

York Planning Board
Thursday, September 11, 2014, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum; Appointment of Alternates

Chairman Al Cotton called the meeting to order at 7:03. A quorum was determined with three people voting: Chairman Al Cotton, Lew Stowe, and alternate Amy Phalon, who was asked to vote as a full member. Todd Frederick and Peter Smith were absent. Town Planner Dylan Smith represented staff. Patience Horton took minutes.

Public Forum

No one came forward to speak.

Minutes

There were no minutes to review.

Field Changes

There were no field changes.

Application Reviews and Public Hearings

Elks Club Flea Market. 1704 U.S. Route One. Map & Lot: 0100-0024-C. The applicant proposes to hold flea markets on Saturday and Sunday throughout the summer.

Tom Veronese spoke on behalf of the Elks. They hope to hold flea markets at their lodge on weekends during the summer. Police Chief Doug Bracey had been to the site and indicated that the parking is fine, as long as it doesn't spill onto the edge of Route One. The vendors would park next to their tables. There will be 20 tables.

Dylan Smith: The applicant seeks a permit for accessory use in Route 1-6 zone. There should be a delineation of the parking during the flea markets. The parking should not be congested.

The Board accepted the application as complete. The Chair opened and closed the public hearing. No one came forward to speak.

The Board told the applicant to bring in a sketch drawn to some kind of scale, with notation, showing travel and parking lanes for the events. The application was continued until two notes "No parking on the access way" and "No parking on Route One" are on the plan.

One York Street Expansion. One York Street. Map & Lot 0048-0020. The proposal is to construct an additional drive-up window for the credit union and add additional asphalt to the travel lane on site.

Project engineer Bill Anderson explained the change in the bufferzone caused by the new window. The original plan called for 20 feet, but it has been reduced to 10 feet. Two big trees will be removed and replaced.

Town Planner Dylan Smith: This application, located in Route 1-3, calls for additional asphalt that has to meet Town standards. When it has met Town standards, it must be added to the original plan. The stormwater plan has been signed off by an engineer. The application is acceptable for jurisdiction.

Motion: Lew Stowe moved to accept the application as complete. Seconded by Amy Phalon, the motion passed, 3-0.

The Chair opened and closed the public hearing. No one came forward to speak.

Owner Duane Jellison: The catch basins function perfectly. The asphalt meets Town standards. The potentially hazardous parking spot in the way of traffic will be removed. A hedge and trees are being added. Cars exit right. A yellow sign is there directing traffic right. A certified stormwater report is not needed, to which Dylan Smith agreed.

Motion: Lew Stowe moved to approval the application as submitted for One York Street Expansion. One York Street. Map & Lot 0048-0020. The proposal is to construct an additional drive-up window for the credit union and add additional asphalt to the travel lane on site.

In discussion, Dylan Smith noted that the motion must include two added notes: That the trees must be moved into the 10-foot buffer, and that the potentially hazardous parking spot must be eliminated.

Seconded by Amy Phalon, the motion passed, 3-0.

Lisa Martel. 31 Pine Street. Map & Lot 0031-0058. The proposal is for replacing the existing foundation that is within the Shoreland Zone.

Application representative Tim DeCoteau spoke for Lisa Martel. The existing foundation can be replaced in the same location or the foundation can be reduced, however, moving the foundation forward or from side to side will not improve the setback. If the foundation is replaced, the 30 by 30 structure would be replaced with it.

Dylan Smith's comment: The application lacks a flood zone note and an Archeological Resources note. Note 8 must be clarified. The application is otherwise complete. Re-

placing or shrinking the foundation within the building envelope is the only decision the Planning Board will make.

Motion: Lew Stowe motioned to accept the application as complete for Lisa Martel, 31 Pine Street. Seconded by Amy Phalon, the motion passed unanimously.

The Chair opened the public hearing. No one came forward to speak. The Board discussed the proposal to reduce the footprint with the possibility of adding additional volume to the second floor. The board refused to accept that condition.

Motion: Lew Stowe moved to approve the Lisa Martel proposal for replacing the existing foundation that is within the shoreland zone on Map & Lot 0031-0058 at 31 Pine Street, with the condition that it has the same size footprint, as well as the conditions from Dylan Smith's memo, a flood zone note, an archeological resources note, and modified Note 8. Seconded by Amy Phalon, the motion passed, 3-0.

Division of Land/Estate of Roger R. Norton, Jr. End of Skylark Lane and 29 Ocean Avenue West and Skylark Lane; Map & Lot 0094-0086-I. The proposal is for a 2-lot (minor) subdivision located off Ocean Avenue West and Skylark Lane.

Applicant agent Jim Nadeau will seek two waiver requests in this application, stormwater design and street design. The presentations for Preliminary and Final approval will be given during the same hearing.

Motion: Lew Stowe made the recommendation that we accept the proposal for a sketch review. Amy Phalon seconded. It passed 3-0.

In Public Hearing, abutter **Robin Rubin** of 37 Paul Street told the Planning Board that during the adjoining Beachwalk subdivision construction in 2013, there were roadblock problems because contractors were parking on her dead-end street. She was not made aware of this upcoming problem by the Planning Board and should have been.

During the same period, developers trespassed on her property. One person told her she was trespassing on her own land. Trees were toppled from the lot next to hers without warning. She had no chance to prepare for safety. She did not know until then that there is no police protection from speeding dump trucks on a private road.

Robert Rubin of 37 Paul Street, asked the applicant to respect the big trees on this plot of land. Of the four properties that have been subdivided already, two have been clear-cut.

The Chairman closed the public hearing. Lew Stowe led the discussion. Mr. Rubin is correct that the 24-inch trees must be marked, however, setbacks and building envelopes determine which trees have to go. The development will not be connected to the sewer on Ridge Road. The street turnaround has to be within the 50-foot right away to be con-

sistent with the other roads. The police and fire chiefs will weight in on the road design, and public hearings will be critical. The board must take a site walk of this property.

In Other Business

- A joint workshop meeting with the Selectmen will be held September 25 (6:00).
- The Findings of Fact for the Chamber of Commerce Farmers' Market are ready to sign.
- Steve Burns and Dylan Smith have discussed separating the Site Plans from Sub-division Regulations. Lee Jay Feldman may be retained for that job.
- A letter from Peradventure's attorney has asked that the Town Attorney review points made in the application. Dylan Smith recognizes that the Board has not accepted jurisdiction over the plan, and should not move forward with the application.

Adjourn

9:40