

**BOARD OF SELECTMEN'S
MEETING MINUTES
6:50/7:00PM MONDAY, MARCH 23, 2015
YORK LIBRARY**

6:50PM: Committee Interview – Harbor Board Vacancy

Present: Chairman Mary Andrews, Vice-Chairman Robert E. Palmer, Jr., Jonathan O. Speers, Torbert Macdonald, Town Manager Stephen H. Burns, Recorder, Melissa M. Avery and members of the press and public.

Call to Order

Chairman Mary Andrews called the meeting to order at 7:00PM.

Opening Ceremonies

- A. **Minutes**
- B. **Chairman's Report**
- C. **Manager's Report**

Town Manager Stephen H. Burns stated that the Shore Road and Church Street projects are hoping to start this week. He also stated that he will be reaching out to Pan Am Railways to attempt to have the deed restrictions on York Beach Fire Station property removed. Also, the York River Wild and Scenic Project's York River Study Committee has set dates for their events, April 2 in York and April 6 in Eliot.

D. **Awards**

- 1. Introduction of New Sergeant

Police Chief Douglas Bracy introduced John Lizanecz who has worked for the York Police Department for 18 years and has been promoted to Sergeant.

- 2. Bid Award: Recreation Summer Brochure

Parks and Recreation Assistant Director Robin Cogger presented the bid received for the Parks and Recreation Departments 2015 Summer Brochure. It has been

determined that the Parks and Recreation Department will need to print 8,000 brochures, and are estimating 64 pages plus the cover will need to be printed. The following bids were received for the Parks and Recreation Department's 2015 Summer Brochure:

1. Graphic Image, Inc. \$7,620.00 and \$500.00 Sort and Tray Fee
2. RAM Printing \$8,646.00 and \$280.00 Sort and Tray Fee
3. Hawthone Creative \$9,363.00 and \$200.00 Sort and Tray Fee
4. J.S. McCarthy Printers \$10,912.00 and \$435.00 Sort and Tray Fee
5. Creative Imaging Group \$11,300.00 and didn't not quote the "Sort and Tray Fee"

Moved by Mr. Macdonald, seconded by Mr. Palmer to award the bid for the Parks and Recreation Department's Summer Brochure to Graphic Image, Inc. of Milford, CT in an amount not to exceed \$8,120.00. Vote 4-0, motion passes.

E. Reports

1. Maine Turnpike Authority: Clay Hill Road Bridge Repair Project - Sarah Zografos and Ralph Norwood
2. Village Study Committee - Ron McAllister

F. Citizens' Forum - The Citizens' Forum is open to any member of the audience for comments on items listed on this meeting agenda. 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.

Public Comment: Rozanna Patane
Charlie Black

G. Approval of Warrant #38

Moved by Mr. Macdonald, seconded by Mr. Speers to approve Warrant #38. Vote 4-0, motion passes.

H. Public Hearings

1. Proposed Ordinance Amendments for May 2015 General Referendum

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing. Without objection, so ordered.

- a. Elimination of the Sunset Clause Regarding Outside Display Along Route One (Zoning);

Public Comment: Al Cotton, Planning Board

- b. Amendment of Digital Display Sign Standards (Zoning);

Public Comment: None

- c. Match Density and Minimum Lot Size in the Watershed Protection Overlay District (Zoning);

Public Comment: None

- d. Amend GEN-3 Permitted Uses within the GEN-3 Zoning District (Zoning);

Public Comment: Lew Stowe, Planning Board
Amy Phalon, Planning Board

- e. Establish Sign Standards for “Gateway Signs” (Zoning);

Public Comment: None

- f. Artisanal Food and Beverage Ordinance (Zoning);

Public Comment: Dylan Smith, Town Planner

- g. Allow for Greater Residential Density in the York Beach Village Center Zone (Zoning);

Public Comment: Dylan Smith, Town Planner
Linda Sirois
Rick Boardman
Elaine Morgillo
Al Cotton, Planning Board

- h. Proposed New Single-Use Bag Ordinance; and

Public Comment: Victoria Simon
Mary Coseve
Ana Donnelly
Jillian Graziano
Rick Boardman
Sue Sweitak
Sarah Lakeman
Bob Lovin

Jim Wellehan
Lars Gunderson

i. Amend Ordinance Fines in 21 Town Ordinances

Public Comment: Doug Bracy, Police Chief
Rick Boardman

Moved by Mr. Macdonald, seconded by Mr. Palmer to close the Public Hearing.
Without objection, so ordered.

2. May 2015 Warrants

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing.
Without objection, so ordered.

a. May 16, 2015 FY16 Budget Referendum Warrant

Public Comment: Rick Boardman

Moved by Mr. Macdonald, seconded by Ms. Andrews to close the Public Hearing.
Without objection, so ordered.

b. May 16, 2015 School Budget Validation Warrant

Moved by Mr. Macdonald, seconded by Mr. Palmer to open the Public Hearing.
Without objection, so ordered.

Public Comment: Marilyn Zotos

Moved by Mr. Speers, seconded by Mr. Macdonald to close the Public Hearing.
Without objection, so ordered.

c. May 16, 2015 Special General Referendum Warrant

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing.
Without objection, so ordered.

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Palmer to close the Public Hearing.
Without objection, so ordered.

3. New Business Licenses

Moved by Mr. Macdonald, seconded by Mr. Speers to open the Public Hearing.
Without objection, so ordered.

- a. Stonewall Kitchen, LTD DBA: Stonewall Kitchen, LLC; Located at 2 Stonewall Lane (Food Service, Liquor)

Public Comment: None

- b. Susan Palamaris DBA: York House of Pizza; Located at 274 York Street (Food Service)

Public Comment: None

- c. Jason C. Johnson DBA: Shore Road Restaurant and Market; Located at 10 Shore Road (Food Service)

Public Comment: None

Moved by Mr. Macdonald, seconded by Mr. Speers to close the Public Hearing. Without objection, so ordered.

I. Endorsements

1. Business Licenses:

- a. Ray Ramsey DBA: Anchorage Inn; Located at 265 Long Beach Avenue (Innkeeper, Food Service, Liquor, Special Amusement)
- b. Ralph Goddard and Victory Guay DBA: Bittersweet B&B; Located at 167 Cape Neddick Road (Bed and Breakfast)
- c. Downeast Resorts, LLC DBA: Cape Neddick Inn; Located at 1273 US Route One (Food Service, Liquor, Special Amusement)
- d. Joseph A. Young DBA: Cape Neddick Lobster Pound; Located at 60 Shore Road (Food Service, Liquor, Special Amusement)
- e. RBDD Cliff House Acquisitions, LLC DBA: Cliff House Resort and Spa; Located at 591 Shore Road (Innkeeper, Food Service, Liquor, Special Amusement)
- f. John and Gail Stacy DBA: Flo's Take-Out; Located at 1359 US Route One (Food Service)
- g. Andrew and Susan Wetzel DBA: Inn at Tanglewood Hall; Located at 611 York Street (Bed and Breakfast)
- h. Jadel, LLC DBA: Rick's All Seasons Restaurant; Located at 240R York Street (Food Service, Liquor)
- i. Patrick Cragin DBA: Ridge Road Inn; Located at 281 Ridge Road (Innkeeper)
- j. Jason C. Johnson DBA: Shore Road Market; Located at 10 Shore Road (Food Service)
- k. Diana Hickey DBA: Windbreaker Restaurant; Located at 243 Long Beach Avenue (Food Service)

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following licenses: Ray Ramsey DBA: Anchorage Inn; Located at 265 Long Beach Avenue (Innkeeper, Food Service, Liquor, Special Amusement), Ralph Goddard and Victory Guay DBA: Bittersweet B&B; Located at 167 Cape Neddick Road (Bed and Breakfast), Downeast Resorts, LLC DBA: Cape Neddick Inn; Located at 1273 US Route One (Food Service, Liquor, Special Amusement), Joseph A. Young DBA: Cape Neddick Lobster Pound; Located at 60 Shore Road (Food Service, Liquor, Special Amusement), RBDD Cliff House Acquisitions, LLC DBA: Cliff House Resort and Spa; Located at 591 Shore Road (Innkeeper, Food Service, Liquor, Special Amusement), John and Gail Stacy DBA: Flo's Take-Out; Located at 1359 US Route One (Food Service), Andrew and Susan Wetzell DBA: Inn at Tanglewood Hall; Located at 611 York Street (Bed and Breakfast), Jadel, LLC DBA: Rick's All Seasons Restaurant; Located at 240R York Street (Food Service, Liquor), Patrick Cragin DBA: Ridge Road Inn; Located at 281 Ridge Road (Innkeeper), Jason C. Johnson DBA: Shore Road Market; Located at 10 Shore Road (Food Service), Diana Hickey DBA: Windbreaker Restaurant; Located at 243 Long Beach Avenue (Food Service), subject to taxes, fees and inspections being current and compliant with the usual noise stipulations. Vote 4-0, motion passes.

J. Old Business

1. Discussion and Possible Action: Furbish Redemption - Request for Additional Time

Moved by Mr. Macdonald, seconded by Mr. Speers to extend the timeline to August 31, 2015, for compliance with conditions of redemption for the properties located at 294 and 298 Mountain Road. Vote 4-0, motion passes.

K. New Business

1. Discussion and Possible Action: Move Ordinance Amendments to the May Special General Referendum

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the "Elimination of the sunset Clause Regarding Outside Display along Route One (Zoning)" amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the "Digital Display Sign Standards (Zoning)" amendment, as amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the "Match Density and Minimum Lot Size in the Watershed Protection Overlay District (Zoning)" amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the “GEN-3 Permitted Uses within the GEN-3 Zoning District (Zoning)” amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the “Establish Sign Standards for ‘Gateway Signs’ (Zoning)” amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the “Artisanal Food and Beverage Ordinance (Zoning)” amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the “Allow for Greater Residential Density in the York Beach Village Center Zone (Zoning)” amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 3-1, Ms. Andrews against, motion passes. Preference Votes: 3-1, Ms. Andrews against.

Moved by Mr. Palmer, seconded by Mr. Speers to forward Article 8 Authorizing the acceptance to a gift of land at 21 Field Avenue to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Macdonald, seconded by Mr. Speers to forward the “Fine Standardization of 21 Town Ordinances” amendment to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Palmer, seconded by Mr. Speers to forward Article 10 Authorizing the acceptance to a gift of land from the York Sewer District on Bay Haven Road to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

Moved by Mr. Palmer, seconded by Mr. Speers to forward Article 11 authorizing the acceptance to a gift of land from the York Sewer District at 410 Ridge Road, as amended to the ballot for consideration at the May 16, 2015 Special General Referendum. Vote 4-0, motion passes. Preference Votes: 4-0

2. Discussion and Possible Action: Preference Votes

a. May 16, 2015 FY16 Budget Referendum Articles

Article 1: N/A

Article 2: 4-0

Article 3:	4-0	Article 4:	4-0
Article 5:	4-0	Article 6:	4-0
Article 7:	4-0	Article 8:	4-0
Article 9:	4-0	Article 10:	4-0
Article 11:	4-0	Article 12:	4-0
Article 13:	3-0-1, Andrews Abstained	Article 14:	4-0
Article 15:	4-0	Article 16:	4-0
Article 17:	4-0	Article 18:	4-0
Article 19:	4-0	Article 20:	4-0
Article 21:	4-0	Article 22:	4-0
Article 23:	4-0	Article 24:	4-0
Article 25:	4-0	Article 26:	4-0
Article 27:	4-0	Article 28:	4-0
Article 29:	4-0	Article 30:	3-1, Macdonald against
Article 31:	4-0	Article 32:	4-0
Article 33:	4-0	Article 34:	4-0
Article 35:	4-0	Article 36:	4-0
Article 37:	4-0	Article 38:	4-0
Article 39:	4-0	Article 40:	4-0
Article 41:	4-0	Article 42:	4-0
Article 43:	4-0	Article 44:	4-0
Article 45:	4-0	Article 46:	4-0
Article 47:	3-1, Palmer against	Article 48:	4-0
Article 49:	4-0	Article 50:	4-0
Article 51:	4-0	Article 52:	4-0
Article 53:	4-0	Article 54:	4-0
Article 55:	4-0	Article 56:	4-0
Article 57:	4-0	Article 58:	3-1, Macdonald against
Article 59:	---		

b. May 16, 2015 Special General Referendum Articles

The Board addressed and took Preference Votes on the Articles on the Special General Referendum in the first item of this agenda's New Business.

Article 1:	4-0
Article 2:	4-0
Article 3:	4-0
Article 4:	4-0
Article 5:	4-0
Article 6:	4-0
Article 7:	3-1, Andrews against
Article 8:	4-0
Article 9:	4-0
Article 10:	4-0
Article 11:	4-0

3. Discussion and Possible Action: Forward May 16, 2015 Warrants
 - a. May 16, 2015 FY16 Budget Referendum Warrant
 - b. May 16, 2015 School Budget Validation Warrant
 - c. May 16, 2015 Special General Referendum Warrant

The Board chose to take action no these items at the next meeting.

4. Discussion: Preparation for March 26th Joint Meeting with Planning Board
5. Harbor Board Appointment

Moved by Mr. Macdonald, seconded by Mr. Speers to appoint Nicholas Strater as an Alternate Member to the Harbor Board, term expiring June 30, 2017. Vote 4-0, motion passes.

6. Special Event Permit Applications:
 - a. Graystone Builders' Bonfire Benefit - September 5, 2015
 - b. York Lion's Club Annual Fund Raising Auction - July 31, 2015
 - c. Big A 50K - May 2, 2015
 - d. Alzheimer's Association's Walk to End Alzheimer's - September 19, 2015
 - e. Brit Bits' Little British Cars to York Beach - June 14, 2015
 - f. Maine State Troopers Foundation's Southern Maine Thin Blue Line 5K - October 24, 2015
 - g. York Beach Fire Department's 125th Anniversary Parade and Muster - July 18, 2015
 - h. First Parish Congregational Church's Village Fair and Supper - July 11, 2015
 - i. Ellis Short Sands Park Trust's Ellis Park 4th of July Fireworks - July 4, 2015
 - j. Patriot Riders' Spring Ride for the Troops - April 26, 2015

Moved by Mr. Macdonald, seconded by Mr. Speers to approve the following Special Event permit applications subject to all, if any, conditions given by Department Heads: Graystone Builders' Bonfire Benefit - September 5, 2015, York Lion's Club Annual Fund Raising Auction - July 31, 2015, Big A 50K - May 2, 2015, Alzheimer's Association's Walk to End Alzheimer's - September 19, 2015, Brit Bits' Little British Cars to York Beach - June 14, 2015, Maine State Troopers Foundation's Southern Maine Thin Blue Line 5K - October 24, 2015, York Beach Fire Department's 125th Anniversary Parade and Muster - July 18, 2015, First Parish Congregational Church's Village Fair and Supper - July 11, 2015, Ellis Short Sands Park Trust's Ellis Park 4th of July Fireworks - July 4, 2015, Patriot Riders' Spring Ride for the Troops - April 26, 2015. Vote 4-0, motion passes.

L. Future Agendas

M. Other Business

N. Citizens' Forum

Public Comment: None

Adjourn

Moved by Mr. Macdonald, seconded by Mr. Speers to adjourn the meeting at 10:40PM. Without objection, so moved.

Respectfully Submitted,

Melissa M. Avery
Assistant to the Town Manager