

**TOWN OF YORK PLANNING BOARD
THURSDAY, MARCH 29, 2001 - 7:00 P.M.
GRANT HOUSE**

MINUTES

BOARD MEMBERS PRESENT WERE GLENN FARRELL, VICE-CHAIRMAN, DAVE MARSHALL AND TORBERT MACDONALD. OTHERS PRESENT WERE STEVE BURNS, TOWN PLANNER, VALLANA PRATT-DECKER, A VOLUNTEER IN THE CODE AND PLANNING DEPARTMENT AND CHERYL TROTT, RECORDING SECRETARY.

BOARD MEMBERS THAT WERE NOT PRESENT WERE AL BIBB, CHAIRMAN, BARRIE MUNRO AND RICHARD ARNOLD.

PLANNING AND ORDINANCE COMMITTEE UPDATE. DISCUSSION WITH LOU STOWE ABOUT THE STATUS OF THE COMMITTEE'S WORK TO DATE.

LOU STOWE STATED HE HAD A NUMBER OF REPORTS TO HAND OUT (ATTACHED). THE COMMITTEE IS GOING TO HAVE A WEB SITE, HAVE BEEN WORKING WITH ROB BUTLER FROM THE HIGH SCHOOL SHOOTING FOR UP AND RUNNING DATE OF APRIL 11, 2001. HAD GOOD AND BAD NEWS, GOOD NEWS IS THAT THE COMMITTEE IS ON SCHEDULE - BAD NEWS IS THE SCHEDULE HAS BEEN EXTENDED. THERE ARE 15 ARTICLES, 9 HAVE BEEN COMPLETED. HAVE ESTABLISHED WHO IS GOING TO DO WHAT AND HOW IT IS GOING TO BE DONE. FIVE MAJOR AREAS LOOKING TO COVER: 1) VILLAGE CENTER ZONES, 2) SEASONAL RESIDENTS, 3) RESIDENTIAL ZONES, 4) RURAL ZONES AND 5) ROUTE ONE ZONES. REGARDING THE VILLAGE AREAS THE COMMITTEE IS DEVELOPING A PURPOSE STATEMENT FOR EACH ONE OF THE AREAS. EACH ONE IS DIFFERENT. THE NEXT MEETING IS APRIL 5, 2001 AND THEN WILL EXPECT ANOTHER 3-4 MEETINGS. LETTING THE PROCESS DICTATE THE MEETINGS. USING GIS AT MEETINGS AT LARGE EXTENT. VERY POSITIVE MEETINGS, WELL PARTICIPATED. PLAN TO HAVE FOCUS MEETINGS FOR AREAS SUCH AS BED AND BREAKFASTS, CAMPGROUNDS, FARMING, FISHING, ETC. MAY HAVE THESE DURING THE DAY FOR BUSINESS PEOPLE. MEETING TIME TABLE LOOKS LIKE JANUARY 2002 TO FINISH UP.

MR. BURNS STATED THAT HEARINGS WILL BE IN 2002, THIS IS A WORKABLE TIME FRAME.

LOU STOWE COMMENTED THAT THE COMMITTEE WILL BE COMING BACK DURING WORK SESSIONS TO THE PLANNING BOARD WITH CERTAIN ITEMS THROUGHOUT THE PROJECT. ASKED IF THERE IS ANYTHING THE PLANNING BOARD WOULD LIKE FOCUSED ON.

MR. MACDONALD ASKED ABOUT THE FAMILY SUBDIVISION. LOU STOWE STATED THEY WANT TO SUPPORT THE INDIVIDUALS IN TOWN WHO HAVE OWNED LAND FOR GENERATIONS. ENCOURAGE THIS LAND TO STAY IN FAMILIES, SUPPORT THEM AND ALLOW THEM A BREAK IN THE ORDINANCE.

MR. BURNS STATED THAT IN THE COMPREHENSIVE PLAN IT STATES THAT THE CEO WILL REVIEW ALL NEW SUBDIVISIONS OF 2 LOTS, 3 OR MORE LOTS WILL GO TO THE PLANNING BOARD. THE SELECTMAN HAVE ASKED

FOR A COMPROMISE. DRAFT PAGES 53 AND 59 LIMITS FAMILY DEFINITION. THEY ARE EXEMPT FROM MUNICIPAL REVIEW.

MR. MARSHALL COMMENTED THAT BEFORE THIS PROPOSED CHANGE HAD TO MEET ALL STANDARDS. MR. BURNS STATED THEY ARE NOT SUBJECT TO NET BUILDABLE. MR. MACDONALD COMMENTED THIS IS FOR 2 LOTS IN A 5 YEAR TIME FRAME. MR. BURNS STATED THERE IS NO TIME LIMIT, NO LIMIT ON LOTS. THERE CAN ONLY BE ONE LOT PER FAMILY MEMBER.

MR. MACDONALD QUESTIONED IF THE TOWN ATTORNEY HAD REVIEWED THIS. MR. MARSHALL STATED THAT THE STATE STATUE ALLOWS FOR FAMILY SUBDIVISIONS. MR. BURNS STATED THEY NEED TO GET LEGAL REVIEW, CEO'S ASKED TO REVIEW. MR. MACDONALD ASKED IF THIS WOULD APPLY TO PROPERTY OWNERSHIP FROM A SPECIFIC DATE. MR. MARSHALL STATED ONCE THE PLANNING BOARD HAS LOOKED AT A PROPERTY THEY WOULD NOT BE ELIGIBLE. MR. BURNS STATED THAT ONCE IT WAS LOOKED AT BY THE PLANNING BOARD IT WOULD NEED TO ALWAYS GO BACK THROUGH PLANNING BOARD FOR ANY CHANGES. MR. MACDONALD COMMENTED THIS IS AN INTERESTING CONCEPT. BELIEVES THAT EXTENDING TO NEW OWNERSHIP IS NOT SUCH A GOOD IDEA. MR. MARSHALL COMMENTED THEY ARE JUST TIGHTENING UP WHAT HAS ALWAYS BEEN.

LOU STOWE STATED THAT AS A RESULT OF SCHEDULE CHANGING THE COMMITTEE IS MEETING ALMOST EVERY WEEK. HE INVITED PLANNING BOARD MEMBERS TO ATTEND MEETINGS. HAVE A 36 PAGE SUMMARY OF THE COMPREHENSIVE PLAN THAT THEY ARE USING AS A CHECKLIST FOR ISSUES. THIS WAS GIVEN TO BARRIE MUNRO DUE TO HIS WORK ON THE COMPREHENSIVE PLAN.

OVERBOARD DISCHARGES ON THE YORK RIVER. VALLANA PRATT-DECKER, A VOLUNTEER IN THE CODE AND PLANNING DEPARTMENT, WILL PROVIDE AN UPDATE ON HER EFFORTS TO ELIMINATE OVERBOARD DISCHARGES ON THE YORK RIVER. ELIMINATION OF THE OVERBOARD DISCHARGES IN THE YORK RIVER IS AN IMMEDIATE COMP PLAN IMPLEMENTATION TASK ASSIGNED TO THE CODE AND PLANNING DEPARTMENT.

MR. BURNS INTRODUCED VALLANA PRATT-DECKER.

MS. PRATT-DECKER GAVE HANDOUTS TO THE BOARD (ATTACHED). SHE WENT OVER THE HANDOUTS WITH THE BOARD AND STATED THAT BOSN'S LANDING IS THE HIGHEST PRIORITY AND WILL BE STARTED AROUND APRIL 23, 2001 WITH A COMPLETION DATE OF AROUND JULY 1, 2001.

MR. MACDONALD STATED THERE IS AN IMMEDIATE NEED FOR A WATERSHED PROTECTION OVERLAY DISTRICT, WOULD LIKE TO GO FORWARD WITH THIS YEAR.

MS. PRATT-DECKER STATED THE ATLANTIC OCEAN RAISES OTHER ISSUES, THESE ARE LOWER PRIORITY AND LOWER HEALTH RISKS. ALSO THERE ARE ISSUES WITH THE CAPE NEDDICK RIVER.

MR. BURNS POINTED OUT THAT IN THESE OTHER ISSUES THERE ARE NO LICENSED OVERBOARD DISCHARGE ISSUES JUST FECAL COLIFORM ISSUES.

MR. MACDONALD ASKED MS. PRATT-DECKER IF SHE HAS SEEN PAUL NOW'S OVERBOARD DISCHARGE ANALYSIS SURVEY. MS. PRATT-DECKER STATED SHE HAS HEARD OF THERE BEING ONE BUT HAS NOT LOOKED INTO IT AND ASKED WHAT YEAR THIS WAS DONE. MR. MACDONALD STATED HE BELIEVED ABOUT 8 YEARS AGO. MR. MARSHALL ASKED IF THE COST FIGURES WERE ESTIMATES. MS. PRATT-DECKER STATED THEY FIGURED A LITTLE HIGH, THERE ARE PRETTY TIGHT CLAY SOILS IN AREAS. MR. MACDONALD ASKED IF THEY WERE LOOKING INTO NON TRADITIONAL SYSTEMS. MS. PRATT-DECKER STATED THERE MAY BE HIGHER TECH SYSTEMS AND WAS OPEN TO IDEAS NEED TO GO THROUGH REVIEW.

MR. MACDONALD STATED THAT IF YOU HAVE A PLACE WHERE A TRADITIONAL SYSTEM WILL NOT WORK, MAY BE A LOWER PERCENTAGE OF HIGHER TECH SYSTEMS. MS. PRATT-DECKER COMMENTED THEY WILL CONSIDER AND TALK WITH DESIGNERS AND WILL LOOK AT CREATIVE DESIGNS.

MR. MARSHALL ASKED IN A CASE LIKE THIS THAT IS SPONSORED BY STATE FUNDING, WHAT IF THE SOIL TESTS ARE NOT PROPER FOR THE DESIGN. MR. FARRELL STATED THAT STANDARDS ARE LOWER FOR REPLACEMENT SYSTEMS.

MS. PRATT-DECKER STATED SHE SEES CHALLENGES, BUT NOTHING THAT WILL STOP ANY OF THESE PROJECTS. THERE IS QUITE A BIT OF FLEXIBILITY FOR REPLACEMENT SYSTEMS.

COMP PLAN AMENDMENT FOR A MAY 2001 SPECIAL GENERAL REFERENDUM. DISCUSS DRAFT COMP PLAN AMENDMENT REGARDING GROWTH CAPS THAT WAS DISCUSSED AT THE JOINT MEETING OF THE PLANNING BOARD AND BOARD OF SELECTMEN. THIS HAS BEEN POSTED BY THE SELECTMEN FOR PUBIC HEARINGS ON APRIL 2 AND 23.

MR. BURNS STATED THIS IS A QUICK FOLLOW UP. NEED TO MATCH LANGUAGES FOR COMPREHENSIVE PLAN AND GROWTH CAP. NEED TO ADDRESS BOTH SHORT-TERM AND LONG-TERM. PUBLIC HEARINGS ARE SCHEDULED FOR APRIL 2 AND 23.

NEW ISSUES FOR THE NOVEMBER 2001 GENERAL REFERENDUM. DISCUSS ITEMS FOR THE NOVEMBER GENERAL REFERENDUM THAT WERE NOT ADDRESSED AT THE FEBRUARY WORKSHOP. OR GREATEST SIGNIFICANCE IS THE WORK OF THE TELECOMMUNICATIONS COMMITTEE TO OVERHAUL TELECOMMUNICATIONS PROVISIONS.

GARY RAPIER, REPRESENTING THE TELECOMMUNICATIONS COMMITTEE, GAVE A DRAFT HANDOUT TO THE BOARD (ATTACHED). THERE ARE FOUR PEOPLE ON THE COMMITTEE WHO HAVE STUDIED THE INDUSTRY AND THE CURRENT ORDINANCE. THERE ARE CURRENTLY THREE TOWERS IN TOWN. ANYTHING OVER 200' NEEDS TO MEET FAA STANDARDS, WHICH MEANS LIGHTS. WOULD LIKE TO LOOK AT PROPOSING TOWERS UNDER 180' AND FORCING TO CO-LOCATE. THIS IS WORK IN PROGRESS AND WOULD WELCOME ANY INPUT. IT IS A TOUGH SITUATION AND NEEDS TO BE A WIN/WIN SITUATION. WITH STUDY HAVE DECIDED MAY NEED ONE OR TWO MORE TOWERS IN YORK TO PROVIDE ADEQUATE COVERAGE. IDEA IS TO CREATE AN OVERLAY DISTRICT THAT WILL TELL WHERE TOWERS COULD POSSIBLY BE LOCATED. HAS A MAP IN HANDOUTS SHOWING POSSIBLE AREAS, LOOKING FOR INPUT.

MR. MACDONALD ASKED ABOUT THE VILLAGE LOCATION AND DIFFERENCE IN TOPO. GARY RAPIER STATED THEY ARE LOOKING AT VISUAL IMPACT, DENSE COVERAGE OF FORESTRY IN AREA. MR. MACDONALD STATED HE LIVES IN FRONT OF FOREST, ADJACENT TO WATER TOWER. REFERS TO PAGE 9, SECTION 8 AND STATED A WATER TOWER WOULD BE PREFERABLE. GARY RAPIER STATED THERE ARE DIFFERENT TYPES OF TELECOMMUNICATION DEVICES, SOME ARE ALLOWED ANYWHERE. THESE ARE STRICT REQUIREMENTS FOR TOWERS. MR. MACDONALD COMMENTED THAT IN 10 YEARS TIME WILL ALL BE SATELLITE BASED.

GARY RAPIER STATED THAT IS NOT FINANCIALLY FEASIBLE AT THIS TIME AND DOES NOT ALLOW FOR ADEQUATE COVERAGE. WITH NEW ORDINANCE THERE WOULD BE NO TOWER OUTSIDE THE OVERLAY DISTRICT.

MR. MACDONALD STATED THAT REFERENCES TO PERMITTING AUTHORITY IS CONFUSING AND HE WOULD LIKE TO SEE THE PLANNING BOARD BE INVOLVED IN ALL PERMITTING.

MR. BURNS STATED HE HAS NOT GIVEN FEED BACK ON ADMINISTRATIVE ISSUES. BIG ISSUES WITH ADMINISTRATIVE PROVISIONS AND POSSIBLE CHANGES IN ZONING. SUGGESTED TO PURSUE AS STAND ALONE AND INTEGRATE INTO ZONING ORDINANCE. HAS PROMISED HE WOULD REVIEW BY APRIL 4.

GARY RAPIER STATED HE WOULD LIKE TO OFFER A STREAMLINED PROCESS FOR CO-LOCATING, A BENEFIT OF CO-LOCATING. MR. MACDONALD QUESTIONED HEALTH ISSUES. MR. BURNS STATED THAT UNDER FEDERAL LAW THIS IS NOT AN ISSUE. MR. MACDONALD COMMENTED HE FEELS THE HEALTH ISSUES OF THE CURRENT MOUNTAIN TOWER AND DOESN'T FEEL ANYONE SHOULD BE BENDING OVER BACKWARD TO LET TOWERS COME IN.

MR. MARSHALL STATED HE WOULD LIKE TO MAKE IT MANDATORY TO LOOK AT OTHER TECHNICAL OPTIONS AND ISSUES AND WOULD RATHER SEE ON A WATER TOWER THAN IN MIDDLE OF THE FOREST.

MR. FARRELL STATED THE BOARD APPRECIATES AND THANKS THE COMMITTEE FOR ALL ITS WORK. IF THERE ARE ANY QUESTIONS WOULD LIKE TO HAVE COME BACK TO BOARD.

OTHER BUSINESS

MR. MACDONALD STATED THAT AT THE LAST MEETING DISCUSSED THE INADEQUACY OF THE SHORELAND ZONING MAP AND HAS LOOKED INTO IDEAS ON GETTING THIS ISSUE RESOLVED. ONE THOUGHT IS MULTI-SPECETERIAL PHOTOS. WOULD COST AROUND \$100 PER KILOMETER, THERE ARE 55 SQUARE MILES IN TOWN.

MR. MARSHALL ASKED IF THERE IS A SAMPLE OF WHAT THE WATER DISTRICT DID. MR. MACDONALD STATED THAT THE OTHER THING IS DOING A GRANT APPLICATION FOR DEP. MR. FARRELL QUESTIONED WHO WILL WRITE THE GRANT. MR. MACDONALD STATED HE WOULD. MR. FARRELL COMMENTED THE DEADLINE IS MAY. MR. BURNS STATED HIS CONCERN IS THAT HIS HANDS ARE FULL AT THIS TIME. MR. MACDONALD STATED HE WILL VOLUNTEER AS PROJECT MANAGER/GRANT WRITER AND WILL COME BACK WITH A GRANT PROPOSAL. MR. BURNS STATED HE IS NOT INTERESTED IN OVERSEEING.

MOTION MADE BY MR. MARSHALL TO PROCEED WITH DRAFT GRANT REQUEST, SECOND BY MR. FARRELL. VOTE 3-0.

MR. BURNS COMMENTED THAT THE DRAFT APRIL AGENDA HAS 13 APPLICANTS, SUGGESTS PULLING QUICK THINGS TO WORKSHOP AGENDA.

MOTION MADE BY MR. MACDONALD TO ADJOURN MEETING, SECOND BY MR. MARSHALL. VOTE 3-0. MEETING ADJOURNED AT 9:15 P.M.