

**TOWN OF YORK PLANNING BOARD  
THURSDAY, AUGUST 26, 2004, 7:00 PM  
YORK PUBLIC LIBRARY**

Chairman Barrie Munro started the workshop meeting 7:05 by introducing the panel. All Board members, Barrie Munro, Dave Marshall, Glenn Farrell, Glen MacWilliams, Richard Smith, and alternates Tom Manzi and Lee Corbin were in attendance. Steve Burns represented the Planning Office. Patience Horton took Minutes. The meeting was televised. One motion to adjourn was made.

### Public Input

**Open to the public to address any issue other than those scheduled for public hearings on this agenda.**

No one was in the audience except one reporter.

### Business

**Work Priorities. Prepare a draft list of work priorities for the Board and the Planning Department to work on in the coming year.**

Steve Burns had previously handed out his Memo to the Planning Board, dated August 18, 2004. It served as an outline for the subjects discussed at the meeting. Work for the coming year was categorized into four groups, the Comp Plan, Ordinances, Code Enforcement, and Land Use Codes in the Comp Plan. Steve Burns said there was more work to do than could possibly be done. Some assistance should come from a contracted planning assistant for whom funding had recently been approved. That person would work on application follow-up, as opposed to project planning, and the funding would be supplemented with applicant fees.

In discussing the list of Comp Plan Chapters, Steve Burns said that there are weaknesses in the Inventory and Analysis section. The Introduction, plus chapters on Population, Housing, and Existing Land Use will be presented for the November Referendum. The Natural Resources, Historic/Archaeological, Utilities, and Transportation sections needed work. Changes in water districts, sewer, and growth projections needed consideration.

Steve Burns said the code improvements were inconsistent with zoning, particularly in the rural zone. The Home Occupations section needs standards, when the zones are finished. Cluster Housing needs standards. The net density rules are currently causing a disincentive for folks creating lots to come before the Planning Board. Standards should be imposed on all lots. Rights-of-Way regulations can prevent exempt property divisions from occurring. Increasing buffer size for elderly congregate housing should be addressed. Commercial use in BUS-3 Shoreland should be examined. The shoreland map should be redefined for floodplains in ways that are consistent with the State standard. Enforcement problems are a complexity with which staff time cannot keep up.

He spoke about the need for consistency between the Codes and Comp Plan, using the current case, *Inland Golf Properties v Inhabitants of the Town of Wells*, as an example of what can go wrong. In Wells, there has been an effort to overturn the Town's growth ordinance policy. He read the Court order recommending that the Town of Wells amend the wayward ordinance ahead of having the court strike it down altogether. He said Wells's was as example of an ordinance that was not enforceable because it was not in keeping with the Comp Plan.

Chairman Barrie Munro opened the discussion by asking where efforts to improve the Comp Plan Chapters should be made beside the Natural Resources, Historic/ Archaeological, and Utilities chapters. Steve Burns thought the economic base could be added, and Glen MacWilliams agreed, saying that the economic work could be done concurrently with the other. Tom Manzi asked how the court proceedings in Wells could affect York. Barrie Munro said that the situation shows how zoning has to be made consistent with the Comp Plan.

Discussing General Code Improvements, which has 8 subsections, Barrie Munro asked Richard Smith which ones he considers the priorities on the list. Richard Smith answered, 1, 2, and 3, Rural Zones, Home Occupations, and new Cluster standards. Glen MacWilliams said that the possible threats in Item 8, Resource Protection Sub-district of Shoreland, are ongoing and important to recognize. Glenn Farrell supported Richard Smith's priorities, but added that the Route 1 Corridor should be added. He appreciated Item 5, regulating the creation of ROWs, but said that an effort to curb avoidance of coming before the Planning Board is futile. Glen MacWilliams considered Item 6, Elderly Housing Buffers, and Item 7, Mixed-Use in Shoreland York Beach, easy matters. He agreed to add the Route 1 Corridor as a priority.

Steve Burns said that Item 8, Resource Protection of Shoreland Overlay, has to be done. Barrie Munro said that Item 4, Net Buildable Standards, looks easy. Steve Burns said that the Rural Zones code improvements have to do with lot size specifications. To bring the ordinance closer to the Comp Plan, the idea is to correlate the building size to the soil and septic capacity. Lee Corbin objected to the idea of determining the soil type, lot-by-lot. Knowing that certain parts of town have more workable soils, she would rather see generalized zoning given to a part of town.

Looking at the Work Status Report section of the Memo, Barrie Munro read off the Planning Board's work priorities, the highest being the upcoming referendum for the four Comp Plan chapters. Next comes General Code Improvements, Items 1-9, including the new Route 1 Corridor item, as recommended by Glenn Farrell. Reorganization of the Second Priority list will follow that.

Steve Burns said he planned to share the list with the Board of Selectmen at their upcoming meeting.

## Other Business/Adjourn

Barrie Munro asked the Board if there will be a quorum at the September 9 meeting, and it appeared so. He will not be there, but stated that he wants the returning applicants to present everything they had been asked to produce. John Treat will be participating in the September 25 workshop.

There was discussion about the contractual nature of signed Mylars.

Steve Burns announced an upcoming workshop for the Planning Board and the Board of Appeals. He handed out an Internet article from Foster's, called "Kittery Shuts Off Growth." He also handed out a website page from the City Solicitors and Town Counsel Association about the Town of Handley, Massachusetts, getting its growth ordinance struck down as unconstitutional.

A Memo dated 8/25/04 from Glen MacWilliams was handed around, but not discussed.

Motion. Glen MacWilliams moved to adjourn. Richard Smith seconded the motion, and all voted in favor.

The time was 8:15.