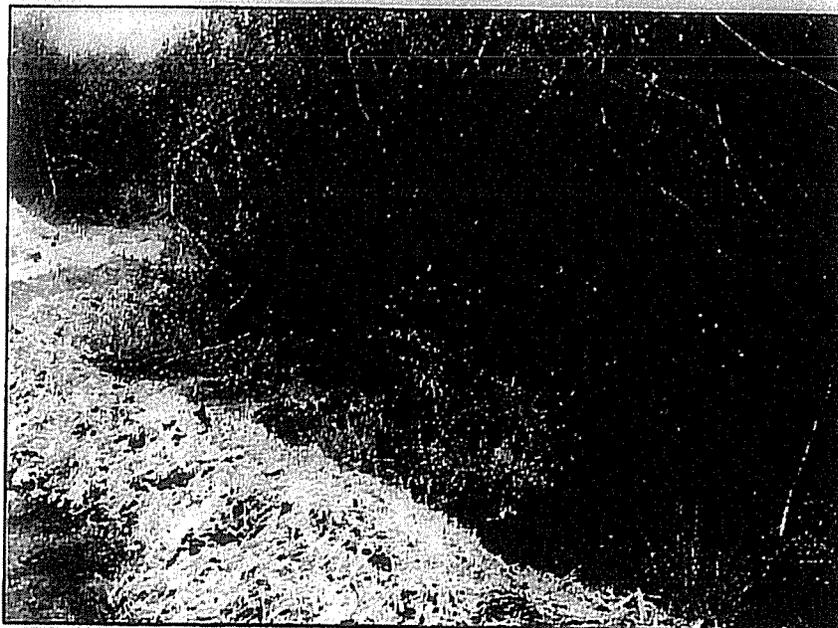


Photo 2: Habitat buffer associated with vernal pool 07KW following clearing and stockpile activities.
Stantec Consulting. August 21, 2012.



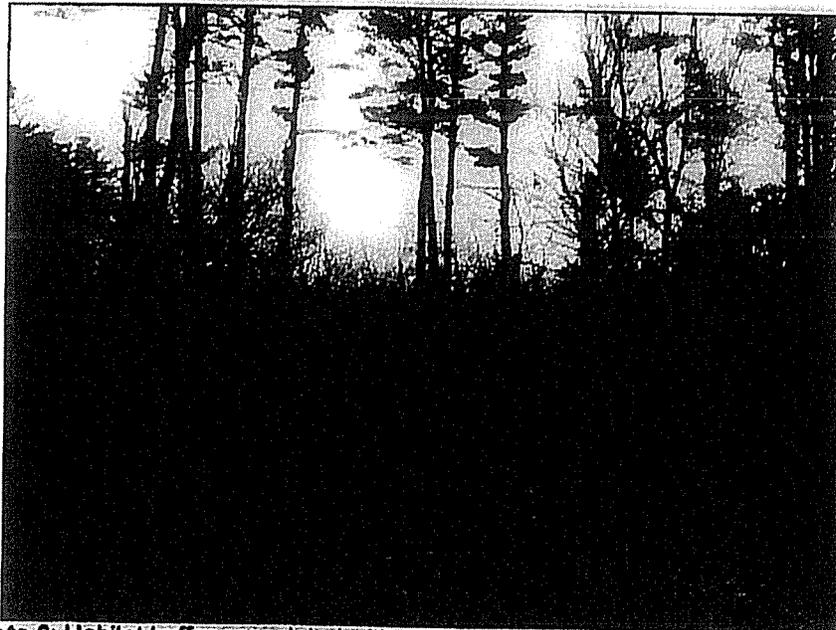
**Photo 3: Access road and stormwater buffer B-4 following clearing activities.
SMRT. August 21, 2012.**



**Photo 4. Wetland 3 following clearing activities. Note bark mulch berm in wetland.
Stantec Consulting, August 21, 2012.**



**Photo 5. Wetland 3 and adjacent upland habitat buffer following clearing activities.
Stantec Consulting, August 21, 2012.**



**Photo 6: Habitat buffer associated with vernal pool 07KW prior to clearing activities.
Stantec Consulting, March 4, 2010.**

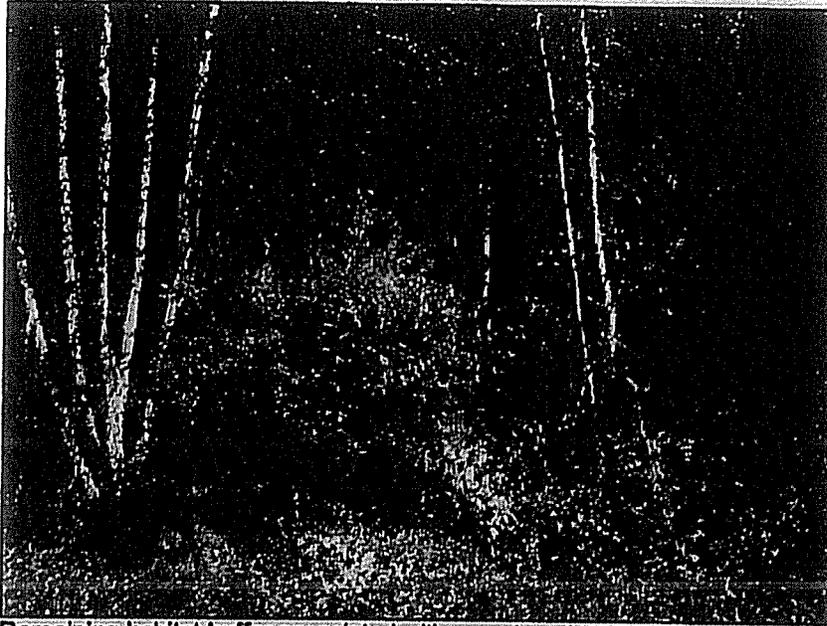


Photo 7: Remaining habitat buffer associated with vernal pool 07KW adjacent to cleared buffer.
Stantec Consulting. August 21, 2012.

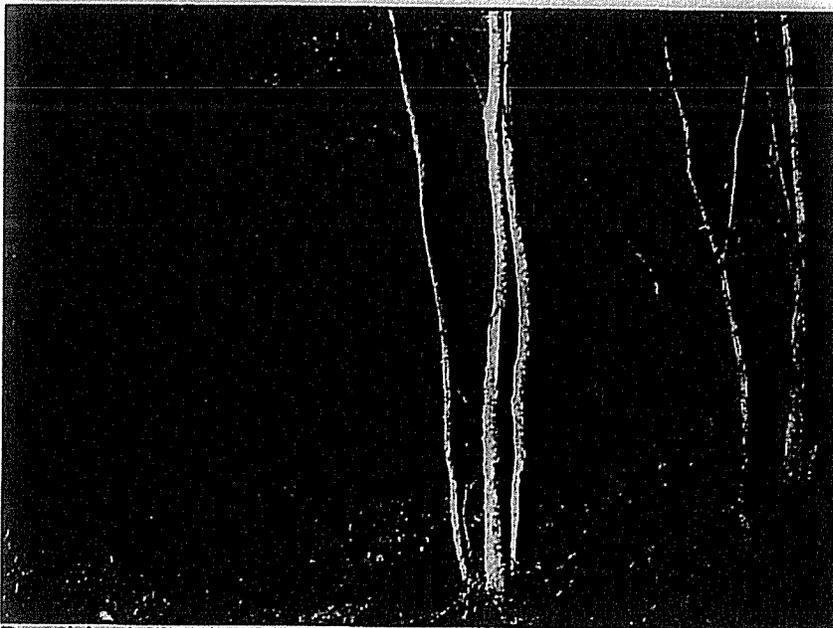


Photo 8: Remaining habitat buffer associated with vernal pool 07KW adjacent to cleared buffer.
Stantec Consulting. August 21, 2012.

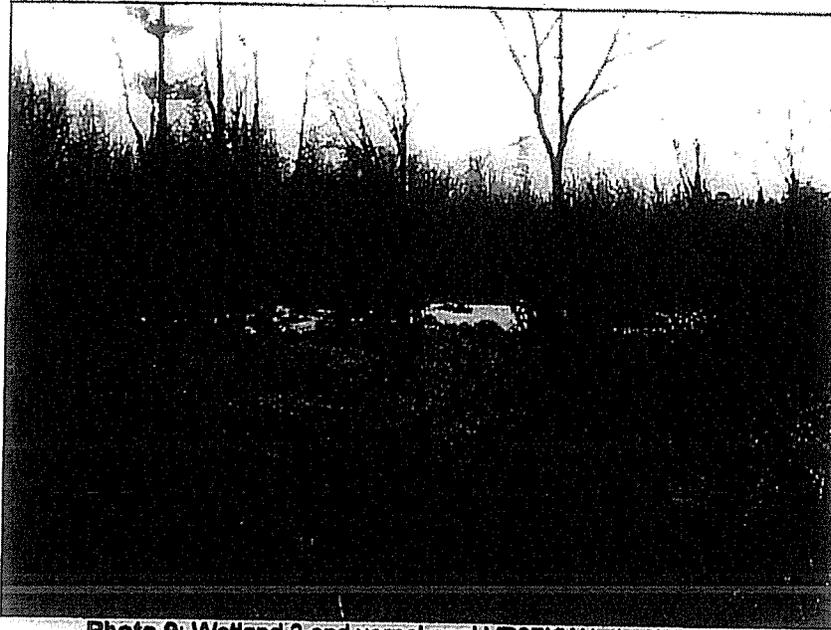


Photo 9: Wetland 3 and vernal pool VP07KW in background.
Stantec Consulting. March 4, 2010

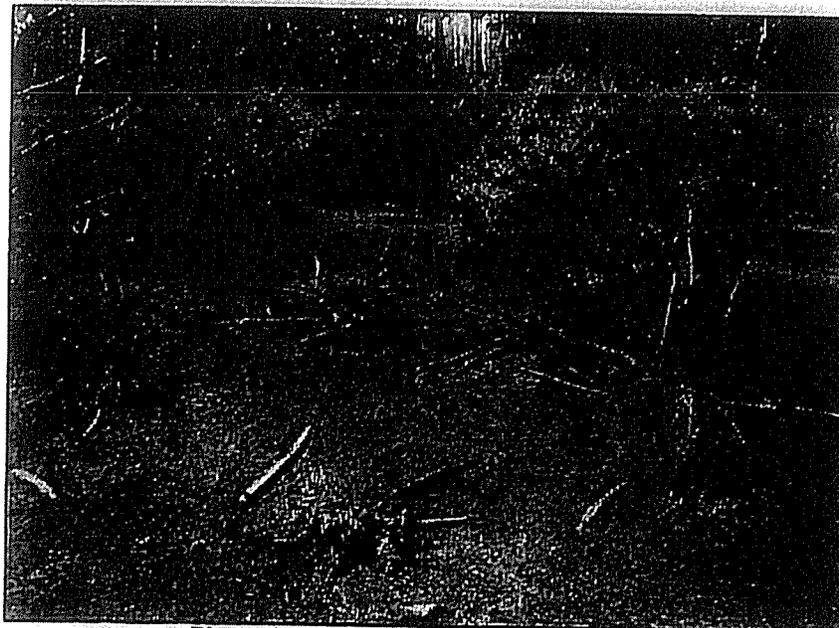
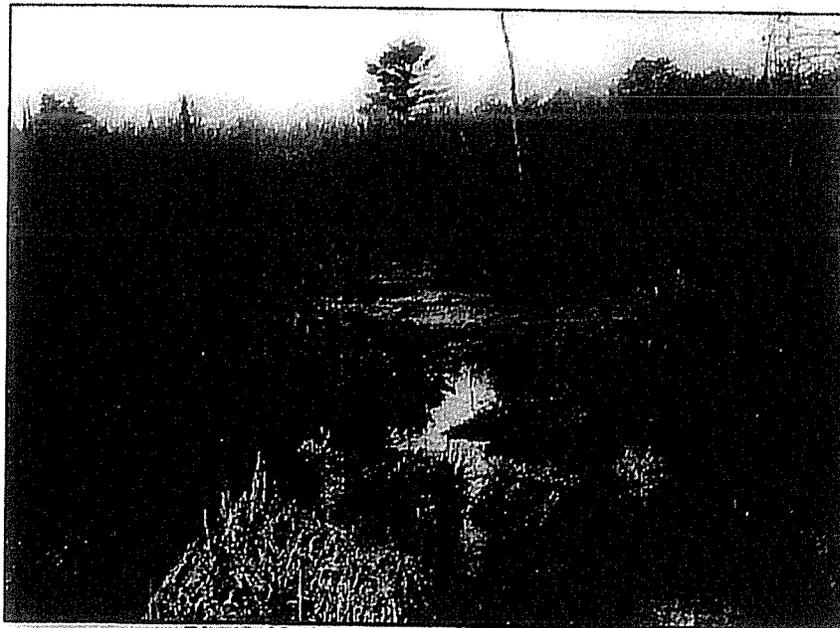


Photo 10: Vernal Pool 07KW in Wetland 3.
Stantec Consulting. July 2007.

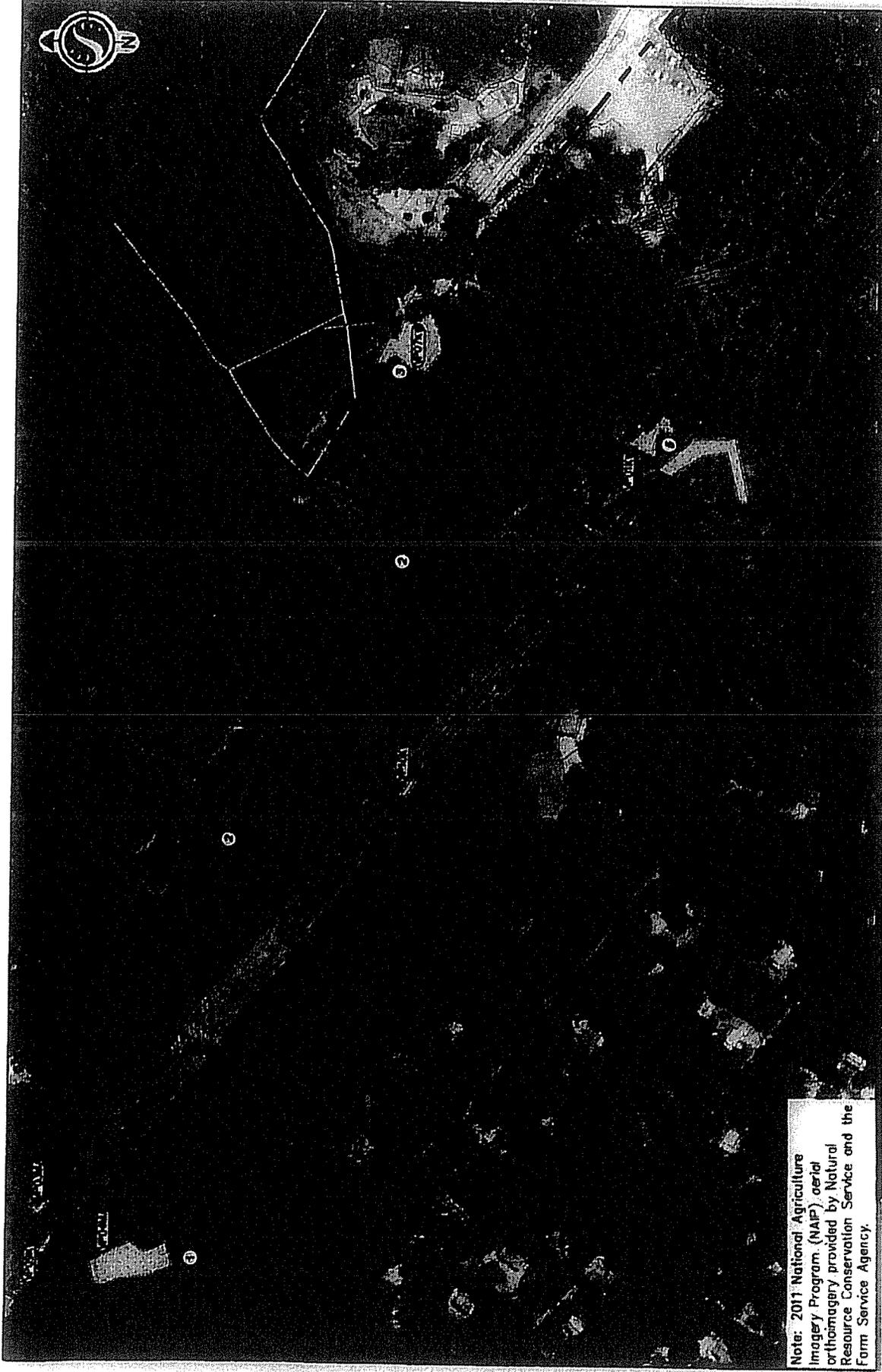


**Photo 11: Vernal Pool 07KW in Wetland 3.
Stantec Consulting, April 25, 2008.**



**Photo 12: Vernal Pool 07KW in Wetland 3.
Stantec Consulting, April 25, 2008.**

**APPENDIX B
FIGURES**



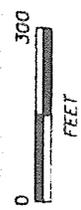
Client/Project 195600823

York Police Station, York ME
Buffer Restoration Plan

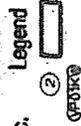
Figure No. 2

Title
Pre-Disturbance Conditions

October 3, 2012



Wetland identified by Stantec
Vernal Pool identified by Stantec
MDEP stream identified by Stantec
Proposed Developments (Road and Police Station)



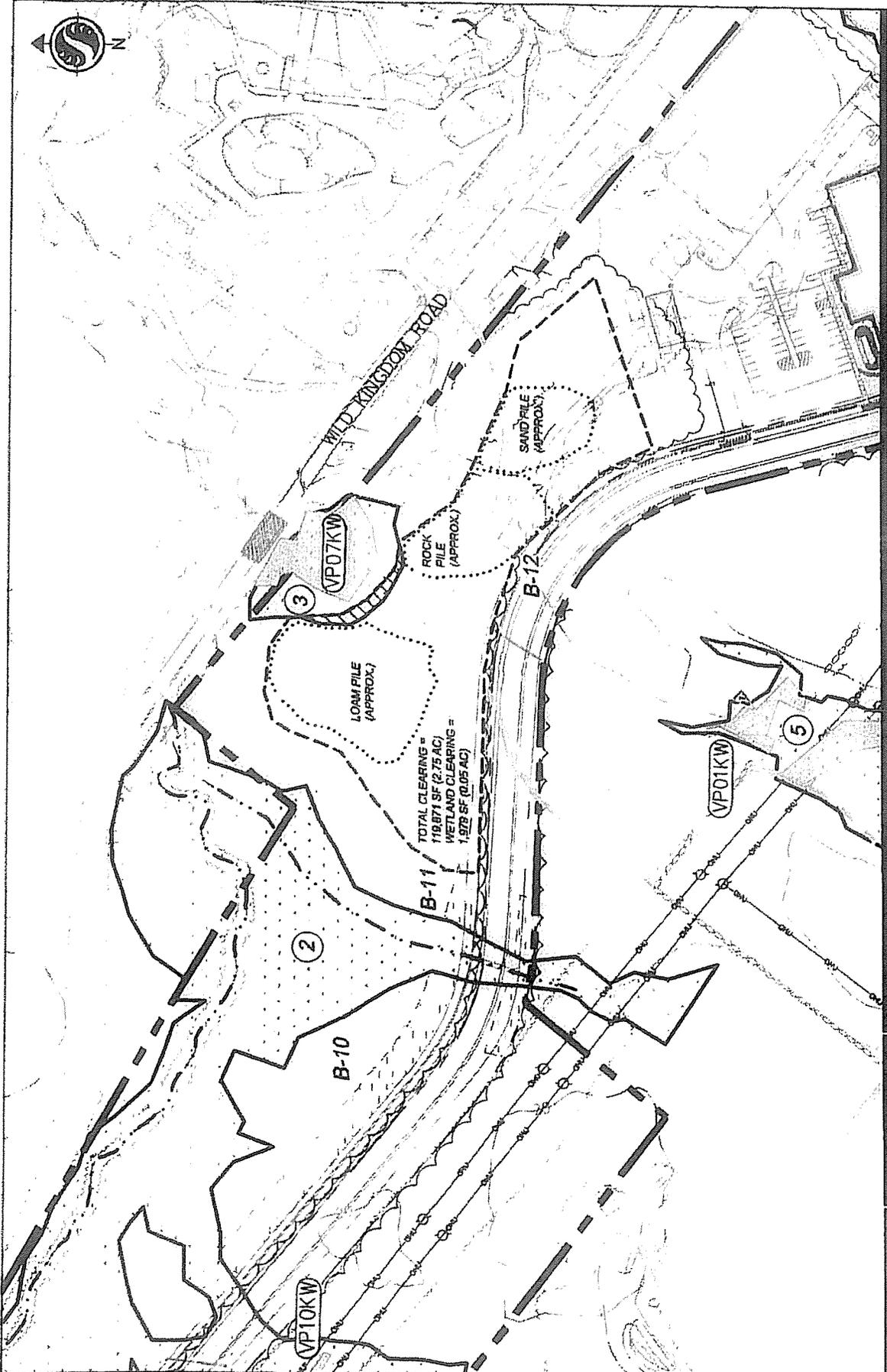
Legend

Stantec Consulting Services Inc.

30 Park Drive
Topsham ME U.S.A.
04086
Tel. 207.729.1199
Fax 207.729.2715
www.stantec.com

Note: 2011 National Agriculture Imagery Program (NAIP) aerial orthoimagery provided by Natural Resource Conservation Service and the Farm Service Agency.



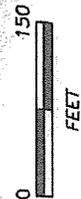


195600823

Clim/Project

York Police Station, York ME
 Buffer Restoration Plan
 Figure No. 3

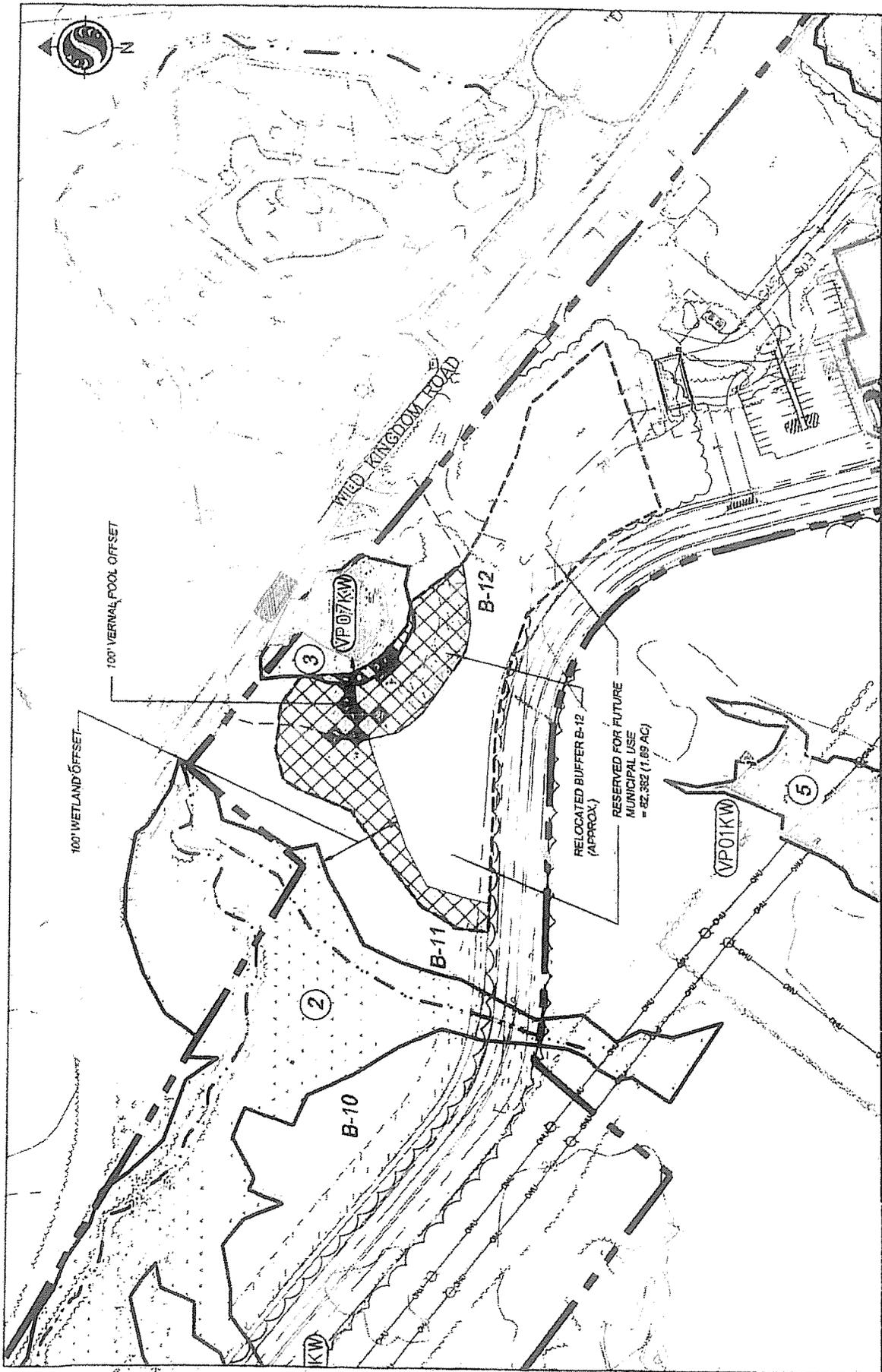
Title
 Altered Vernal Pool Buffer and Stormwater
 Buffers B-11 and B-12
 October 3, 2012



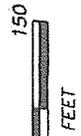
- ② Wetland Identified by Stantec
- VP01KW Vernal Pool Identified by Stantec
- MDEP stream identified by Stantec
- - - Mixed-Use Shoreland Zone (Town of York)
- B-12 Stormwater Buffer Easement
- - - Altered Area (GPS by Stantec, Aug 2012)
- Wetland Clearing

Stantec Consulting Services Inc.
 30 Park Drive
 Topsham ME U.S.A.
 04086
 Tel. 207.729.1199
 Fax. 207.729.2715
 www.stantec.com





Client/Project
 York Police Station, York ME
 Buffer Restoration Plan
 Figure No. 4



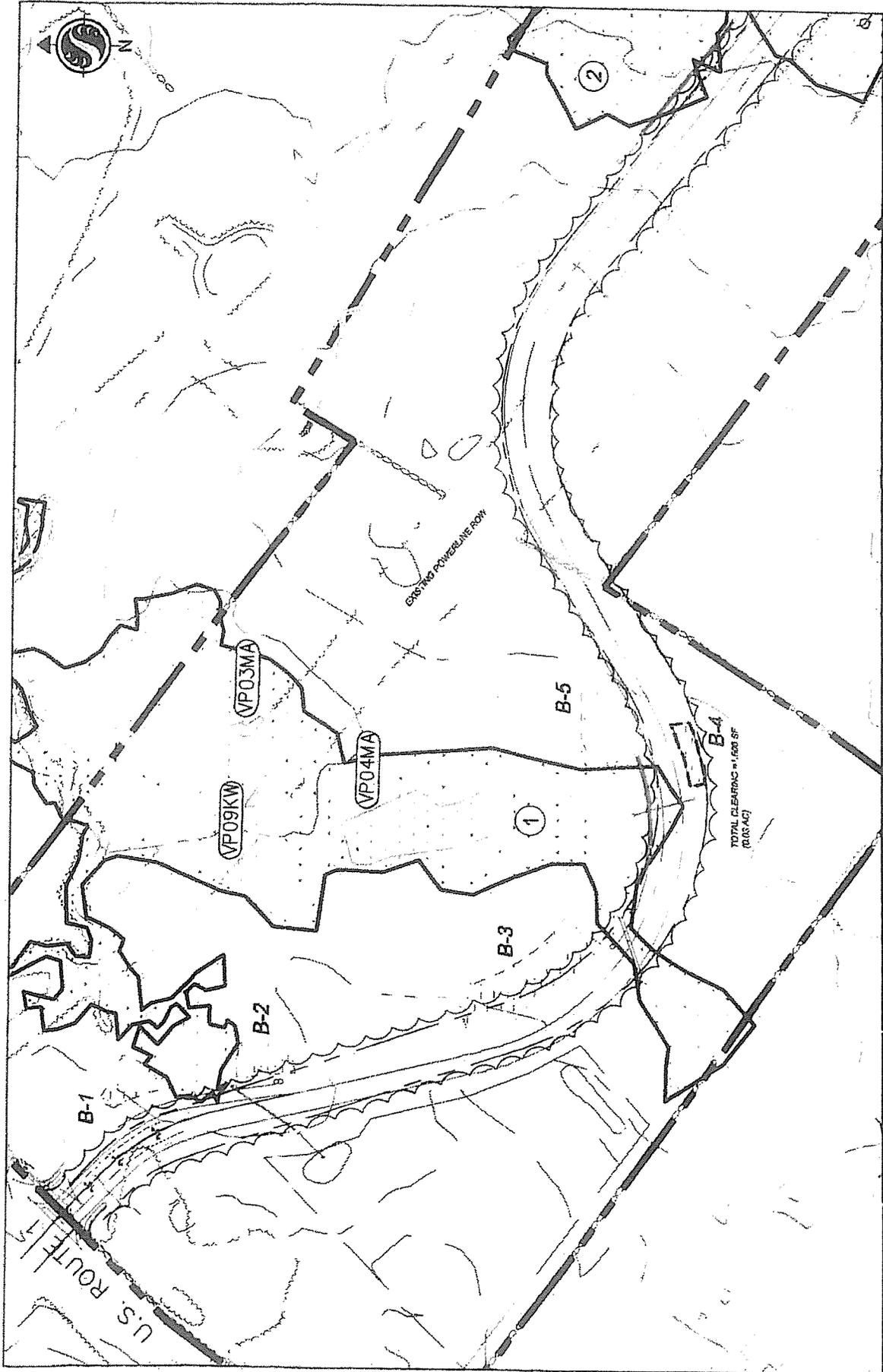
- 195600823
- 100' WETLAND OFFSET
- 100' VERNAL POOL OFFSET
- VP07KW
- B-12
- RELOCATED BUFFER B-12 (APPROX.)
- RESERVED FOR FUTURE MUNICIPAL USE = 82,382 (1.89 AC)
- VP01KW
- B-11
- B-10
- 5
- 2
- 3
- Legend
- ② Wetland Identified by Stantec
 - VP01KW Vernal Pool Identified by Stantec
 - MDEP stream Identified by Stantec
 - Mixed-Use Shoreland Zone (Town of York)
 - B-12 Stormwater Buffer Easement
 - Altered Area = 119,871 SF (2.75 AC)
 - Proposed Wetland Restoration = 1,979 SF (0.05 AC)
 - Proposed Primary Buffer Restoration = 37,490 SF (0.86 AC)

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 04086
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 Fax. 207.729.2715
 www.stantec.com



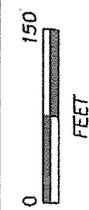
York - Police - Sta - Restoration - Plan - 10 - 22 - 12.dwg

Title
 Primary Buffer Restoration Area
 Wetland 3 and Buffers B-11 & B-12 Area
 October 22, 2012



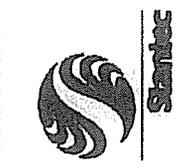
195600823

Client/Project
 York Police Station, York ME
 Buffer Restoration Plan
 Figure No. 5



Title
Stormwater Buffer B-4 Restoration Area
Altered Area to Be Re-Planted
 October 22, 2012

Stantec Consulting Services Inc.
 30 Park Drive
 Topsham ME U.S.A.
 04086
 Tel. 207.729.1199
 Fax. 207.729.2715
 www.stantec.com



Legend

- ② Wetland Identified by Stantec
- VP01 Vernal Pool Identified by Stantec
- MDEP stream Identified by Stantec
- Mixed-Use Shoreland Zone (Town of York)
- B-12 Stormwater Buffer Easement
- ===== Altered Area (To Be Replanted)

* Not all Legend items appear on map.

APPENDIX C
INVASIVE SPECIES CONTROL PLAN

The approach to controlling invasive plants in the vernal pool and stormwater buffers and wetland restoration area will focus on limiting the establishment of invasive species that could encroach from nearby areas. There are existing invasive plants, in particular alder-buckthorn (*Frangula alnus*), present in the surrounding area. The overall approach, therefore, will be to limit the extent of invasive plants and attempt to keep them from dominating the sites, suppressing the growth of planted trees and shrubs, or forming large (i.e., over 500 square feet in area) contiguous, monotypic stands that significantly affect species diversity and habitat functions and values.

Target Species

Invasive species are currently found in nearby areas, including alder-buckthorn, purple loosestrife (*Lythrum salicaria*), oriental bittersweet (*Celastrus orbiculata*), Japanese barberry (*Berberis thunbergii*), common reed (*Phragmites australis*), Morrow's honeysuckle (*Lonicera morrowii*), and multiflora rose (*Rosa multiflora*). Each of these species poses a moderate to high risk of colonization into the restored areas.

Passive Controls

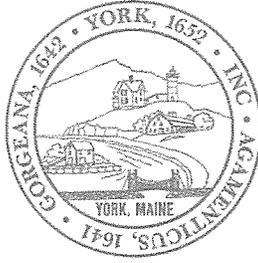
Passive invasive species control focuses on preventing and limiting the initial introduction of invasive species into the restored areas. The following measures will be implemented to prevent or limit the introduction of invasive species into the restored areas.

- Exposed soil surfaces will be seeded with the prescribed mixes and mulched with weed free straw as soon as possible following final grading. If hydroseeded, fiber mulch will be applied by the hydroseeder, which may require supplemental straw mulch to thoroughly cover the exposed soil. Straw mulch will be applied at a rate of up to 2 bales per 1,000 square feet or as needed to cover the soil.
- If seeding cannot occur immediately following final grading due to seasonal constraints, the exposed soil will be temporarily mulched with straw until seeding occurs.
- Bark mulch with a three-foot diameter will be installed at the base of each installed plant and maintained to reduce competition by invasive species and other weeds.
- The planting plan has been designed to restore upland forested habitat over time. Shade-intolerant species will not be able to persist under the shaded conditions of the forested uplands, and this will be one of the primary means of controlling these species over the long term. However, it is expected that it will take several years (i.e., 10 years or more) for the re-planted areas to develop sufficient canopy and shading to limit these species. In that interim, active methods (as described below) may be implemented to control invasive species and limit competition with the planted trees and shrubs.

Active Controls

Active invasive species controls may need to be implemented within the restoration sites to control invasive plant species that are able to become established following construction. Active invasive control, if needed, will generally begin after restoration and continue through the monitoring period. Active measures may include the following.

- Prior to or shortly after plant installation, invasive plants identified within the upland buffer and wetland restoration areas will be controlled. Small, individual plants will be manually pulled or dug from the ground. Limited herbicide treatments using Rodeo® (active ingredient: glyphosate), a non-selective, systemic herbicide, may be employed on larger individual plants, particularly mature plants capable of producing fruit. As needed, these control methods also will be employed on an annual basis during the monitoring period.
- Within the restoration areas, annual monitoring will be conducted to assess the presence and abundance of invasive species. The course of action will depend primarily on the species present and the abundance. In general, removal by hand and proper disposal will be utilized for small, localized patches or individual plants.



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015	<input type="checkbox"/> ACTION
DATE ACTION REQUESTED: December 7, 2015	<input checked="" type="checkbox"/> DISCUSSION ONLY
SUBJECT: York Community Dialogue	

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The York Community Dialogue conducted one of its sessions in mid-November to discuss the community's need for facilities. The report from this dialogue is attached. As this is the first time the Board is seeing this report it did not seem appropriate to recommend actions at this time. Certainly the information will be relevant in terms of the Town's capital planning, and copies are being distributed concurrently to the Capital Planning Committee.

RECOMMENDATION: n.a.
PROPOSED MOTION: n.a.

Prepared by Stephen H. Burns, Town Manager:

York Community Dialogue: What Facilities Does York Need Most?

Introduction

On Saturday November 14, the York Community Dialogue hosted its seventh in a series of community conversations; the second dialogue of 2015. The subject for this dialogue was one that evolved from a recommendation by Selectman Torbert MacDonald. It was MacDonald who had suggested that the YCD host a discussion about the need for a Community Center and whether such a facility might be accommodated on the land purchased by the Town for the Police Station (between Ridge Road and Route 1). The YCD Steering Committee, seeking to maintain its neutral position, decided that it did not want to draw attention to any one project or any one property but it did like the idea of getting people together to talk about municipal initiatives. Consequently, it took a more abstract point of reference asking “What facilities does York most need?”

Approximately fifty people turned out to discuss this question. Early on, one of the attendees, addressing the question of just what constitutes a facility. She noted that according to the dictionary, a facility is not just a building or a space, it is also “an ability to do or learn something well and easily.” This comment helped people recognize that we did not have to restrict our understanding to buildings or other things that had to be constructed. We also could think about things that made the Town work better.

Seven Complementary Conversations

For the next forty-five minutes, individuals sat at one of seven tables where a facilitator and a note taker were par of the group. Notes were gathered and submitted to the YCD Steering Committee.

Following the discussion period, note takers were asked to list the “facilities” identified in their group. These were written down and posted on sheets around the room. There are various ways to look at these data. We identify two approaches: particular priorities and general themes.

Priorities

Following a break, each attendee was given a paper dot and asked to attach it tone “facility” that had been identified during the small group discussions, Their vote should be cast for their personal priority; the item that should be done before all others. Following this, people were given others dots of different colors and asked to vote for their next favorite item. Four rounds of voting were conducted.

Table 1 shows the list of topics discussed (See Appendix — Page 5). They are organized thematically (See *Thematic Elements* beginning at the bottom of the next page). Numbers following each item in the table are the total number of votes each item received. Where the number is zero means that although the facility was identified in the small groups, no one voted for it. Of the 42 facilities identified 13 garnered no votes while five facilities attracted ten or more votes. These are identified and discussed below along with some explanation as derived from notes taken at the tables and during the ensuing large group discussion:

York Community Dialogue: What Facilities Does York Need Most?

- *Multi-generational Community Center* (25 votes). This was the single most favored “facility.” It was clear from the discussions that people understood this to be a place for a new Senior Center. The concept of a separate center for York’s elders did not come up but people were acutely aware of the importance of providing for our seniors especially as the police department moves to its new space on Hannaford Drive. A Community Center was seen as a multi-purpose facility involving fitness options (indoor and outdoor), meeting rooms, a space for small concerts and even a farmers market. The Kittery Community Center was suggested as a model for York.
- *Town Hall Expansion* (21 votes). People spoke about the need to update the Town Hall. There was a measure of consensus about leaving the existing building where it is and enlarging it but not everyone agreed with this approach. Some felt that a new Town Hall — in a different location — would be preferable, noting that the Town owns various properties suitable for such construction. It is interesting to note that “What should we do about Town Hall?” was the subject of one of three YCD dialogues in 2012.
- *York Village Revitalization* (19 votes). The groups were interested in promoting the restoration of the Village. People spoke about services that used to exist in the center: restaurants, a hardware store, grocery, etc. People spoke about the advantages of consolidating or co-locating Town facilities to help build-up the Village. One person spoke about proximity of Town Hall, Police Station and Community Center. The importance of maintaining the historic character of York was deemed important by several people.
- *Energy Generation* (13 votes). The phrase that appeared most often in the dialogue was “solar farm.” This was understood to mean a solar array operated either by the Town or as some sort of public/private cooperative in which people could share energy generation without having to invest in their own renewable system. At least one group identified the landfill as a possible site. The discussion went beyond the attraction of solar power and included an array of technologies: solar, wind, river and ocean waves
- *Sidewalks* (10 votes). The idea of expanding walkability in Town resonated with a varied of people. The discussion identified some specific places for sidewalks (e.g. Woodbridge Road) but also addressed trails and bike paths separated from roadways.

Thematic Elements

Five facilities attracted the most attention but it would be a mistake to think that these encompassed everything that was considered important by those in attendance. The top ranking facilities have to be seen in the context of everything else people brought to the dialogue. Revising the notes, the YCD attempted to organize the separate facilities into seven thematic elements. These are shown in Table 1. These thematic elements are identified as follows:

York Community Dialogue: What Facilities Does York Need Most?

- *Buildings.* This is a traditional way to understand “facilities.” As noted above, the Community Center and Town Hall were the biggest winners in this category but other things also surfaced. People were concerned about what will happen to the current police station building when the new one is completed. They wanted to be sure that some sort of police presence remained at Short Sands — even if that were to be a mobile RV-type substation. Also as noted above, combining purposes was attractive to some (e.g., putting a fitness center or dance hall into the Community Center and putting adequate archival storage into a new Town Hall).
- *Circulation.* The sidewalk discussion (See the previous section) hits on the importance of sidewalks, trails, and paths but there was a larger theme in this conversation. The phrase “complete streets” came up often. This concept was understood to mean streets “not just for vehicles” but for all users: pedestrians, bicyclists, people with mobility problems, as well as public transportation options. People were concerned about getting around town safely and so they spoke about crosswalks on Route 1, traffic calming in the Village and elsewhere, and safe access to the beaches.
- *Environment.* Energy generation (above) was a popular topic but often the context for this was the natural environment. Community gardens, the composting of residential waste (and waste control in general), seaweed control and disposal, the promotion of local agriculture, winter greenhouses were all identified as concerns. The Davis property and its potential for the public good was raised again. This had been a focus of extensive YCD attention in 2013
- *Financial.* Discussion of finances went in a couple of different directions: saving money for the Town by actions such as making better use of existing resources and making sure we complete existing projects in a timely manner. But there also was an abiding concern that York care for “in-need” individuals and families who live here. This took a variety of forms from providing tax relief for individuals who volunteer in Town to being sure that services are available for people who need day care, social services, nutrition counseling, mental health and addiction services. The high cost of housing was another concern.
- *Housing.* The cost of homes for sale and the paucity of year-round rental units led people to talk about workforce housing (understood to mean homes for people who work in town e.g., police officers, nurses, teachers, craftsmen, *et al.*). Others spoke about affordable housing, given how expensive homes are in York.
- *Utilities.* People were very conscious of sea-level rise and its implication for municipal infrastructure. The sewage treatment plant, in particular, generated a lot of concern as did the importance of expanding the area served by the Sewer District. Improvements to local public access television (Channel 3) was also mentioned as something worthy of municipal investment.

York Community Dialogue: What Facilities Does York Need Most?

- *Village*. The revitalization of the Village was noted above but the discussion was more wide-ranging. People were concerned that the historic character of York Village be maintained and enhanced. They seemed to want the Master Plan to be implemented with some going beyond that initiative and advocating for the building of new civic facilities (or the consolidation of municipal services) in the Village. See the discussion of York Village Revitalization (above).

Conclusion

There were several comments made during the dialogue about what people intended when they cast their votes.. Some items were not easily distinguished from others or were subsumed by others. For example, did a vote for more sidewalks or for complete streets mean that the person who voted was uninterested in walkability which received no votes? We cannot know. It is important for readers not to misconstrue the relative importance of one closely related preference over another. This is why it may be better to think in terms of the thematic elements rather than the individual priorities.

Anyone witnessing this Fall's York Community Dialogue would have to conclude that it was a lively discussion. At least one person expressed the opinion that there should be some way of continuing the conversation begun the day of the "What Facilities Does York Need Most" dialogue. They importance of providing feedback for people was mentioned as well. This report has been sent to everyone in attendance who provided us with their e-mail address. In addition, the report is being submitted to the Board of Selectmen and to the Capital Planning Committee.

As with previous dialogues, the form and substance of the discussion also generates the real benefit of helping to build community within the Town of York.

The YCD Steering Committee:

Ron McAllister, Chair
Steve Burns
Carol Donnelly
Penny Kennedy
Jud Knox
Charles Lawton
Ted Little
Bob Luttmann
Helen Winebaum

York Community Dialogue: What Facilities Does York Need Most?

TABLE 1: Priorities and Categories

Buildings

- Multi-Generational Community Center (25)
- Town Hall Expansion (21)
- Municipal Complex (8)
- Police Substation at Short Sands (1)
- DanceHall (1)
- Town Archive and Storage (0)
- Fitness Center (0)

Circulation

- More Sidewalks (10)
- Complete Streets (4)
- Bike Paths (2)
- Speed Control (2)
- Walking Paths (1)
- Route 1 Access to Beach (1)
- Walkability (0)
- Trails with Year-round Access (0)
- Crosswalks on Route 1 (0)

Environment

- Energy Generation Facilities (13)
- Davis Land (6)
- Solar Farm (5)
- Community Gardens (2)
- Waste Control Center (1)
- Sea-level Rise Adaptation (1)
- Residential Compost Facility (1)
- Winter Greenhouses (0)
- Seaweed Facility (0)
- Fruit Tree & Berry Park (0)
- Farmers Market (0)

Financial

- Better Use of Existing Resources (7)
- Complete Current Projects (5)
- In-need Population Facilities (3)
- Tax Relief for Volunteers (0)
- Sell Excess Properties (0)

Housing

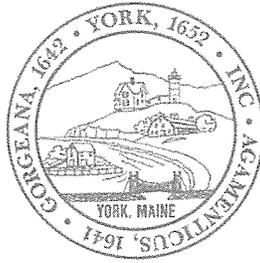
- Affordable Housing (6)
- Workforce Housing (2)

Utilities

- Move Sewage Treatment Plant (7)
- Expand Sewer Service Area (4)
- Local Public Access TV (2)

Village

- York Village Revitalization (19)
- York Village Improvements (3)
- Protect Village Character (1)
- Relocate Village Fire Station (0)
- Civic Facilities in York Village (0)



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 3, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Maine DOT Cooperative Agreement for roadway improvements on Route 91(Cider Hill Rd).

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: The Town of York through the Department of Public Works has been submitting project requests to the Maine DOT for roadway improvement projects on Route 91(Cider Hill Road) for almost 10 years.

- Route 91(Cider Hill Road) is a State Aid Highway classified as a Major Collector and Maine DOT considers it a Priority 3 corridor.
- Maine DOT is proposing to make improvements to Route 91 in York beginning at Scotland Bridge Road and extending northwesterly 3.75 mile to Route 236 in South Berwick.
- The scope of the work includes stabilizing the road base by reclaiming the pavement in place where practicable to provide adequate structure for two 11' travel lanes and two 3' (Minimum) paved shoulders for the entire length of the project. Full construction of 3' paved shoulders for the entire length of the project.
- The scope also includes clearing the right of way where feasible, to accommodate utility setbacks. Drainage improvements like ditch excavation and replacement of cross culverts and driveway culverts will be done where necessary.
- The Maine DOT will be the lead agency responsible for 100% of the costs necessary to improve the Highway.
- The Maine DOT will use its standard project development process to ensure adherence to federal and state regulations, in partnership with the Town of York
- The Maine DOT will consult with the Town of York before modifying the project scope or financial responsibilities.
- The York Public Works Director will serve as the primary point of contact for the Town.

RECOMMENDATION: Approve the Town Manager to sign the Municipal-State Cooperative Agreement with Maine DOT for the proposed Route 91 (Cider Hill Road) Improvement Project with the Public Works Director serving as the primary point of contact for the Town.

PROPOSED MOTION: I move to approve the Town Manager to sign the Municipal-State Cooperative Agreement with Maine DOT for the proposed Route 91 (Cider Hill Road) Improvement Project with the Public Works Director serving as the primary point of contact for the Town.

FISCAL IMPACT: \$0

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

PREPARED BY: Dean Lessard

REVIEWED BY: 

Termination:

1. **Department** reserves the rights to postpone, suspend, abandon or otherwise terminate this **Agreement** upon thirty (30) days written notice to the **Town** if:
 - a. If the **Department** fails to receive sufficient funding.
2. In the event that the **Town** is unable to officially support the **Project** in response to potential impacts associated with construction, the **Department** reserves the right to postpone, suspend, abandon, or otherwise terminate this **Agreement** as set forth in this section.
3. If the **Project** support is withdrawn, canceled, postponed, or placed on hold by the **Town**, the **Town** may be responsible for expenditures incurred by **Department** on the **Project**.

Miscellaneous Provisions:

1. The **Parties** acknowledge that any prior agreements, promises, or negotiations not expressly set forth in this **Agreement** are of no force or effect.
2. After the final PS&E package is prepared, the **Department** and the **Town** will execute a Municipal/State Project Agreement covering **Project** advertise, award, construction and construction engineering. Said Municipal/State Agreement will carry the financial terms and maintenance responsibilities outlined above and, if applicable, a schedule for collection of the **Town's** share of **Project** costs.
3. This **Agreement**, and all attachments, may only be modified or amended in writing and signed by duly authorized representatives of the **Parties**.
4. Notwithstanding any other provision of this **Agreement** if the State does not receive sufficient funding to fund the work described in this **Agreement**, if funding is de-appropriated, or if the State does not receive legal authority to expend funds from the Maine State Legislature or Maine courts, the **Department** is not obligated to make payment under this **Agreement**.
5. To the extent permitted by law, the **Town** shall indemnify, defend, and hold harmless the **Department**, its agents and employees from all claims, suits or liabilities arising from any negligent or wrongful act, error or omission by the **Town**, its consultants or contractors. Nothing herein shall waive any defense immunity or limitation of liability that may be available under the Maine Tort Claims Act (14 M.R.S. Section 8101 et seq.) or any other privileges or immunities provided by law. *Any other provision to the contrary notwithstanding, this provision shall survive any termination or expiration of this Agreement.*
6. The **Parties** further agree to
 - a. Operate within the terms of this **Agreement**; and

3. To share information about the status of the **Project** with the **Town** at the following milestones:
 - **Project** kickoff/initial team meeting/formal public contact.
 - Completion of the Preliminary Design Report (“PDR”).
 - Formal public meeting.
 - Completion of the plans, specifications and estimate (“PS&E”).
 - Changes in the **Project** Schedule or Engineer’s Estimate.
4. To consult with the **Town** before modifying the **Project** scope or financial responsibilities.

The Town agrees:

1. That the **Town Manager or Public Works Director** will serve as the primary point of contact for the **Town**.
2. Upon request the Town will attend appropriate project team meetings and proactively participate in all public involvement activities associated with this project
3. To notify the **Department** of any proposed changes in the **Project** limits or scope.
4. That changes in scope will be subject to the MaineDOT-Local Match Policy, as applicable.

Scope of Work:

1. The scope of work as developed by the **Department** and the **Town** is to implement the following project details, as practicable:
 - a) Stabilized recycling treatment in-place (rehabilitation) of the existing roadway base to provide adequate structural composition for two 11-foot travel lanes and two 3-foot (minimum) paved shoulders for the entire length of the project.
 - b) Full construction of 3-foot paved shoulders for the entire length of the project
 - c) Drainage improvements including ditch excavation and replacement of cross culverts and driveway culverts where necessary.
 - d) Clear ROW, where feasible, to improve the clear zone, to encourage melting on the road surface during winter months, and to accommodate utility set-backs
2. The **Parties** understand that the scope of work outlined herein is based on the information available at the time this **Agreement** is executed and that subsequent, more detailed design work may result in a need to modify this scope.



<i>Internal use only</i>
TEDOCS #: _____
CT #: _____
CSN #: _____
PROGRAM: _____

State of Maine
DEPARTMENT of TRANSPORTATION
COOPERATIVE AGREEMENT

York, Maine
Route 91 (Cider Hill Road) Improvement Project

FEDERAL PROJECT NUMBER: STP-2250(000)
STATE WORK IDENTIFICATION NUMBER (WIN): 022500.00

This **Agreement** is entered into by and between the State of Maine, through its Department of Transportation, hereafter referred to as “**Department**”, and the Town of York, through its elected officials, hereafter referred to as “**Town**”, collectively hereinafter referred to as “**Parties**”, regarding a project to make improvements to Route 91 in York, beginning at Scotland Bridge Road and extending northwesterly 3.75 miles.

Whereas, the **Department** initiated this effort to address Safety, Service, and Condition Customer Service Levels (CSL) along this segment of State Route 91 through South Berwick, Eliot, and York; and

Whereas, State Route 91 is classified as a Major Collector and a Priority 3 corridor by the **Department**; and

Whereas, the **Parties** acknowledge that it is essential to preserve, improve and enhance the value of this valuable transportation asset; and

Whereas, this agreement incorporates a scope of work, developed through an enhanced project scoping process by the **Department** in consultation with the Town; and

Now therefore, in consideration of the foregoing, the **Parties** agree to the following:

The Department agrees:

1. To be responsible for one hundred percent (100%) of the costs necessary to improve the Highway Portion of the **Project** as determined by the **Department**.
2. That, as the lead agency on this **Project**, it will prepare, or cause to be prepared, construction plans and specifications for the **Project** within the scope agreed to by the **Parties** as described below, using the **Department’s** standard project development process to ensure adherence to federal and state regulations, in partnership with the **Town**.

- b. Operate within all applicable State and Federal laws, regulations; and
 - c. Fulfill all obligations diligently; and
 - d. Cooperate in achieving the intent of this **Agreement**.
7. By signing this **Agreement**, the **Town** certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency. If the **Town** is unable to certify to this statement, they shall attach an explanation to this **Agreement**, and shall promptly notify the **Department** if it or its principals becomes debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
8. This **Agreement**, once signed by the duly authorized representatives of the **Parties** to this **Agreement**, and shall remain in effect until completion of the **Project**, or until terminated under provisions of Termination section of this **Agreement**, or until superseded by a new agreement.

IN WITNESS WHEREOF, the **Parties**, for themselves, their successors and assigns, hereby execute two (2) original copies of this **Agreement** and thereby bind themselves to all covenants, terms, and obligations contained herein effective on the date last signed by the **Department**.

TOWN OF YORK

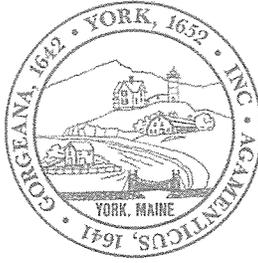
Signed By: _____ Date: _____
XXXXXXXXXX, Town Manager

I certify that foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9407 and §9502 – that the signature, if electronic: (a) is intended to have the same force as my manual signature; (b) is unique to me; (c) is capable of verification; and (d) is under my sole control.

STATE OF MAINE, DEPARTMENT OF TRANSPORTATION

Signed By: _____ Date: _____
Herb Thomson, Director Bureau of Planning

I certify that foregoing signature is true and accurate. I further certify – pursuant to 10 M.R.S.A. §9407 and §9502 – that the signature, if electronic: (a) is intended to have the same force as my manual signature; (b) is unique to me; (c) is capable of verification; and (d) is under my sole control.



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Emergency Communications

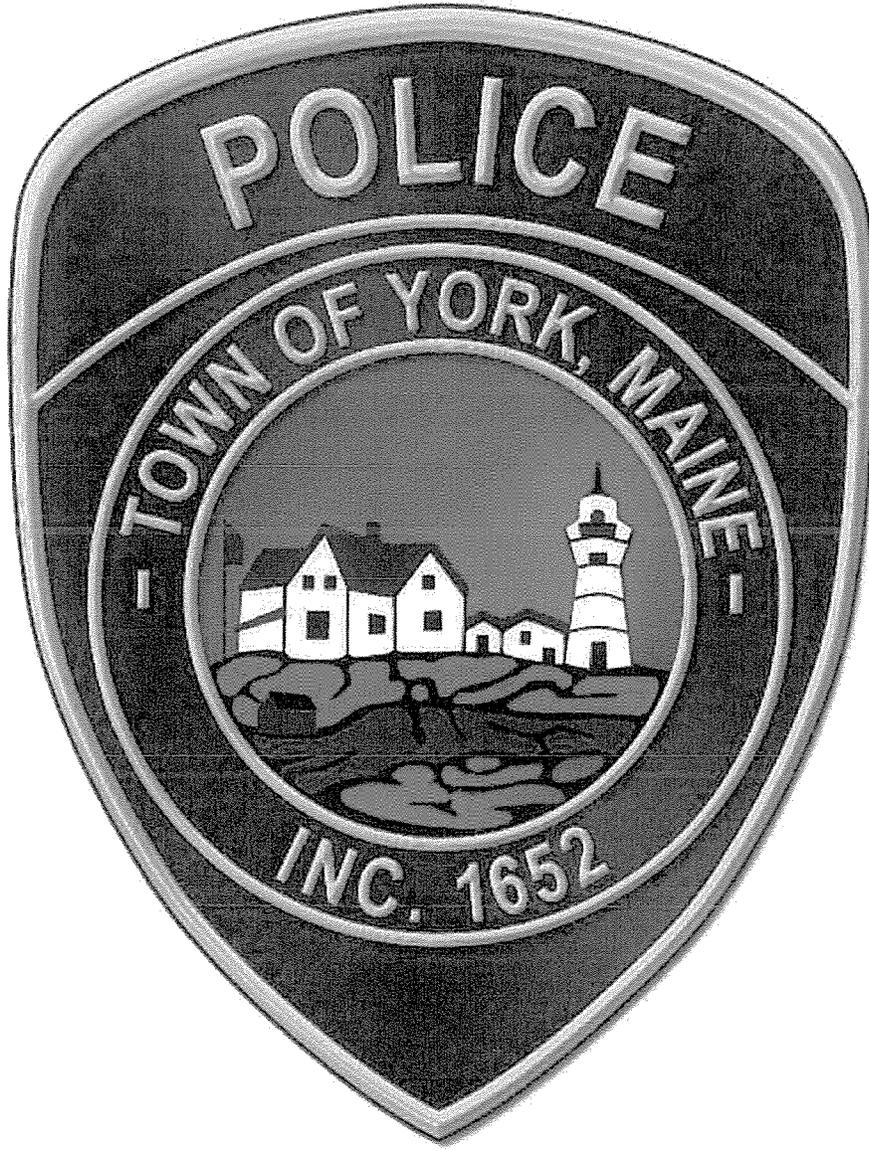
DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: A report from Lt. Scamman is attached. This report provides an overview of the Town's emergency communications systems and current issues associated with this topic.

RECOMMENDATION: n.a.

PROPOSED MOTION: n.a.

Prepared by Stephen H. Burns, Town Manager:

Technology in the Communications Center



**36 Main Street
York ME 03909
207-363-4444
rscamman@yorkpolice.org**

As with everything else the use of technology in the Communications or Dispatch field is ever changing. We are far removed from the days when a telephone was the single greatest technological item that a dispatcher used or had within his or her reach.

Our Communications Center is heavily dependent on computers as each dispatcher runs a multitude of programs in order to do their job. Each dispatch workstation has a computer that is part of our local network and is used to log into our Perform software program, the State of Maine's Criminal Justice Network System, the Good Morning Program and others. We also have two computers for our primary dispatch work stations that control all of our radio communications. And finally each dispatch workstation has a 9-1-1 computer which is provided and maintained by the State of Maine and is used specifically for 9-1-1 and nothing else. Each dispatcher has a responsibility of constantly monitoring no less than 7 computer monitors, 2 for the local network, two for 9-1-1, one for the radio system and one for our AVL system, I Am Responding and our 3SI Security program, and one for our in house audio video system.

We currently maintain an AVL (automatic vehicle locator) system in the communications center and in each of our patrol cars on the road which enables our dispatcher's to see where all of the cars they are responsible for dispatching are at any given time. Although the system allows us to view the entire continental United States, we have tailored the system to allow dispatchers to select specific areas such as York Village, York Beach, the whole Town of York, Southern Maine, the Maine Criminal Justice Academy, Two-Way Radio in NH and all of Maine. We have also added what is called "Geo-Fencing" which allows us to run query to see how often and how long officers spend in specific areas.

We maintain mobile computers in each of our patrol cars which enables officer to officer or officer to dispatch conversations, the ability for officers to "self-dispatch" and to see calls that other officers have been dispatched to on the "dispatch" screen. As noted earlier the officers can also "see" where other cruisers are by using the AVL program.

We currently run a software program called Perform which is our main Computer Aided Dispatch program. This program interfaces with our mobile platform and also with our 9-1-1 system. The CAD program also has a paging module which allows us to manually page individuals and it can also be set up for automatic paging for emergency calls such as fire calls and command staff paging in emergency situations etc. The CAD program also interfaces with the State's 9-1-1 system which takes all of the pertinent information for each 9-1-1 call such as the name, address and telephone number and allows the dispatcher to automatically backfill that information into the specific call or incident number in the CAD program.

As you know we are a PSAP (Public Safety Answering Point) and answer Emergency 9-1-1 calls directly for the towns of York, Ogunquit, Wells, Kennebunkport, Kittery, Eliot, South Berwick and Berwick. A requirement to maintain our status as a PSAP is that each of our dispatchers must be EMD (Emergency Medical Dispatch) certified. This is a protocol that has been adopted by the state which requires dispatchers to follow a set protocol when answering 9-1-1 calls of a medical nature. Our Dispatch Center must meet specific criteria and maintain certification with

the State of Maine. Each dispatcher must receive training to become EMD certified and must re-certify every two years. We are also required to review a specific percentage of our EMD calls for Quality Assurance to ensure that our dispatchers are following the protocol. The EMD Protocol is on a specific computer program which the dispatchers run simultaneously with their CAD program and as I stated earlier they do interface with each other.

At the request of our York Village and York Beach Fire Departments we recently added the I Am Responding computer program in dispatch. This program runs in the background and allows our dispatchers to see when particular firefighters are responding to fire calls to include volunteer firefighters. The firefighters must specifically make notification to the I Am Responding program which then shows up on the screen in dispatch. I Am Responding is set up in our CAD program to receive automatic notification when a dispatcher initiates a call involving particular fire calls and that program in turn automatically notifies all of the firefighters that are on their roster which is maintained by the fire departments.

All of our telephone and radio lines in the Communications Center are recorded 24 x 7 and can a dispatcher can review their own calls to verify any information if necessary.

Our new audio-video recording system has been working quite well and allows our dispatchers to monitor all areas of the department both inside the building and outside. I can't say enough about the quality of the video and it has come into great use many times over this past year, recently when Brenda Bracy came up to see if we could check on a Senior that may have wandered out of the Senior Center. We were able to see that he was actually given a ride by someone from the center all within a matter of minutes and notified the senior's caregiver.

The current radio system in our dispatch center is our greatest area of concern right now as it is antiquated and needs replacing. This has been budgeted for and is on schedule to be accomplished as part of our move into the new Police Building next year. We are working diligently with Two Way Radio to maintain the current system as best we can in an effort to save us the added cost of installing the system at our current site and then having to pay to have it moved to our new station, this is saving us approximately \$30,000 - \$40,000. The radio systems external infrastructure itself also needs to be replaced and or upgraded as we move forward. We are currently looking at a "Microwave System" and utilizing several new sites such as Mt. Agamenticus, the York Heights water tank, a cell tower in the Town of Eliot on Brixham Road and the new Verizon Cell tower in York Beach as new repeater sites. Each of these sites would provide us with improved communications abilities especially Mt. Agamenticus as its height and ability to "see" our other repeater sites would be extremely advantageous. The scenario where we would be able to use MT. Agamenticus as a repeater site would give us as close to 100% coverage throughout town as we could realistically expect to get as far as radio reception and transmission is concerned. We are currently in the process of having new repeater equipment placed on the tower on Mt. Agamenticus for just this purpose. We also plan to continue to use equipment at our current location, and would eventually place that equipment on the new Verizon Cell Tower once that tower is completed. Ideally we will be looking at investing in a "microwave" system for our radio communications that would provide us with far better ability

to transmit and receive all over town. This set up would utilize sites here at the current PD, the new PD on Hannaford Dr., the York Heights Water Tanks, the highway garage on Chases Pond Rd., a cell tower on Gulf Hill, a cell tower on Brixham Road and the York Water District tower on Mt. Agamenticus. Remember that we need to use the higher sites because microwave systems depend on "line of sight" in other words as long as one site can "see" another then our communications system will work. And if one site goes down the other sites will continue to work and pick up for the one that is down. I have attached a simple google maps diagram as prepared by Two Way Radio showing the location of each of the described sites that we might use for a microwave system.

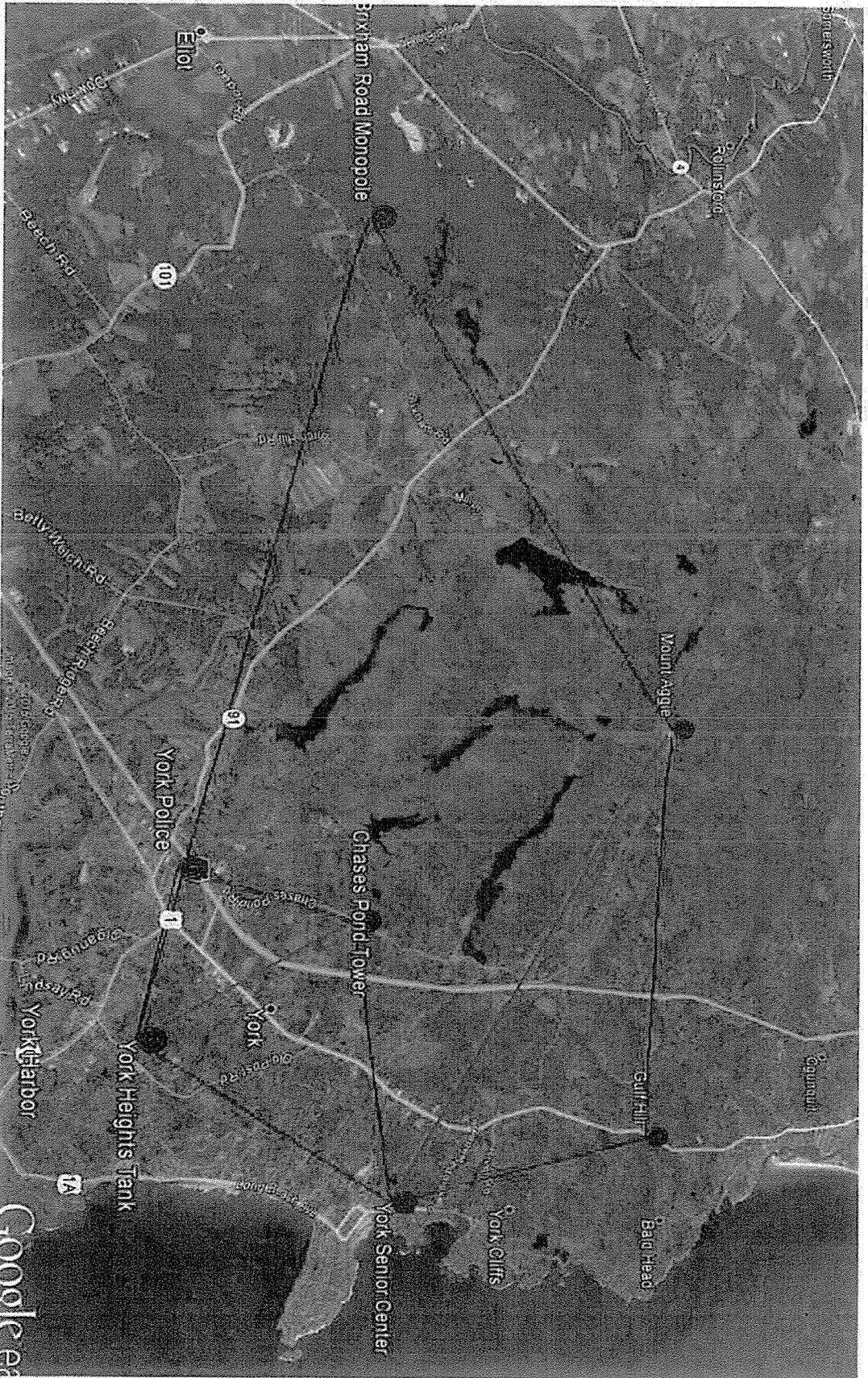
Establishing a microwave link between our Communications Center and Mt. Agamenticus would provide us with a higher bandwidth to support the other linked sites which would be directly linked through Mt. Agamenticus. Once we establish a site on Mt. Agamenticus, it would become our "Keystone" to connect with any other existing or new sites. A Microwave system would be town owned and can be expanded for future growth. Microwave links are also highly reliable and do not incur monthly leases that telephone land lines do. Once the infrastructure is in place we can easily add on and connect other town buildings like schools, fire departments, town hall and any other municipal buildings. Once other buildings are linked to the system it can be used for other purposes such as phone connectivity, LAN data applications between buildings, surveillance systems that could be monitored in the Communications Center, access control systems monitoring etc.

It is important to realize that the need to upgrade and maintain our radio system is independent of any decision as to whether or not we continue operating our own Communications Center or not and it is also independent on any relocation of our center. Our emergency responders including firefighters, ambulance crews and police officers all need to be able to communicate effectively with each other and with whatever center dispatches for them.

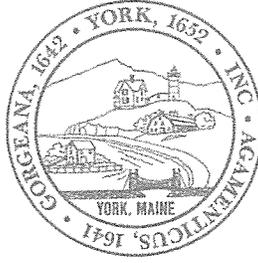
We are also currently working with Winxnet to obtain cost estimates for a fiber network to be constructed that would link our municipal buildings. Connecting our sites via fiber would serve to provide a way for us to pass data back and forth from one town building to another in a much more efficient and secure manner. It would also give us the opportunity to have off site back up of valuable and important data within our own municipal infrastructure, for example Town Hall data could be backed up at the PD and PD data could be backed up at the Town Hall etc.

Since finding out that we would be refurbishing the old American Legion building on Hannaford Dr. for a new Police Station and Communications Center we have been constantly looking for ways to save costs. In August we had the opportunity to buy a new dispatch console that had been set up as a Demo Unit at Systematics in Westborough, MA. We were able to purchase this unit for \$500 which was a substantial amount lower than what it would have cost us new. We provided the manpower to dismantle and transport the console to York. More recently we learned that the Town of Windham, Maine was selling a couple of relatively new Dispatch Consoles due to the closing of their Dispatch Center. After a visit to their center to take a look at the consoles we agreed to purchase two complete consoles from them at a significant savings. These consoles were exactly what we were looking to purchase and they are in like new

condition. Once again we have to provide the manpower to dismantle and transport them back to York. All told we have saved well over \$20,000 for these three units alone.



Google



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Possible transfer of parcels to York Land Trust

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: Following a discussion of Town-owned lands, it was suggested that certain parcels in the vicinity of Mount Agamenticus and the watershed lands might be suitable for transfer to the York Land Trust, who would then become stewards for these properties.

Attached are a series of maps. The first is titled, Parcels of Interest Owned by the Town of York. It shows a series of 18 parcels in red. These are the parcels generally under consideration. There are 13 parcels in the vicinity of Third Hill, northeast of Mount Agamenticus. There are 4 parcels in the Bell Marsh area, southwest of Mount Agamenticus. There is one other tiny little parcel along the upper reaches of the York River.

A second map shows these parcels in relationship to other conservation lands. Each of the 18 parcels in question directly abuts lands of either the York Land Trust or the State of Maine.

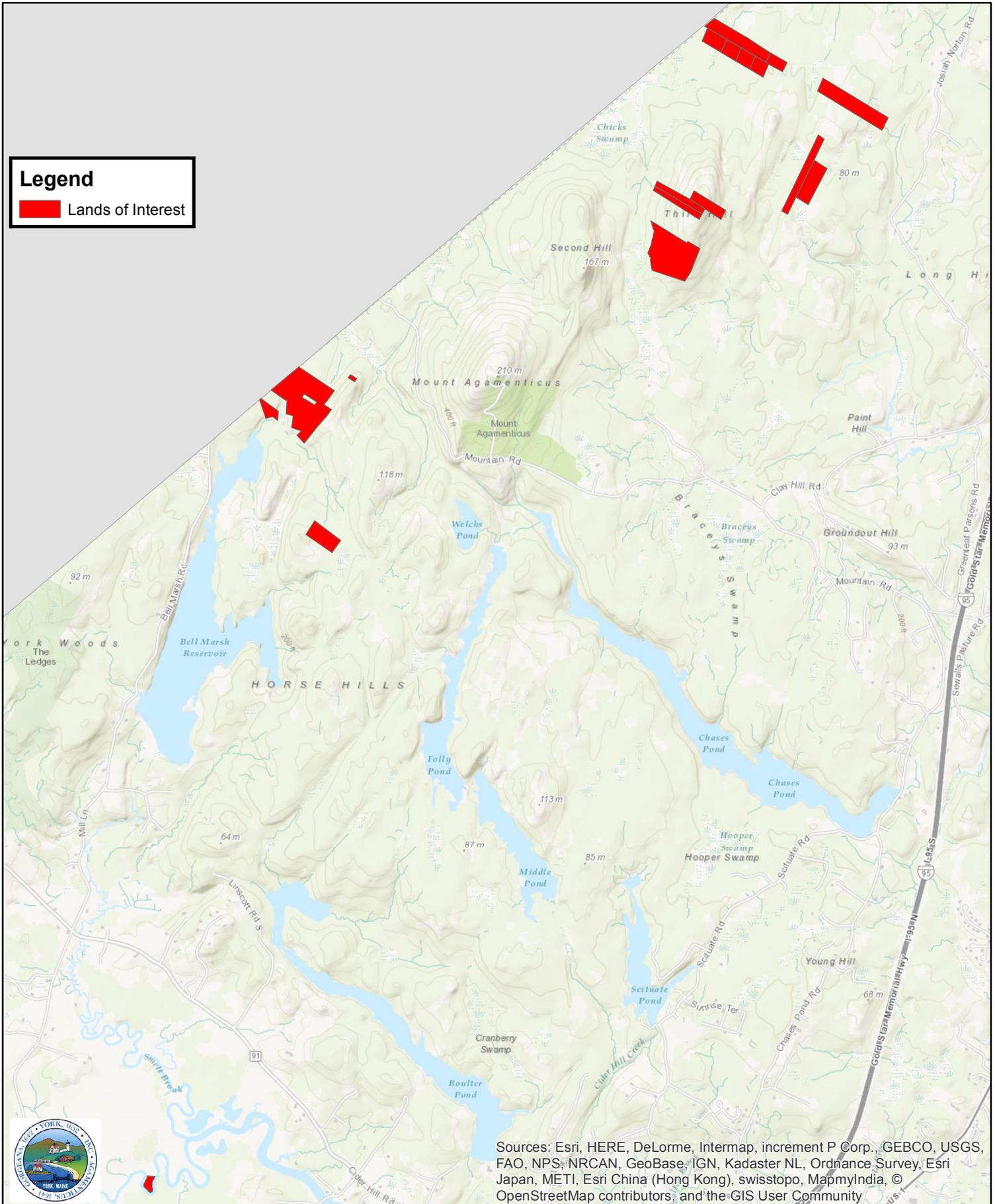
A third map and accompanying spreadsheet identifies all Town-owned parcels of 2.5 acres or larger. I included this map simply for reference.

It should be noted that it may make sense to retain the parcels in the area of Bell Marsh in case there is a need for mitigation off-sets when the connector road is re-routed in York Beach.

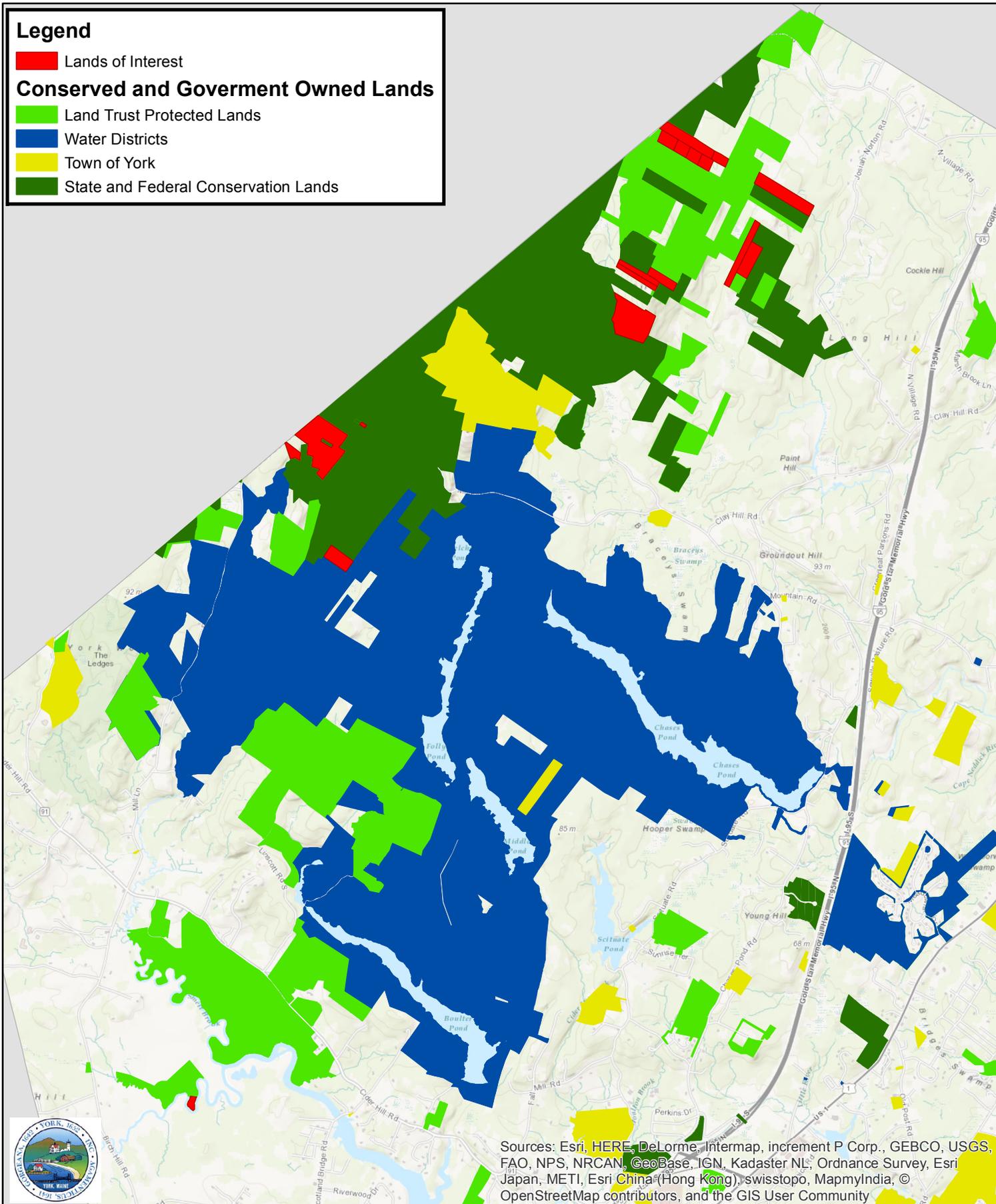
Doreen MacGillis of the York Land Trust will be attending the meeting to speak to the Board about these parcels and the Trust's interest in them. At this meeting the Board should be considering matters such as the desirability of transferring the lands to the Trust, whether they should be gifted or sold, any conditions that might be placed on the lands, and other matters of concern to the Board. The purpose of the meeting is to begin the discussion, so no recommendation is offered.

Prepared by Stephen H. Burns, Town Manager:

Parcels of Interest Owned by the Town of York

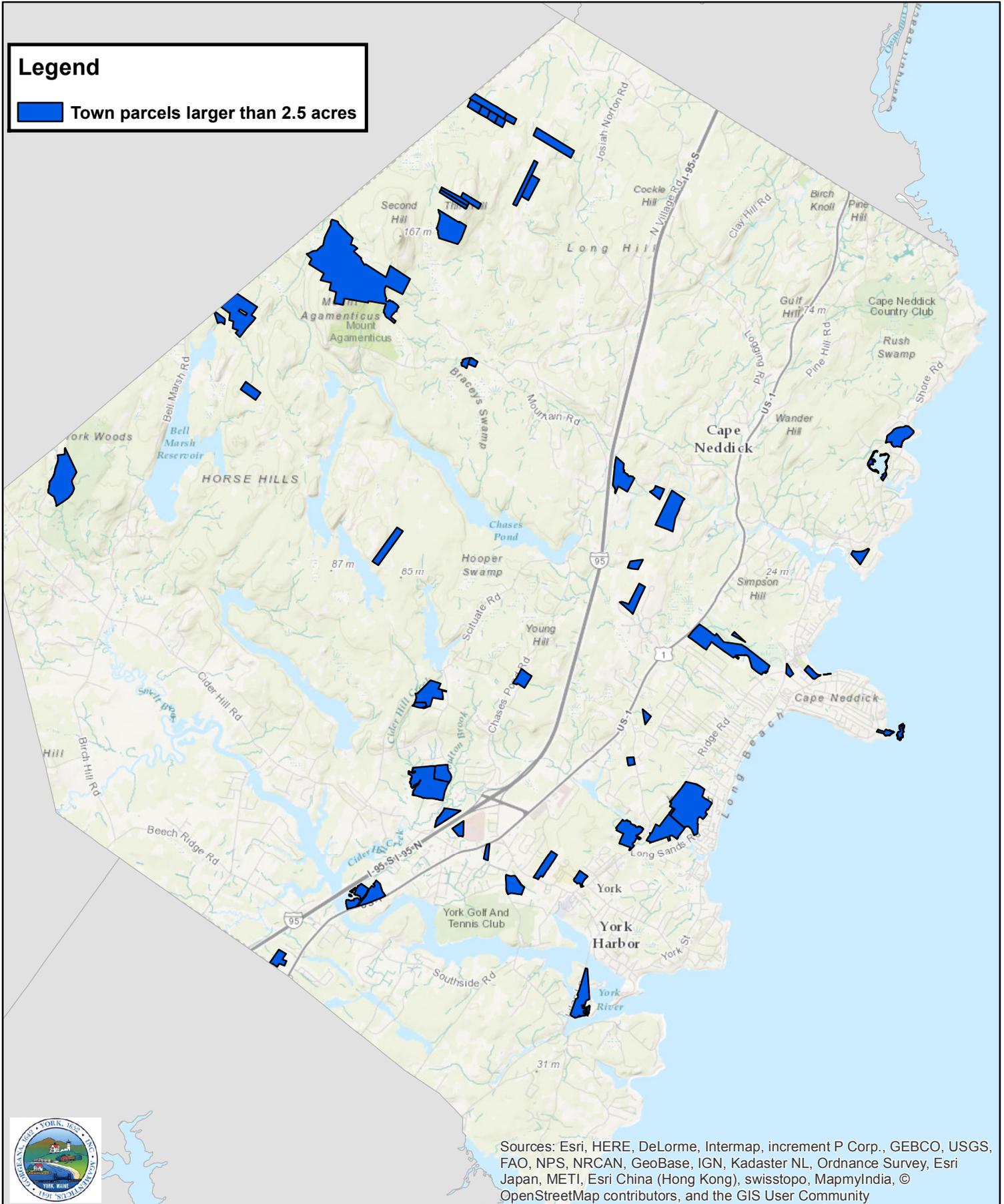


Parcels of Interest with Conserved and Government Owned Lands



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

Town Owned Parcels Larger than 2.5 Acres in Area



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

ALTID *	Address	Acres	Building Type	Rooms	Utilities
140-241	18 RAILROAD AVENUE	2.550	Fire Station	N/A	All Public
239-001	294 MOUNTAIN ROAD	2.730	Manufactured Home	4 rooms/02 bdrms/1 baths	
138-059	13 SOHIER PARK ROAD	2.800	Lighthse Qtrs	6 rooms/03 bdrms/1 baths	Well,Septic
126-027	95 OLD POST ROAD	2.820		N/A	
239-005	302 MOUNTAIN ROAD	2.940		N/A	
138-047	11 SOHIER PARK ROAD	3.000	Other Municip	N/A	Summer H2O,Public Sewer
128-026	857 US ROUTE 1	3.070		N/A	
402-066	13 GRANITE LANE	3.100	Conventional	3 rooms/02 bdrms/1 baths	Well,Septic
111-035	469 US ROUTE 1	3.100	Office Bldg	N/A	All Public
404-043	341 BELL MARSH ROAD	3.500		N/A	
406-027	105 THIRD HILL ROAD	3.600		N/A	
406-004	260 OGUNQUIT ROAD	4.000		N/A	
406-035	280 OGUNQUIT ROAD	4.000		N/A	
406-037	290 OGUNQUIT ROAD	4.000		N/A	
140-155	40 OCEAN AVENUE	4.410		N/A	Summer H2O,Public Sewer
152-091	90 EAST LAKE CIRCUIT	4.650		N/A	
406-015	103 THIRD HILL ROAD	5.180		N/A	
406-003	270 OGUNQUIT ROAD	5.640		N/A	
224-124	11 HUTCHINS LANE	5.740		N/A	
111-027	9 HANNAFORD DRIVE	5.740	Office Bldg	N/A	
406-019	95 THIRD HILL ROAD	5.840		N/A	
115-028	32 LONG SANDS ROAD	5.900		N/A	
406-002	101 THIRD HILL ROAD	6.280		N/A	
406-025	250 OGUNQUIT ROAD	6.460		N/A	
150-113	20 WANAQUE ROAD	6.910		N/A	
204-017	4 VACATION DRIVE	8.470		N/A	
221-203	115 CHASES POND ROAD	9.760	Garage/Office	N/A	Well,Septic
113-001	17 BOG ROAD	10.130	Other Municip	N/A	Well,Septic
406-047	155 TATNIC ROAD	10.440		N/A	
406-039	191 TATNIC ROAD	11.010		N/A	
220-008	50 BOG ROAD	12.000		N/A	
114-259	124 YORK STREET	12.000	Schools-Public	N/A	All Public
223-136	19 SPARROW LANE	13.000		N/A	
210-027	200 US ROUTE 1	13.020	Office/Apt	N/A	Public Water,Septic
210-027	200 US ROUTE 1	13.020	Office/Apt	N/A	Public Water,Septic
210-027	200 US ROUTE 1	13.020	Office/Apt	N/A	Public Water,Septic
110-259	30 ORGANUG ROAD	13.990	Schools-Public	N/A	All Public
210-039	220 US ROUTE 1	15.570		N/A	
403-003	101 MIDDLE POND ROAD	15.750		N/A	
406-075	174 OGUNQUIT ROAD	18.260		N/A	
153-012	328 SHORE ROAD	18.670		N/A	
406-029	80 THIRD HILL ROAD	19.260		N/A	
224-093	20 SEWALLS PASTURE ROAD	21.740		N/A	
402-059	9 GRANITE LANE	23.350	Industrial	N/A	Well,Septic
120-083	1 COASTAL RIDGE DRIVE	23.420	School/College	N/A	All Public
105-017	9 HARRIS ISLAND ROAD	25.080		N/A	
123-099	44 FERNCROFT ROAD	29.760		N/A	
404-051	281 BELL MARSH ROAD	36.000		N/A	
223-143	1146 US ROUTE 1	40.000		N/A	
404-042	361 BELL MARSH ROAD	42.200		N/A	
401-011	65 WICHTROT ROAD	44.960		N/A	
220-007	40 BOG ROAD	48.770		N/A	
224-135	40 SEWALLS PASTURE ROAD	51.000		N/A	
134-101	414 RIDGE ROAD	55.900	Two Family	8 rooms/04 bdrms/2 baths	Well,Septic
125-245	1 ROBERT STEVENS DRIVE	69.060	Schools-Public	N/A	All Public
405-029	21 MT A ROAD	180.740	Clubs/Lodges	N/A	Well,Septic



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Proposed Urban Compact Rules

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: We have received a request from the Maine Municipal Association regarding draft rules released by the Maine DOT regarding their designation process for Urban Compact Boundaries – a topic near and dear to our hearts now. A copy of MMA's request and the MDOT rules are attached.

MMA asked 3 questions:

- Does the Town think rules are warranted?
- Does the Town support or opposed the proposed rules?
- If the Town opposes, how could the rules be amended or improved?

All along I have been supportive of the use of administrative rules by MDOT for this purpose. The problem we ran into with MDOT's process was that it was arbitrary - it feels urban so therefore it is urban. This is costing the Town of York hundreds of thousands of dollars in just our first year, so implementing a rational and predictable rule makes sense. I encourage the Board to support this.

Regarding support for or opposition to the rules, I recommend opposition as written, but support if corrections/improvements were to be made:

- first, require one segment of 0.25 miles to meet the criteria without gaps, then allow gaps when considering an extension of the segment length. This was a critical problem in our situation. This would require re-work of Section 3 generally.
- second, in Section 3 (2), clarify the measurement is 90 degrees from the centerline of the road.
- third, in Section 3 (4), remove the word "generally" in order to establish a standard, not a feeling.
- fourth, in Section 2, the policy should state that the rules establish the standards for setting an urban compact boundary, whether this is an increase or a decrease in area. If things can go into the compact, then they should also be able to come out of the compact if the criteria are no longer met.

RECOMMENDATION: I recommend the Board support the establishment of rules, and recommend to MMA the 4 changes listed above.

PROPOSED MOTION: I move to inform the Maine Municipal Association the York Board of Selectmen support the establishment of Compact Area Definition Rule, and that the Board opposes the rules as proposed but would support them with the 4 changes proposed by the Town Manager.

Prepared by Stephen H. Burns, Town Manager:

A handwritten signature in black ink, appearing to read "S. Burns", is written over a horizontal line. The signature is stylized and cursive.

FYI

Stephen H. Burns

From: KeyMunicipalOfficials-owner@imail.memun.org on behalf of Kate Dufour
<KeyMunicipalOfficials@imail.memun.org>
Sent: Tuesday, November 17, 2015 1:15 PM
To: keymunicipalofficials@imail.memun.org
Subject: Proposed Rules Regarding the Designation of Urban Compact Areas
Attachments: CompactRulefinaldraft081715rev10-29-15.pdf

To: Key Municipal Officials and Public Works Directors from Urban Compact Communities

From: Kate Dufour

Date: Tuesday, November 17, 2015

Re: Department of Transportation's Proposed Rules Regarding the Designation of Urban Compact Areas

The Department of Transportation (DOT) is currently accepting comments on a proposed rule that would establish the criteria used by Department officials to designate urban compact areas along state highways. The proposed rule is attached to this memo and briefly described below. Comments on the proposed rule must be submitted to DOT by **4:30 p.m. on Friday, December 11, 2015**. Municipal officials are encouraged to submit comments to Peter M. Coughlan, Director, MaineDOT Community Services Division, State House Station 16, 24 Child St., Augusta ME, 04333-0016 or peter.coughlan@maine.gov.

As defined in state statute (Title 23, section 2), compact or built-up sections along state owned highways are areas "*where structures are nearer than 200 feet apart for a distance of 1/4 of a mile, unless otherwise defined*". Under the current practice, DOT officials designate compact areas without the benefit of guidance from a rule-governed process. This unguided process can be troubling for Maine's 60^[1] qualifying urban compact communities because once the urban compact designation is made, the costs for maintaining the built-up segments of state highways are shifted from the state to the municipality.

As proposed in the draft rule, in the process of determining whether the development density standard has been triggered the Department would be allowed to consider:

1. Structures that directly adjoin a state highway, including houses, commercial buildings, garages, driveways with E-911 designations, public ways, parking lots, fences, signs, and lighting fixtures;
2. Structures that have both direct and indirect access to a state highway;
3. Access driveways of "distant apartment complexes/developments" located within 300 feet from a state highway;
4. "Natural gaps" (e.g., streams, fields, and woods, etc.) and "intermittent compact sections" (e.g., fields, graveyards, airports, gated properties, and access-controlled areas); and
5. Non-compact sections "well within a contiguous urban compact area" to be included as a part of the entire compact area.

The rule also provides the Department with the discretion to draw the actual compact line at intersections or other turnaround areas to allow for more efficient maintenance. The proposed rule further

authorizes DOT and municipalities to work out agreements and swap maintenance responsibilities on local and state roadways to achieve operational efficiencies.

Undoubtedly, impacted municipalities would benefit from a documented designation process. However, MMA is uncertain whether this draft rule establishes a predictable and fully objective process of determination.

In order to determine MMA's response to this proposal, municipal feedback is necessary. For that reason, it would be greatly appreciated if you could complete the following survey by end of business on **Friday, December 4, 2015** and email or fax it to Kate Dufour at kdufour@memun.org or 624-0129. MMA comments to these rules, if submitted, will be shared with all recipients of this email message.

Thank you for your attention to this issue. If you have any questions, please contact Kate at 1-800-452-8786 or at the email address provided above.

Survey Regarding DOT Urban Compact Area Designation Proposed Rules

1. Municipality: _____
2. Contact Name: _____
3. Do you think a rule guiding the Department's determination of urban compact areas is warranted? Yes/No
4. If yes, please indicated whether you
 - a. Support the proposed rule as drafted by DOT;
 - b. Oppose the proposed rule as drafted by DOT; or
 - c. Are "neither for nor against" the proposed rule as drafted by DOT.
5. If you oppose DOT's approach, in what ways do you think the rule could be amended or improved?

6. Other comments: _____

Thank you for your comments.

^[1] 47 of the 60 existing urban compact communities have year round maintenance responsibilities over state highways located within designated urban compact areas. The remaining 13 communities are responsible for winter maintenance of state highways located in the compact area. A list of the year-round and winter compact communities is found on DOT's website (<http://www.maine.gov/mdot/csd/mts/stateurbancompact.htm>).

17 DEPARTMENT OF TRANSPORTATION

229 OFFICE OF THE COMMISSIONER

Chapter 110: COMPACT AREA DEFINITION RULE

SUMMARY: This rule establishes the procedures by which the Department will set urban compact boundaries around urban compact areas as defined by 23 MRSA § 754 and § 2.

Section 1 **Definitions**

- (1) **Commissioner.** “Commissioner” means the Commissioner of the Maine Department of Transportation, or his or her designee.
- (2) **Department.** “Department” means the Maine Department of Transportation.
- (3) **Municipality.** “Municipality” includes cities, towns and plantations.
- (4) **State Highways.** “State Highways” means all state highways and state-aid highways designated by the Department pursuant to 23 M.R.S.A. §53 and 17-229 CMR, Chapter 304.
- (5) **Structure.** “Structure” means any construction, or any production or piece of work artificially built up or composed of parts joined together in some definite manner, or any combination of materials to form a construction for occupancy, use, protection, recreation or ornamentation whether installed on or above, the surface of a parcel of land. The term “structure” includes all houses, commercial buildings, garages, constructed buildings, driveways with E-911 names, all public ways, parking lots, certain utility buildings. Other features that are associated with or located to serve a particular structure or group of structures may include but not be limited to accessory fences, supports, signs, accessways, lighting fixtures, drainage facilities, and public utility or similar facilities.
- (6) **Town.** As used herein, “Town” has the same definition as in Title 23, Section 2.

Section 2 **General**

Urban compact areas in Maine have been in existence since the early 20th century. Current Maine law, 23 MRSA § 754, requires that all state and state-aid highways within compact areas of urban compact municipalities must be maintained in good repair by the town in which the highways are located at the expense of the town. Whenever a municipality meets the criteria set forth in 23 MRSA § 754 (B) for designation as an urban compact municipality, the “compact or built-up section” boundaries need to be

established by the Department pursuant to statute. These boundaries determine the highway maintenance boundary between the Department and the municipality along with jurisdictional control of driveway entrance permitting and highway utility opening and location permitting. This Rule creates a set of guiding criteria for determining those boundaries based on structure density.

Section 3 Defining the compact or built-up section of highway

The Department shall use the following criteria:

- (1) the 200 foot distance will be interpreted to be an average of 200 feet between structures over a minimum of 0.25 miles when reviewing both sides of a road
- (2) the 200 foot distance will be measured by creating offsets from the sides of structures out to centerline at 90 degrees
- (3) structures can have access drives from the highway in question but may be accessed from nearby side streets;
- (4) structures would generally not include distant apartment complexes/developments (300 feet +/- away from road) but the access driveway may be considered a structure;
- (5) gaps may occur within the 0.25 mile section such as streams, fields, woods, or other natural features
- (6) intermittent compact sections can include but not be limited to lawns/fields, graveyards, airports, gated properties, access-controlled sections, natural features
- (7) noncompact sections well within a contiguous urban compact area would be considered compact

The actual compact line could be placed at intersecting roads, or other turnaround areas to maximize maintenance efficiencies of both the Department and municipality. Once the boundaries are set, the Department and municipality may mutually agree to swap sections for operational efficiency.

The Commissioner shall have final determination of these boundaries.

STATUTORY AUTHORITY: 23 M.R.S.A. § 52 and § 4206.

EFFECTIVE DATE:

SENATE

RONALD F. COLLINS, DISTRICT 34, CHAIR
KIMBERLEY C. ROSEN, DISTRICT 8
G. WILLIAM DIAMOND, DISTRICT 26

KAREN NADEAU-DRILLEN, LEGISLATIVE ANALYST
DARLENE SIMONEAU, COMMITTEE CLERK



HOUSE

ANDREW J. MCLEAN, GORHAM, CHAIR
GEORGE W. HOGAN, OLD ORCHARD BEACH
CHRISTINE B. POWERS, NAPLES
ARTHUR C. VEROW, BREWER
MARK E. BRYANT, WINDHAM
JARED F. GOLDEN, LEWISTON
WAYNE R. PARRY, ARUNDEL
JAMES S. GILLWAY, SEARSPORT
BRADLEE THOMAS FARRIN, NORRIDGEWOOK
BRIAN D. HOBART, BOWDOINHAM

STATE OF MAINE
ONE HUNDRED AND TWENTY-SEVENTH LEGISLATURE
COMMITTEE ON TRANSPORTATION

June 2, 2015

Commissioner David Bernhardt
Maine Department of Transportation
16 State House Station
Augusta, ME 04333-0016

RE: LD 437 – An Act To Ensure the Responsibility of the Department of Transportation for a Portion of the U.S. Route 1 in York and for the U.S. Route 1 Bypass in Kittery

Dear Commissioner Bernhardt,

Earlier this session, the Transportation Committee voted unanimously “ought not to pass” on the above referenced bill. LD 437 proposed to direct the Maine Department of Transportation (MaineDOT) to maintain the U.S. Route 1 Bypass in the Town of Kittery and U.S. Route 1 in the Town of York from the Kittery town line north to Mountain Road.

While the Transportation Committee does not feel that legislation is needed at this time, we do appreciate the concerns expressed by the bill sponsor, Senator Dawn Hill, and the town manager of York, Stephen Burns. MaineDOT recently conducted an urban compact line review in the Towns of Kittery and York. Subsequently, the Town of York has challenged MaineDOT’s determination that the urban compact area on U.S. Route 1 should be changed.

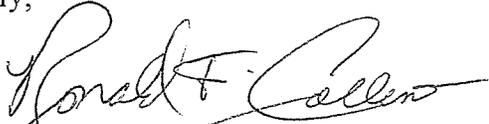
As you well know, when a road or portion of a road is added to an urban compact area, responsibility for summer and winter road maintenance is transferred from MaineDOT to the municipality. It is our understanding that the Town of York does not dispute the population criteria; however, the town does question MaineDOT’s measure of building density.

Current law provides that compact areas are compact or built-up sections which may include intermittent compact sections separated by short intervals that are not compact. A “compact” or “built-up” section means a section of the highway where structures are nearer than 200 feet apart for a distance of a quarter (1/4) mile, *unless otherwise defined*.

According to the town manager of York, the town is being given responsibility for the above referenced portion of U.S. Route 1 because a staff person at MaineDOT says it feels urban. The sponsor of LD 437 and the Town of York believe that the process of evaluating these measures should be based on analysis, not feelings.

Although, it appears that current law gives MaineDOT some discretion in designating urban compact areas. The Transportation Committee respectfully requests that you clarify this discretion through rulemaking given your authority to adopt rules in Title 23 of the Maine Revised Statutes.

Sincerely,



Handwritten signature of Ronald F. Collins in cursive script.

Senator Ronald F. Collins, Co-Chair



Handwritten signature of Andrew J. McLean in cursive script.

Representative Andrew J. McLean, Co-Chair

Cc: Members, Joint Standing Committee on Transportation
Senator Dawn Hill
✓ Stephen Burns, Town of York
Nina Fisher, Maine Department of Transportation

TO: Steve Burns

York Town Manager

FROM: Jim Smith

RE: Resignation from Design Review Board

Date: 11.12.15

Steve

It has been brought to my attention, that as a elected official, it is required that I resign from all other appointed boards in the Town.

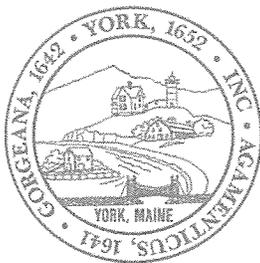
Please consider this note formal notice of my resignation as a member of the Design Review Board.

Thank you

A handwritten signature in black ink, appearing to read "James C. Smith". The signature is written in a cursive, flowing style.

James C Smith

Budget Committee Member



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Property Redemption – Tax Map 0094-0007; 43 Old Post Road

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD:

1. Approve the Property Redemption Request for the total taxes, interest and costs due
2. Deny the Property Redemption Request and keep the property under Town ownership

RECOMMENDATION: Approve the Property Redemption Request from the Estate of John L. Goms at 43 Old Post Road.

PROPOSED MOTION: I moved to approve the property redemption of Tax Map 0094-0007, located at 43 Old Post Road, as requested, subject to the condition that all taxes, interest and administrative costs are paid in full by no later than February 5, 2016 with cash or certified bank check.

FISCAL IMPACT:

DEPARTMENT LINE ITEM ACCOUNT:

BALANCE IN LINE ITEM IF APPROVED:

PREPARED BY: _____
Melissa M. Avery, Assistant to the Town Manager

REVIEWED BY: _____



TO: Board of Selectmen
FROM: Melissa M. Avery, Assistant to the Town Manager
DATE: December 14, 2015
RE: Tax Foreclosure Redemption: Map 0094-Lot 0007; 43 Old Post Road

Estate of John L. Goms, former property owners of property identified as Tax Map 0094, Lot 0007, located at 43 Old Post Road in York, Maine, requests to redeem this property for which the Town has foreclosed after the maturing of tax lien for Fiscal Year 2013.

We are recommending to the Selectmen, that the Estate of John L. Goms be allowed to redeem this property providing the following condition(s) are met:

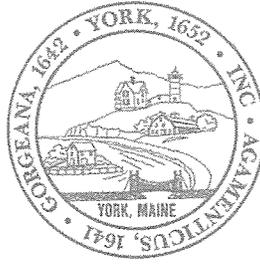
Condition #1 – The Estate of John L. Goms shall pay in full, to the Town of York, all past year(s) and current years taxes, interest, administrative and lien costs, which total **\$5,217.44** by no later than **January 4, 2016**.

FY2013 TAXES AND INTEREST	\$1,154.75
FY2014 TAXES AND INTEREST	\$1,145.05
FY2015 TAXES AND INTEREST	\$1,098.52
FY2016 TAXES	\$1,002.10
ADMINISTRATIVE/LIEN COSTS	<u>\$ 200.00</u>
	\$4,600.42

- The tax bill for Fiscal Years 2016 does not include interest, as it was in the name of the Town for that time.

Parcel Information

<u>Map-Lot</u>	<u>Size of Lot</u>	<u>Assessed Value</u>	<u>Party Requesting Redemption</u>
0094-0007	.37 Acres	\$124,800	Estate of John L. Goms



REQUEST FOR ACTION BY BOARD OF SELECTMEN

DATE SUBMITTED: December 4, 2015

ACTION

DATE ACTION REQUESTED: December 7, 2015

DISCUSSION ONLY

SUBJECT: Special Event Permit Applications

DISCUSSION OF OPTIONS AVAILABLE TO THE BOARD: All appropriate departments have been notified and have given approval.

Options available to the Board: 1) Approve/Deny all Special Event Permit Applications listed below in one motion. 2) Approve/Deny Special Event Permit Applications in separate motions

1. Center for Wildlife's – 30 Degrees for Wildlife Winter Charity Swim

RECOMMENDATION: Approve the Special Event Permit Application.

PROPOSED MOTION: I move to approve the following Special Event Permit application subject to all, if any, conditions given by Department Heads:

Center for Wildlife's – 30 Degrees for Wildlife Winter Charity Swim

FISCAL IMPACT: N/A

DEPARTMENT LINE ITEM ACCOUNT: N/A

BALANCE IN LINE ITEM IF APPROVED: N/A

PREPARED BY: _____

REVIEWED BY: _____



Town of York, Maine Special Event Permit Application

This application for a special event permit is hereby presented to the York Town Manager, 186 York Street, York, ME 03909.

Date: 12/2/2015

Name of Event: 30 Degrees for Wildlife - Winter Charity Swim

Type of Event: Individual swim to raise funds and awareness of CFW's mission

Organization Name: Center for Wildlife Phone #: 207-361-1400

Organization Address: PO Box 620 City: Cape Neddick State: ME Zip: 03902

Applicant Name: Center for Wildlife Phone #: 207-361-1400

Applicant Address: PO Box 620 City: Cape Neddick State: ME Zip: 03902

Contact Name for Day of Event: Eduard Viel Contact Phone #: 603-534-1951

Date of Event: 12/13/2015 Day of Week: Sunday

Starting Time: 2pm Ending Time: 4pm

Assembly Area: Private home: Furst home, Scotland Bridge Rd

Dispersal Area: York Harbor Inn

Event Route: York River from Scotland Bridge Rd to York Harbor Inn

Approximate Number of Persons Attending (If more than 500, Insurance coverage needed)
20-30 at start, maybe 40-50 at finish, no one will be on public roads

Describe number of bands, vehicles, signs, floats, or other articles carried or displayed along with method of participation (walking, bicycles, motorcycles etc):

This is an individual swim of approximately 6miles. Supporters will gather at beginning to support, and will gather in the park across from the York Harbor Inn to cheer around 330-4pm, and will utilize YHI parking lot

Describe how group is organized and supervised to insure order: _____

A single boat carrying a Coast Guard volunteer as well as medical doctor will follow the swimmer to ensure his safety
This is a small event, much like a private gathering.

Purpose of the Event: Raise funds and awareness for CFW

The above information is true to the best of my knowledge and belief.

Signature of Applicant: Eduard R. Viel