

York Planning Board
Thursday, January 12, 2017, 7:00 P.M.
York Public Library

Call to Order, Determination of Quorum; Appointment of Alternates

Chairperson Amy Phalon called the meeting to order at 7:00. A quorum was determined with five people voting; Amy Phalon, Vice Chair Pete Smith, Board Secretary Gordon Eldridge, Al Cotton, and alternate Wayne Boardman, who was appointed as a voting member in place of Lew Stowe who was absent due to illness. Alternate Kathleen Kluger was present, but did not vote. Patience Horton took minutes. Director of Planning, Dylan Smith, represented staff for the 731 Route 1 application. Assistant Planner, Scott Hastings represented staff for all other matters.

Public Forum

No one came forward to speak.

Minutes

Review of the Minutes was moved to Other Business at the end of the meeting.

Field Changes

York Country Federal Credit Union, Tax Map & Lot 0053-0002

Project Engineer Tom Greer said the propane tank at the Credit Union is being moved to a parking island farther away from the building. Power cables and phone lines will be run underground through a conduit under Route 1 instead of running from poles above ground, as previously planned. The burying work will be done when the road is opened up for the Water District's water line.

Motion: Al Cotton moved to approve the relocation of the propane tank and utility lines. Pete Smith seconded. The motion passed 5-0.

Public Hearings – Applications

731 Route 1; Map & Lot: 0094-0014

Route 1 Use Permit and site plan approval for a 9,600 square foot commercial building with three uses. One is for interior boat storage, one for marine related retail, and one for a marine related machine shop.

Motion: Gordon Eldridge moved to open the public hearing. Pete Smith seconded. The motion passed 5-0.

Chairperson Amy Phalon asked if any member if the public wished to speak to the application. No one came forward to speak.

Dylan Smith: Improvements have been made to the parking lot, access layout, and landscape plan. The abutter agrees with the evergreen tree buffer on the south side of the lot. Dean Lessard has approved the traffic analysis. The performance guarantee has been received.

Project engineer Geoff Aleva showed that one entrance from Route 1 had been eliminated. The remaining entrance has good sight distance. The entrance is illuminated with LED lights. The lights are shielded and down-lit. Windows have been added along the sides of the building.

Trucks will get to the rear loading docks from one side of the building. Enough pavement has been reduced to support waiving the setback requirement of 100 feet to be 75 feet. The stormwater system has detention ponds that are more than adequate. A stormwater maintenance plan will be given to the owner.

Additional landscaping has been added between this property and the abutting Wild Willie's restaurant. Buffering will not be needed behind the building as there is more than adequate natural vegetation to shield the residential areas back there. The board discussed the Canadian hemlock screening material. Geoff Aleva said he would work with Staff to make sure the species is not banned in this part of Maine.

Kathleen Kluger had spoken to some rear abutters. They do not want light shining at them, and they do not want to look at a manufacturing operation.

Motion: Pete Smith moved to waive the requirements of Section 6.3.13.4 regarding materials on the exterior of the building to allow cementitious siding and PVC trim. Al Cotton seconded. The motion passed 5-0.

Motion: Pete Smith moved to accept, for preliminary and final acceptance, the application for 731 Route 1, Map and Lot 0094-0014, with a condition precedent that the revised stormwater plan is approved by the Town Engineer. Al Cotton seconded. The motion passed 5-0.

42 Brickyard Court; Map & Lot 0053-0022-E

Route 1 Use Permit for a new office use in an existing building that has been used for storage for more than two years. No site work is proposed.

Scott Hastings: The applicant wants to use the existing building for office space. This is an allowed use. For the last few years, it has been used for storage by York Hospital. There is an excess of parking. It is shielded from Route 1 by the landscaping on site.

Motion: Al Cotton moved to accept the application for review. Wayne Boardman seconded. The motion passed 5-0.

Motion: Pete Smith moved to open the public hearing for 42 Brickyard Court, Map & Lot 0053-0022-E. Al Cotton seconded. The motion passed 5-0.

Applicant Jim Fecteau represented Abierto Networks, an IT company that has 15 employees. They make “digital signage.” They have outgrown their location in Eliot and need more space.

Amy Phalon invited the public to come forward and speak to the application. No one did.

Motion: Pete Smith moved to waive Site & Sub Regulation 6.5.2, requiring submission of a boundary survey, and Site and Sub Regulation 6.5.3, requiring the submission of an existing conditions plan for the application of 42 Brickyard Court, Map & Lot 0053-0022-E. Al Cotton seconded. The motion passed 5-0.

Motion: Pete Smith moved to approve the application from 42 Brickyard Court, Map & Lot 0053-0022-E. Al Cotton seconded. The motion passed 5-0.

York Woods Subdivision, 142 York Street; Map & Lot 0091-90009
Sketch plan review for a 124 unit condominium development on a 110 acre parcel.
As a sketch plan, this is a conceptual, non-binding review, and no action will be taken by the board.

Motion: Al Cotton moved to open the public hearing. Pete Smith seconded. The motion passed 5-0.

Scott Hastings: The primary issue is the road, which is designed with a single entry and exit point located at York Street, just past the Elementary School. Site & Sub regulations require that a subdivision that size has to have at least two entry and exit points, so a waiver will be required for a single entrance. A waiver will also be needed for the grade of the road where it comes off York Street and goes up the hill. It is not known if the road is intended to be accepted by the Town. There are natural resource constraints on the site, including wetlands with a number of vernal pools. It is a heavily wooded site.

Project engineer Tom Greer, of Pinkham and Greer, said that this property is owned by the Davis Trust. It is in the GEN-3 district. Part of the property runs parallel to York Street and is in the Historic Zone. A section is in the Shoreland Zone. There is wetland in the middle and back of the land. There are steep slopes. The single-access road comes in from York Street, loops around, and comes back out. It is intended to be an age 55+ community.

Pete Smith read a letter addressed to the Planning Board and signed by 50 people. Judging by their addresses, most of them seem to reside near the proposed York Woods project, he said. The letter says that there has to be a great deal of regard for the safety of pedestrians, especially children who are attending the two schools in the area. The traffic

assessment underestimates the number of cars there are on York Street during peak hours. There is an extensive, concentration of historic buildings that could be impacted by the development. The development is being placed on the only unfragmented block of natural acreage near the village. The property is a key wildlife corridor. The letter closes and is signed, “Respectfully,” [with 50 signatures].

Chairperson Amy Phalon asked audience members who wished to make public comments to come forward to the microphone.

- Frances Koerschner, 151 York Street, had reviewed Site-Sub Regulation 1.2.5, Traffic Safety. This road is a terrible safety hazard. The traffic study done by Maine Traffic Resources calculated that the weekday number of one-way trips generated is 728. It is an accident waiting to happen.
- Betsy Goodwin, 130 York Street, the mustard colored 1748 Colonial, said that if the road is built, she will see cars 15 feet away from her kitchen window. Blasting will disrupt her granite foundation. The traffic study predicts 824 one-way trips a day—imagine the children not paying attention. A 2010 Department of Transportation study of Route 1A showed there are more than 15,000 cars going down York Street every day.
- Julie Adams, 107 York Street, has two small children. Increased traffic means more speeding and more distracted drivers. To get drivers’ attention, she has “poked” her red umbrella into the street to get cars to stop and allow her and her children to cross. People “careen” past the 15 mph blinking sign during school hours and then drive up the hill to the school.
- Cliff O’Connor is the Assessor at First Parish Church, United Church of Christ, and he represents the Church and the Cemetery. His concerns include:
 - 1) Protection of the Cemetery as a sacred place, and that the impact the development may have on future cemetery expansion;
 - 2) Increased costs to maintain and protect the cemetery and Parish Woods with increased use. These include fencing, lighting, signage, and maintenance of the trails;
 - 3) The safety and environmental impact increased usage would have on the Parish Woods to both animals and to those who enjoy the peace and serenity of the Woods currently;
 - 4) Concerns about what screening, landscaping, and buffers the developers would be required to provide to minimize the impact of the development; and
 - 5) The increased traffic on York Street.
- Joey Donnelly, 6 Clarks Lane, hopes the Town fathers “will take advantage of the Davises’ offer to the Town and acquire this piece of land. It is rare for a town to have a 100 acre parcel so close to the center of Town. No matter how well done this proposed housing could be, it would never add the value and the beauty to the town that the existing land does.”
- Diane Bright, 32 Donica Road, said a developer can change its mind about providing an age 55+ housing development at any time. She walks through Davis property every day and sees deer, fisher cats, coyote, and hawks that come across the wetlands

by Little River.

This a wildlife corridor. She wants all the kids in the Village area and the schools to be able to use it. She wants to see the Town take up the Open Space Initiative.

- Joel Lefever, 106 York Street, is the director of Old York Historical Society, and spoke as a private citizen and abutter to the property. He said that this is the last undivided 17th century farmstead in York. It was given by the people of York to Abraham Preble in 1642. It is not protected under the Historic District Ordinance, but it is a significant property. Joel is the father of an eight-month old son. York Street is a neighborhood that thousands of people travel every day. He would like to see the quality of life on York Street remains strong, rather than have a 100-unit condo development in his back yard.
- Anna Copeland, 180 York Street, is the pastor of First Parish Church. She spoke as a private citizen. She cares that the sounds of church bells, which make a difference for so many people who live there, continue to be a central part of the York community. She is not against development, if it is responsible.
- Brian Wood, 7 Ledgeview Lane, asked if the radius of the northern loop of the sub-development road is built to town standards. Can the radius be diminished in diameter? If so, some of the units on the easterly boarder with North Parish Woods could be brought back further from the 30 foot setback.
- Bill Massidea, 127 York Street said that in the summer you can't get out in traffic because it is bumper to bumper. In winter you can't get out because cars are going 50 to 60 mph. Children walk past that place. "One driveway in and out? No."
- Greg Orso is the attorney for the abutters. If the builder is going to commit to an age 55+ development, the abutters deserve to have the builder stick to the plan.
- Tom Hoffman, 83 Fieldstone Estates, lives in the area of the steep slopes. His land abuts the Little River. He is concerned about the impact on wildlife and also about light pollution. He said he looks into the woods, listens to the wildlife, and sees darkness, which will all change with the development of the hill.
- Brian Day, 26 Donica Road said there already is a problem with runoff. Water gets very deep on the lot next to his. He said that when this land is developed, it will be the end of hunting deer with bow and arrows. This is one of the last spots in York for that, he said.
- Lee Drennan, 59 Woodbridge said she is concerned about the addition of another driveway. She runs every day. People don't see her. Construction vehicles coming in and off the new road would not see all the children going to and from school, and the children are easily distracted.

Chairperson Amy Phalon closed the "public portion" of the public hearing.

In discussion, Tom Greer said that, if there is going to be a second entrance, it will be off Donica Road. Blasting might be necessary for water and sewer lines. The road will require very little blasting.

Wayne Boardman asked if the Davis family might be willing to present a smaller project, with the majority of the land then being sold to the Town or for a conservation easement.

Tom Greer said he would present that idea to the Davises and suggested having the Selectmen or Town Manager write a letter to the Davises to start that dialogue.

Other Business

Minutes

The November 17, 2016 minutes were reviewed and changes were requested.
Motion: Al Cotton moved to accept the changes to the November 17, 2016 Minutes.
Pete Smith seconded. The motion passed 5-0.

The December 8, 2016 Minutes were reviewed and changes were requested.
Motion: Al Cotton moved to accept the changes to the December 8, 2016 Minutes.
Wayne Boardman seconded. The motion passed 5-0.

The December 20, 2016 Minutes were reviewed and changes were requested.
Motion: Al Cotton moved to accept the changes to the December 20, 2016 Minutes.
Gordon Eldridge seconded. The motion passed 5-0.

Findings of Fact

Motion: Pete Smith moved that the Board authorize the Chair to sign the Findings of Fact for the Philip Brown property, Map/Lot 0052-0037-A, 7 Carriage Barn Lane.
Gordon Eldridge seconded. The motion passed 5-0.

Motion: Pete Smith moved that the board authorize the Chair to sign the Findings of Fact for York Community Service Association, 855 Route 1, York Maine, and Map/Lot 0094-0069-B. Al Cotton seconded. The motion passed 5-0.

Discussion

Planning Board meetings will be held in a different location for the two February, 2017, meetings. The location, or locations, will be announced.

Town Finance Director, Wendy Anderson, asked the Planning Director if meeting days could be changed from the second and fourth Thursdays of the month, to the second and third Thursdays of the month. Several Board members said they have prior commitments and cannot change their schedules.

The following plans were signed.

- YCSA
- Anchorage Workforce Housing expansion.

Adjourn

Pete Smith moved to adjourn. The time was 9:45.