

**YORK PLANNING BOARD
THURSDAY, JUNE 28, 2001 – 7:00 PM
GRANT HOUSE**

Please refer to videotape of meeting for in-depth details.

Members present at the meeting were Al Bibb, Chairman, Barrie Munro, Glenn Farrell, Dick Arnold, Dave Marshall and Torbert MacDonald. Also present was Steve Burns, Town Planner.

The meeting was called to order by Chairman Bibb at 7:04 p.m. He introduced members of the Board and asked Dick Arnold to vote for Torbert MacDonald until his arrival.

MINUTES

Motion to approve Minutes of the June 14, 2001 meeting made by Barrie Munro, second by Glenn Farrell – adopted unanimously.

Steve Burns gave a short explanation of the draft Comprehensive Plan and Zoning Ordinance amendments.

Mr. Bibb opened the public hearing at 7:14 p.m with motion by Torbert MacDonald, second by Dave Marshall. Unanimously accepted.

The Chairman asked if anyone had any comments on proposed amendments to the Comprehensive Plan . Future Land Use Map, Affordable Housing Study, Phosphorous Policy, Fisheries & Habitat Clarification and Implementation Timetable .. There were no public comments.

He then called for comments from the public on a proposed zoning amendment to amend the Historic District boundary. Again, there were none.

The following people spoke on the elimination of the Shoreland Committee:

Candace Lee, 44R Lindsay Road, stated she has been on the wait list to be heard by the Shoreland Committee since February 2001. She asked for guidance as to how the process could be sped up. Mr. Bibb told her the Board has no authority on this matter and suggested she have conversation with the Code Enforcement Office.

Michelle Moody addressed the Board stating she was not speaking as a Selectmen. She said this “bottleneck” situation occurred because of a few time consuming applications. She suggested letting the Conservation Commission hold the public hearings and urged the Board not to consider the elimination of the Shoreland/Inland Wetland Permit Review Committee.

Dave Gross, 180 Birch Hill Road, spoke as an applicant who has been on the wait list for the Committee for over one year. He believes the Committee is a stumbling stone and is in support of the exclusion of the process.

Stan Moody, Conservation Commission, stated he served on a Committee meeting the previous night. The Committee heard 16 permits that have been ongoing for the past two years. He stated that with the new regulations voted on in November 2000 only four of those 16 permits would have the need to go before the Committee. He feels that the public’s input is critical.

Mr. Lee stated the system in place now is inefficient.

An applicant, 181 Birch Hill Road, stated he cannot start his family because of the delay and is in favor of the elimination of the Committee.

Bob Reed said he supports the elimination of the Committee. He read into the record a letter from his clients, Michael and Janice Rezuke, whose application was heard by the Shoreland/Wetland Committee and would now like to reduce the size of their proposed dwelling and were told they would have to go before the Committee again – another long wait. A copy of this letter is attached. Mr. Reed stated he feels the Code Enforcement Officer is more capable than the Conservation Commission in making decisions.

Bob Grant, builder, said he favors abolition of the Committee.

Ed Ciampa said he feels the testimony from experts required by the Committee is necessary and suggested private financing of the process.

Vallana Pratt-Decker, Assistant Code Enforcement Officer, told the Board that applications are being moved up slowly but a step in the right direction. There are many drainage problems and parts of York are in need of a drainage utility.

Bob Reed, responding to the draft amendment on the replacement of non-conforming structures, stated that trying to save portions is dangerous and makes for a substandard structure in the long run.

New requirements for the Noise Ordinance – Michelle Moody stated that amplified entertainment from Short Sands area could be heard up on the Nubble.

Beth Dutton, began a petition against noise in the beach area. She stated it was because of the concerts and would like them to be non-amplified. She feels that even if the noise does not meet the decibel level – it is still disturbing.

Zoning & Overboard Discharge Ordinance – New requirements – no public comment.

Zoning & Function Subdivision Ordinance – no public comment.

Stanley Moody said Planning Board approval is required for dorm housing and standards for such need to be implemented.

Public hearing closed at 8:05 p.m. Glenn Farrell made motion, second by Torbert MacDonald. Unanimously adopted.

The Board began discussion on the draft Plan and Ordinance amendments.

Amendment #3 – Torbert MacDonald asked Steve Burns why he was eliminating the York River in this amendment. Confusion was straightened out as nothing is being eliminated.

Mr. MacDonald stated he sympathizes with all applicants waiting to be heard by the Shoreland Wetland Permit Review Committee but does not feel the Committee should be eliminated. The Conservation Commission has no power and this gives them such. He believes applications should be categorized, i.e., those that can be issued by the Code Enforcement Officer and those needing Committee review. He

believes this would work. He also volunteered to be a permanent member of the Shoreland Wetland Permit Review Committee.

Steve Burns clarified that abutters would be notified if done administratively and they would have 20 days to provide comments to the Code Officer.

Al Bibb asked that Steve Burns rewrite those amendments needing changes and stated the Planning Board will address them at the July public hearing.

On Issue #14, Barrie Munro asked that BOCA be defined with footnote.

As for inspection timelines it was suggested they be contracted out at the applicant's expense.

The meeting broke for a 5-minute recess.

Planning & Ordinance Committee – Susan Trowbridge addressed the Board and explained the two major issues: the draft of the Ordinance and what the process might be for Planning Board input. She stated that by Thanksgiving time the draft Ordinance would be complete. She spoke about upcoming citizen meetings and stated there will a special one held just for seasonal residents as some feel they have no “say so”.

Al Bibb suggested the Planning Board and Planning and Ordinance Committee have a combined meeting in early August and another in late September.

Employee housing at hotels and motels – it was noted the Board of Appeals upheld the Planning Board's previously made decision.

Al Bibb addressed the issue of Torbert MacDonald's memo presented to the Board of Appeals before giving it to the Planning Board. Mr. MacDonald stated he objects to dormitories at the Anchorage and stated the Planning Board played fast and loose with this accessory use and ran past the footnotes in the Ordinance. He feels a new use has been created without standards and permitted it to be too dense. Glenn Farrell said he wanted time to read the letter and said it should be placed on a later agenda.

Mr. Bibb reminded the Board of upcoming site walks.

Torbert MacDonald stated the Coastal Mosaic has agreed to help with project discussed at the previous meeting.

Meeting adjourned at 9:55 p.m.