

York Planning Board
Thursday, March 9, 7:00 P.M.
York Public Library

Call to Order, Determination of Quorum; Appointment of Alternates

Chairwoman Amy Phalon called the meeting to order at 7:00. A quorum was determined with five people voting: Amy Phalon, Vice Chairman Pete Smith, Board Secretary Gordon Eldridge, Al Cotton, and Lew Stowe. Alternate Kathleen Kluger was present, but did not vote. Alternate Wayne Boardman was not present. Patience Horton took minutes. Assistant Planner Scott Hastings represented staff. In order to share the regular Community Meeting Room space with the Budget Committee, the meeting was held in the back half of the room which was divided by a folding wall. The meeting was not televised, but was recorded.

Public Forum

Daniel Raposa, 660 York Street, lives in the neighborhood that includes York Street, Eureka Avenue, and Glen Avenue, near Gammon Lawn Care. He first asked it to go on the record that some information about problems with Gammon's operation were misrepresented in the most recent issue of the York Weekly. Speaking with Mr. Raposa before this meeting, the York Weekly writer had agreed to make corrections.

Mr. Raposa asked the Assistant Planner and the Planning Board to reassure him that on November 10, 2016, the Planning Board had voted down the application for a lot line agreement regarding "what is famously known as Lot 60." In fact, on November 10, 2017, there were two votes. In the first vote, the board denied the merging of Lot 60 with a lot in the Georgiana Colony subdivision. In the second vote, the split of Lot 60 was denied because it did not meet dimensional requirements.

The neighbors maintain that although the lot is in limbo, it continues to be used to operate a business. He noted that only a few days ago, dump trucks arrived and dumped more than 25 loads of snow onto the lot which will melt and flow into the wetland. "It is an attack on our personal rights" he said, referring to living in the midst of all the business going on.

Dennis O'Connor of 30 Glen Lane said, "We are worried Gannon will buy more land and try to turn it into a conforming lot. If they do that, they will be able to have a complete commercial business." He currently sees commercial trucks, including oil trucks, being washed on the property, thus dumping polluted drainage into the wetlands.

Mike Kofman has lived at 464 York Street for 33 years. He has seen trucks dump snow directly into the wetlands. "I have sat at night watching bulldozers in the wetlands, pushing snow and building the snow mound."

Field Change

Cliff House: 591 Shore Rd.; Map & Lot 0004-0029

Citing conflict of interest, Chairwoman Amy Phalon recused herself from this hearing. Scott Hastings said that the Cliff House has minor landscaping changes, some of which were approved for Phase 1, but will not be complete when Phase 1 is finished. Instead, the landscaper wants to delay planting the trees in the parking lot until Phase 2. There is no change in that plan, Scott said, just the timing. In addition, they are requesting minor changes to Phase 1 relative to the garden area along the east end of the entry drive.

Landscaper Keith Smith of Terrance Dewa and Associates, Falmouth, said the trees are delayed because the parking lot has more ledge than anticipated.

Motion: Al Cotton moved that we approve the two field changes as outlined in the letter of January 5, 2017. Gordon Eldridge seconded. The motion passed 4-0.

Public Hearings—Applications

369 Route 1; Map/Lot 0053-0004

Application is for a Route One use permit for a new restaurant in an existing building.

Motion: Peter Smith moved to open the public hearing for the application of 369 Route 1; Map & Lot 0053-0004. Al Cotton seconded. The motion passed 5-0. No one came forward to speak. Amy Phalon closed the public comment portion of the hearing.

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

Scott Hastings said that a use permit is needed for this restaurant because the restaurant building has been dormant for more than two years. The previous permit expired. Most conditions that were approved for the original application are still existing and grandfathered. A new landscaping plan showing small buffer plantings along Route 1 in front of the parking lot is required. Public Works also wants the landscaping plan to include a sidewalk along Route 1 from the corner of Orchard Park Road to the northern lot line. In addition, the plan must show designated ADA parking spaces.

Amy Phalon invited the public to come forward and speak. Kellis Williard lives in Orchard Park. There is a light mounted on a utility pole across Route 1 from the restaurant which shines onto his and other abutters' properties. The applicant, Jason Miller, said that the light existed prior to his purchase of the property and he was forced to sign a 25 year contract with CMP to keep it, and he is also responsible to pay for it.

Motion: Pete Smith moved to close the public hearing on the application for 369 Route 1; Map/Lot 0053-0004. Al Cotton seconded. The motion passed 5-0.

Motion: Pete Smith withdrew his initial motion, which had not been seconded, and then moved to approve the application of 369 Route 1, Map & Lot 53-0004 as presented, with a condition precedent that the handicap parking spaces be identified, and with a condition subsequent that the landscaping along Route 1, including a new sidewalk, be shown on the plan prior to issuance of an occupancy permit. Al Cotton seconded. The motion passed 5-0.

**117 Long Sands Road, York Housing Authority; Map/Lot 0044-0050
Application is for an amendment to an existing Planning Board approved site plan.
This includes expansion of the existing community center, addition of 16 housing
units, and improvements to existing parking areas.**

Motion: Pete Smith moved to accept the application for the Village Woods Senior Center, 117 Long Sands Road; Map/Lot 0044-0050 for review. Gordon Eldridge seconded. The motion passed 5-0.

Motion: Pete Smith moved to open the public hearing. Gordon Eldridge seconded. The motion passed 5-0. No one came forward to speak. Amy Phalon closed the public comment portion of the hearing.

Patricia Martine, Director of the York Housing Authority, is looking forward to expanding the community space. Not everyone can gather there now, but with the new improvements, there will be room for more residents.

There are 104 units currently on the site, and this development will bring the count to 120. There is a five year wait for subsidized units and a two year wait for midrange units. The proposed units will fill a need for 600 square-foot, one bedroom apartments at \$1,050.00 a month. There is currently a waiting list for these units.

Jeff Clifford, Altus Engineering, Portsmouth, reviewed the plans and elevations of the proposed buildings, community center, deck, and patio. One nearby parking lot is being shifted to provide significant improvements for fire truck access. The repositioning of the fire lane requires relocation of the sewer pumping station.

The Fire Chief has asked that the gated entrance on Pine Grove Lane become the secondary fire truck entrance. The gate is to be removed and signage will indicate that road as a fire lane, not a public road.

Pete Smith asked that the address on the plan drawings, shown as 4 Pine Grove Lane, be changed to 117 Long Sands Road.

Motion: Pete Smith moved to approve the application from the Village Woods Senior Housing, 117 Long Sands Road, Map & Lot 0044-0050, as presented, with conditions precedent that approval of York Public Works is received and noted on the plan, concerns of the York Fire Chief, including a notation about the Fire Department's access road, are

noted on the plan, and relocation of the septic pump system is noted on the plan. Lew Stowe seconded the motion. The motion passed 5-0.

445 and 441 Route 1, Wiggly Bridge Distillery

Map/Lot 0054-0010-C and 0054-0010-B

Application is for construction of a new storage building on Lot 0054-0010-C and for replacement of an existing non-conforming structure on lot 0054-0010-B with a new building in the same footprint.

Scott Hastings introduced the application. The two lots are under the same ownership. The distillery and two shipping containers used for storage are on the forward, smaller lot. The other previously approved lot at the rear of the property is empty and has a wet area that will probably be delineated as a manmade wetland. If so, per 11.3.6, it will be considered of low value and can be filled.

Motion: Al Cotton moved to accept the application for 445 and 441 Route 1, Wiggly Bridge Distillery, for review. Lew Stowe seconded the motion. The motion passed 5-0.

Motion: Al Cotton moved to open the public hearing for 445 and 441 Route 1, Wiggly Bridge Distillery. Lew Stowe seconded. The motion passed 5-0. No one came forward to speak. Amy Phalon closed the public comment portion of the hearing.

Dave Woods: One building will be a 29' x 20' storage building for bottles and grains which will replace the existing shipping containers. It has to be taller than the height ordinance allows in order for a forklift to move pallets of bottles and grains in and out of the structure. He plans to build it on a knoll and dig down below the original ground elevation in order to obtain the required height at the entrance.

The second building will be a 35' x 50' structure placed in the rear lot and used for aging whisky. The building will have exterior framing with posts sitting on foundation piers. It will meet regular height restrictions. It will not be insulated. It is intended that the building temperature will go from very hot to very cold with the seasons, so the spirits are absorbed and secreted by the wood, enhancing the flavor of the whisky. This building will have metal siding and have a gravel drive to access it from the front lot. The colors of both buildings will be black or tan with green roofs.

Waivers will be sought for the landscape/buffer yard requirements, stormwater drainage plan, high intensity soil survey, elevations, and building materials. Per 11.3.6, a wetlands delineation will be made.

Motion: Pete Smith moved to continue this application until such time as the applicant is prepared to resubmit. Gordon Eldridge seconded. The motion passed 5-0.

8 and 10 Beach Street, Union Bluff Hotel

Map/Lot 0024-0037 and 0024-0035

Application is for a 20 room expansion of the Union Bluff hotel including the creation of a parking deck at the rear of the building.

Motion: Al Cotton moved to accept the application as complete. Lew Stowe seconded. The motion passed 5-0.

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

Mrs. Hall of 19 Freeman Street, said the house is 105 years old and she is almost the same age. The Union Bluff parking lot is 30 feet away from her front door. People drive in and out at all hours making noise. She keeps her drapes closed all the time so she won't see the headlights. She's lost her privacy. She can't sit on her porch at night. She is worried about how people, especially excited children, might get hit by oncoming traffic.

Rick Lounborn of CLD Consulting Engineers, represents the application. Twenty rooms are being added. The number of parking spaces will go from 68 now, to 145, though only 117 will be required. All stormwater is being collected and treated before going into the ocean. Mrs. Hall's view of the ocean will not be disturbed.

Architect Scott Fiorentino described the new layout. The addition will include a new dining room, kitchen, indoor pool, hot tub, and exercise room. The kitchen will service both the dining room and the pub without having servers cross the lobby area. The existing lobby and dining room will be combined to create a large lobby and sitting area. The two-tiered parking terrace will not look like part of an urban setting. Plantings will be in place to absorb automobile sound. Arborvitae trees will serve as a buffer for headlights. To make sure cars do not turn the wrong way exiting to Beach Street, which is a one-way street, he will design a turn-out island that will direct cars to the left. Additional signage might be needed. Dean Lessard is already aware of problems with the traffic flow on Beach Street and Freeman Way.

Chairwoman Amy Phalon closed the public comment portion of the public hearing.

Motion: Pete Smith made a motion to give preliminary approval to the application from the Union Bluff, 8 and 10 Beach Street; Map/Lot 0024-0037 and 0024-0035 Al Cotton seconded. 4-1, with Amy opposed.

Minutes

Review of minutes from February 23rd was postponed to the next meeting.

Other Business

Scott gave out Information and Communication policies for the board to sign and return.

Findings

Brickyard Court

Mylar

731 Route 1

Adjourn

Al Cotton moved to adjourn.

10:30