

York Planning Board
Thursday, January 14, 2016, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum; Appointment of Alternates

Chairman Peter Smith called the meeting to order at 7:00. A quorum was determined with five people voting, Chairman Pete Smith, Vice Chair Amy Phalon, Board Secretary Gordon Eldridge (representing York Beach), Lew Stowe, and Al Cotton. Alternate Wayne Boardman was present, but did not vote. Alternate Kathleen Kluger was not present. Scott Hastings and Lee Jay Feldman represented staff. Patience Horton took Minutes.

Public Forum

Helen Rollins commented on the outcome of the Appeals Board meeting, “last night.” She said a lot of decisions rested on a memo from Steve Burns, which didn’t have any backup to it. Several documents that were supposed to have been included in the Appeals Board packet were not. When dealing with the Appeals Board, make sure that all the backup documentation has actually gotten to them.

In board discussion, after Helen had spoken, Peter Smith explained that last night, the Appeals Board decided that the Planning Board’s approval of the Cliff House application was valid. The Planning Board had the right authority and understood the situation.

Minutes

The December 10, 2015, Minutes were reviewed and changes were requested.

- **Motion:** Lew Stowe moved to approve the December 10, 2015, Minutes as amended. Amy Phalon seconded. The motion passed, 5-0.

The December 17, 2015, Minutes were reviewed and changes were requested.

- **Motion:** Lew Stowe moved to approve the December 17, 2015, Minutes as amended. Al Cotton seconded. The motion passed, 4-0-1. Amy Phalon did not vote because she had not attended the meeting.

Field Changes

Bruce Martin of 20 Riverview Drive shares a duplex with **James and Nadine Reuter** (19 Riverview Drive), and spoke on their behalf.

Assistant Town Planner Scott Hastings explained that each unit in the duplex has two bedrooms and an office. The shared septic system has enough capacity for five bedrooms between the two units. The Reuters wish to turn their office into a third bedroom, meeting the full five bedrooms provision for the duplex. The Director of Code Enforcement, Amber Harrison, has approved the one bedroom conversion, citing adequate capacity for the septic system.

Motion: Amy Phalon moved to approve the field change for 19 Riverview Drive, Map 18, Lot 5G. Al Cotton seconded. The motion passed 5-0.

Application Reviews and Public Hearings:

York High School Auditorium. 1 Robert Stevens Drive
Map & Lot 0038-0005; Owner: Town of York. Preliminary plan review for proposal to demolish the existing auditorium and mixed-use room at the York High School and replace it with a larger auditorium, lobby, and additional small rooms.

Lee Jay Feldman, Director of Planning for the Southern Maine Development and Planning Commission, and staff planner for this application, had arranged for this public hearing to be held. The application is complete for purposes of review, but it cannot go through the approval process now, because the referendum for the ordinance amendment allowing the height variance for the building has not been held. It will be held on January 30, 2016. Mr. Feldman had suggested the board hold the hearing and table tonight's actions. The application can be resumed and approved when the ordinance amendment has been approved by the voters.

Al Cotton requested **Personal Privilege** to not hold the hearing tonight, but hold it at a later date. This is acceptable under Roberts' Rules. The first time an application comes before the board, any member can postpone the hearing to the next calendar date. It is premature to discuss the auditorium before the vote on the building height ordinance, he said.

Chairman Pete Smith said the meeting of February 18, 2016, will be the next opportunity to continue this hearing. He agreed that it makes more sense to hold it until after the amendment vote.

Workshop on Discussion of Findings of Fact Requirements and Process

Chairman Peter Smith began the discussion about optimal preparation of the Findings of Fact. Article 6.4.27 describes what should be in the Findings, but does not detail the best way to make the document sound and legal. The Findings of Fact and the Plan set are the two elements that make a complete, clear picture of what is set forth to be accomplished.

Scott Hasting said that when he was hired as Assistant Planner, he assumed he would be taking a large part of drafting the Findings of Fact. He specifically has time allotted for that task.

Lew Stowe described how former Town Planner, Christine Grimando, would organize the relevant ordinances in her initial memo to the applicant. Scott should provide the board with what they need to know before the first application hearing. The board can start checking off the items right away. When an application gets to final review, the Findings would be all done. Right now, we come up with the Findings of Fact after the Final.

The guidelines are based on Articles 6.3 and 6.4, which are redundant and have to be cleaned up. Everyone agreed.

Peter Smith said the Findings are assembled for a set of interchangeable parts from the particular components that are needed. With the auditorium application there will be about 40 items on the list. With Divine Chocolate, there were about four. If an item is missing, a member of the Board can add anything left off the list.

Lew read 2.24, which states that the Planning Board has the right to change the Site Plan and Subdivision Regulations after two public hearings and approval of the Planning Board.

Pete said the next step is for Scott to apply tonight's ideas for the February 25 Workshop.

Adjourn

Motion: Al Cotton moved to adjourn the meeting. Lew Stowe seconded. The motion passed 5-0.

8:35