

**TOWN OF YORK PLANNING BOARD
THURSDAY, JUNE 27, 2002, 7:00 P.M.
YORK PUBLIC LIBRARY**

This meeting, which focused on the new zoning ordinances, joined members of the Planning Board, the Board of Selectmen, and the Planning and Ordinance Committee. Al Bibb, Glenn Farrell, and Barrie Munro, with Steve Burns of the Planning Office, represented the Planning Board. Selectmen Michael Palumbo, Stanley Wilson, Michelle Moody, and Chair Carol Allen were in attendance. From the Planning and Ordinance Committee, Tom Manzi, Ben Morong, Richard Smith, John Hughes, Bill Dignan, Vice Chair Susan Trowbridge, and Chair Lewis Stone all participated, with Lew Stone running the meeting, which configured in a large circle around the room's conference table. Patience Horton wrote these Minutes. The meeting was televised. It began at 7:04. No prior Planning Board Minutes were reviewed.

Steve Burns had previously distributed a letter with over six issues that he felt needed to be discussed. Susan Trowbridge went over the previously handed-out schedule of hearings that contained inadvertent errors in the September program, which she corrected. She also went over the evening's agenda, which included what she described as the biggest issues of rural zoning, multiple uses, and structures on lots. Public Hearings were planned for August 5, 6, and 7. Lew Stowe stated there are recommended changes to the Comprehensive Plan, as well. Michael Palumbo added that a new letter from the Board of Trustees at York Hospital had been received. It requested special needs around an eventual parking garage, reduction of green space from 50% to 25%, and the allowance for a 60' peaked roof.

Zoning Boundaries. Carol Allen said that the Woodbridge area is asking for Transition zoning, and not what had been assigned. Al Bibb said that he had received correspondence requesting minor tweaks in boundaries, as well. He presented a letter appealing for a particular refurbished barn in York Beach to be placed in the Residential 2 Zone. The location was pointed out on the map. The panel accepted the change. There was light discussion about height change in dormitory-style housing, without apparent outcome.

Regarding York Village center, the boundaries of the zones were discussed, with Steve Burns pointing out highlights on the map. The zone for the IGA had not been decided. They discussed about how far down Woodbridge Avenue the Transition Zone should go. Lew Stowe lead discussion about Moulton and Axel Lanes, where an apparent door-to-door survey of residents had revealed that most people did not care which way zoning will go in that neighborhood. But along Barrel Lane, Mr. Stowe continued, people are apparently worried that the hospital will expand into their area. Based on their input, that boundary will not include the Marshall lot as part of hospital zoning. Also the fate of whether or not to include the Ott property with the adjoining Stack properties, which originally was planned to be in the Transitional Zone, was discussed, with the outcome to include both properties in that zone.

The Route One-5 and the Route One-6. These zones run north of Wild Kingdom and go through Cape Neddick. No one at the meeting was aware of any apparent requests for changes in these zones.

Rural. Steve Burns had defined "rural" in his memo dated June 24, 2002. He showed the proposed Rural Zones on the zoning map. Lot size in Rural 2 should run two acres, and in Rural 3, they should be two to three acres, he said. Richard Smith said that in Rural 3, lots it should be two acres, also. Michael Palumbo said that keeping larger lots was important to keep the area as rural as possible, which led into a discussion and a 3-1 vote among the selectmen in favor of making lot size in Rural 3 two acres, with Mr. Palumbo opposed.

Home Occupations in rural zones, such as a landscaping business, were then discussed. Michelle Moody said that in the Rural 3 Zone, larger groups such as trade shops and studios could work under Home Occupation. Barrie Munro did not feel that such use should be added south of the York River. The group discussed which uses to keep and which to "get rid of." Al Bibb thought that keeping language as it is until the Public Hearings would be a good procedure. Michelle said that getting rid of offices and services but keeping the trade shops, studios, landscaping businesses, and the like, would be smart, which is what was agreed to among the panel. There was discussion as to whether the same rules should apply in Rural 2. Richard Smith thought that the voters should decide, and the panel decided to leave Rural 2 as it was.

The discussion went to **Deed Restrictions in Rural Zones** about which Steve Burns recommended following the Comp Plan and not allowing residential enclaves in rural areas. Richard Smith proposed disallowing restrictive covenants that confine more than what Zoning allows in the rural zones. There was general agreement among the group that this would preserve the rural character of the areas, but Barrie Munro questioned if developers should not be allowed to determine what kind of community is being made. Giving that up is wrong, he said. Susan Trowbridge said that in Draft 10, these rules apply to all three zones, which the majority of the panel decided would stay that way for the time being.

Steve Burns considered the subject of **Multiple Uses and Structures** on a lot as the single biggest issue to decide. Zoning allows multiple uses on single lots in areas outside of residential areas. Michael Palumbo thought that there should be one principal-use building per lot. Further discussion revealed Home Occupation allows 2 buildings per lot, one residential and the other, principal-use. In areas with 2-acre density, a six-acre lot can have three buildings, explained Steve Burns. Michelle Moody brought up a worse case scenario, with additional buildings being added, and she wanted to limit the rules to one residence with one other principal-use. Steve said that these are small businesses, and maybe the Ordinance should limit this to Rural 2 and Rural 3, not Rural 1. The panel members agreed that this was the best idea.

Accessory Structure. Lot Coverage limits the number of structures that go on the lot, said Steve Burns. He went over the definition of a dwelling, which Glen Farrell refined by saying the definition is based on the number of kitchens.

Regarding the needs of the **York County Hospital**, Carol Allen stated that she hopes the group will incorporate the hospital's recommendations. Al Bibb said that there was no problem with either the parking garage or making provisions for less green space. He had not seen anything to support the need for a 60-foot building. He said that the hospital should not go into the 250-foot Shoreland zone. Michelle Moody said that the height can be looked at a later time, to which everyone seemed to agree. Steve Burns said that the parking garage would be allowed at this time, if it meets the physical requirements. Height, green space, and Shoreland zoning are the remaining issues. John Hughes said that the campus, as it exists, except for the Ramsey property, is "maxed." Michelle Moody said that the hospital could come forward with future plans and then change the Ordinance at that time, if necessary. The group voted on this, and it was agreed to almost unanimously, except for Carol Allen and Stanley Wilson, who voted for allowance of the 60-foot peak height. Stanley Wilson explained that if the larger building were allowed, all the other problems would go away. Many felt that was clever thinking.

Trophy Homes. Al Bibb stated that he generally wished to limit the size of houses on smaller lots, but traditionally, York "was" large homes. The group decided to wait and see what the public has to say when they vote.

Vertical Expansion of a Nonconforming Structure. Steve Burns suggested looking at provisions in the Ordinance when it comes to height limits. He said that the building owners would have to comply with their own districts. Everyone agreed to go with Steve on this one.

Abandonment of a Nonconforming Use. Steve recommended changing the Ordinance so that the owner has to make a physical change toward abandoning use, as in taking the kitchen out of a restaurant.

Comprehensive Plan Amendments. Steve Burns said that there were changes in land use, as in the case of York Middle School, that have to be mirrored in the Comp Plan and in Zoning, so they both say the same thing.

Panel discussion wrapped up as Susan Trowbridge gave the estimated schedule for publishing the draft on the web and making copies available at different locations. Grids showing boundaries for zones, before and after changes, will also be available.

The **Public Hearing** was opened. Ron Hayes summarized his June 27, 2002 document, "To the Citizen Voters of York," which has five claims, including criticism of the tone of Draft 10, the handling of nonconformities (which should stay the same, if they were produced over the past 86 years), the potential traffic problem, if the hospital is enlarged, and other issues, which can be examined in the document.

Clifford Estes, also a signer of the aforementioned document, said that it was his understanding that people on Moulton and Axel Streets want their zoning to be Residential, in contrast to what the Committees say. He said that the lot where Dick Arnold lived, now in the hospital zone, was residential and has been switched to "business." He stressed that more changes need to be made, and that the Committee has made changes that the public hasn't made.

David Emery gave an explanation about historic value of a certain property.

Helen Rollins Lord reminded the panel that there is a proper way to do things, and when one member is improper, the other members of the committee need to recognize it.

The meeting was adjourned. The time was 10:50.