

York Planning Board
Thursday, December 13, 2012, 7:00 P.M.
York Public Library

Call to Order, Determination of Presence of Quorum

Chairman Todd Frederick presided. A quorum was determined with five people voting: Chairman Todd Frederick, Vice Chairman Dave Woods, Board Secretary Lew Stowe, Torbert Macdonald, Jr., and alternate Al Cotton, Jr. Alternate Brud Weger was present, but did not vote. Dave Glazebrook was absent. Christine Grimando, the Town Planner, represented staff. Patience Horton took Minutes. Todd Frederick said that there was no new information regarding the police station/connector road.

Because of a shortage of time, agenda item **Paolini Subdivision 27 Paul Street, Map & Lot 0094-0086-B. Sketch Review of a major subdivision** was not heard.

Public Forum

Open to the public to address issues other than topics scheduled for a public hearing. No one came forward to speak.

Field Changes There were no field changes.

Minutes

August 9, 2012

Tom Prince had written a letter asking the board to correct a typo in the August 9, 2012 minutes. Also, the second paragraph is incorrect and superfluous and should be deleted.

- **Motion:** Torbert Macdonald said, “I move that we change the third sentence of the August 9 minutes under the Mary Andrew entry to read, “York ambulance to supply ambulance logs (not lots), and that we delete the ensuing paragraphs starting, “She read a letter,” and ending with “the wife of a planning board member.” Lew Stowe seconded. It passed unanimously.

November 29, 2012

The November 29 minutes were reviewed and changes were requested.

- **Motion:** Dave Woods moved, “that we approve the minutes as amended for Thursday, November 29.” Al Cotton seconded the motion. It passed unanimously.

Application Reviews and Public Hearings

Pine Ledge Residential Subdivision 4 Turner Drive; Map & Lot 0099-0001-E.
Preliminary Review of a major subdivision application

Town Planner Christine Grimando said the proposed 33 lots are off Logging Road. It is a cluster subdivision application. They have been here for a sketch review. This is the first preliminary hearing, and this is the first full hearing. There have been two site walks. Great Works Land Trust is the proposed conservation easement holder. There is discussion about some lots being for affordable housing. The initial assessment traffic impacts report has arrived today, so this is complete for the purposes of review.

The board discussed whether the application complete for the purposes of review. Lew said most issues fall into the final review. The preliminary review includes information relative to the septic systems.

With regard to the application being complete for purposes of review, Torbert Macdonald is concerned about who the conservation easement holder and owner of the conservation land will be. Is this application in conformance with the comp plan, and does it follow the rules for the development of cluster subdivision? Christine Grimando said that her assessment of completeness checks is administrative and not substantive review. She sees there is a plausible submission for everything. After that, the board is expected to complete the substantive review. Chairman Todd Frederick said the applicant can be heard tonight.

Engineer Joe Cheever of Attar Engineering said the application is complete. Per 6.3.20, “all parcels of land proposed to be dedicated to public use,” open space. Plan Sheet 1, Note 8, says open space Blocks 1, 2, and 3, shall be held in fee by the Great Works Land, which is committed to passive recreation for the public.

Torbert said 7.6.3.c.2 defines the owner of the open space. Under 2.b, the holder of the Conservation Easement shall not be the owner of the Open Space. He could see Great Works as the holder of the Conservation Easement, but not the open space, also. Joe Cheever said he read the paragraph but doesn’t understand why what he is doing is not better than what the ordinance requires. He asked to return to the question of completeness in 6.3.

Motion: Dave Woods said, “ I make a motion that we accept the submittal for the Pine Wood subdivision for preliminary review.” Lew Stowe seconded it.

Amendment: Dave Woods added the address to the motion, “4 Turner Drive, Map & Lot 0099 –0001-E.”

Vote: The motion passed, 4-0 with Torbert Macdonald opposed.

Joe Cheever reviewed the Existing Conditions. Out of 149 acres, he took out the proposed right-of-ways 8.3 acres. He took out the CMP easement. He took out the wetlands and slopes greater than 20%. There are 81 acres of net buildable acres out 148.9. In the RES-2 District with 2-acre lots, the density is 40 lots. We propose 33.

Biologist **Bud Brown** said he went there three times last spring to look vernal pools and salamanders, turtles, New England Cottontail, deer, etc. and he has been back several times. There is a stream and wetlands. Water drains around and comes down a brook. There is a watershed divide where the cluster development will be. He saw there is a lot of value of the land to the Land Trust.

Tim Smith is a volunteer/coordinator with the Great Works Regional Land Trust. There are 5 ideas Great Works wants included in this project: the land has to have natural resources worth protecting; that they hold ownership of the Fee Interest; that the open space is contiguous; that the subdivision roads do not extend off the property; and there is a financial contribution to defray management expenses.

Joe Cheever said there would be 330 trips a day from the 33-lot subdivision. The sight distances are 328 feet heading north, where 300 are required, and 457 heading south.

The smaller wetland is contiguous with the larger wetland. It means we have to maintain the 250 feet off it as the Limited Residential Shoreland zone. Those Shoreland lots have to be a minimum of 40,000 square feet. The others can be 20,000 square. No single-family residence owns any wetland. There were two dead-end roads and another short road that goes to 5 lots. Each of the 33 lots has a good test pit for septic. A few might need a pump system. One septic will need a shared system between 3 lots. Lots 16, 18 are on a gravity area. Southern exposure can be obtained on many lots. There are literally 20 acres out of 148.9 being used. Those include the wastewater, slopes, houses, roads, cul-de-sacs, and the hammerhead.

Joe Cheever said that with Brenda and Kim Lizotte, the headlights shine into the back off their home. The 100-foot buffer is proposed. A row of arborvitae will be planted along the property line where a drainage swale runs 8 feet away from the property line. Eight foot high vegetative buffer that will protect them from headlights. They have a well 6 feet off the property line. A hydrologic Test will be added to the study. Road salt is the problem. With drainage, there are existing culverts will be reconfigured to make them in compliance with best practices from DEP.

He said that with the Smith lot, a 150-foot tow of visual buffer made by a row of trees is proposed. That would include a third evergreen trees, plus a mix of natural vegetation. Some signage ("Slow Children") would slow traffic. Traffic can be calmed an rock outcrop on the side of the road.

Torbert Macdonald moved to open the **Public Hearing**. **Caleb Smith** and his family are the abutters at 3 Turner Drive. The proposed buffer with 20 to 25 feet of trees is not enough. It should be extended. They want some smaller, and some heavier, vegetation to buffer them from headlights. Some natural vegetation was erroneously cut. It should be replaced. His land goes to the edge of the CMP easement.

Dave Linney lives at 180 Logging Road. He is a wholesale grower of nursery stock. He doesn't understand why Great Works is receiving this instead of the York Land Trust. Not sure about this, he suggested that York Land Trust felt it did not meet their standards, and the development was not of the character that should be placed in that area. All the northeast wetlands that Great Works owns are drain into Muddy Brook, and then drain past his nursery container area. Anything done to that swale area will affect the nursery. He hopes for a plan note saying the Great Works land practice that would not disturb any water flow.

Brenda Lizotte lives 130 Logging Road. Her well is 6 feet off the road. We had the water tested for baselines. Landscape architect, Brian Woods, said headlights are a problem on this property. Whereas the applicant plans to cut a swale on the road's shoulder, and place arborvitae along it, hee would like to see homeowners to do their own screening on their. If the road and swale were cut on the shoulder edge as proposed, it would possibly negate the use of the access road. In that case, he proposes maintaining the access road and putting in a screened gateway. Torbert Macdonald moved to close the **Public Hearing**.

Todd Frederick led the 6.3 list for Submissions for Preliminary Plan.

- 6.3.1 Reserve
- 6.3.2 Boundary Survey: Ok (Stamped)
- 6.3.3 Existing Conditions: Ok (Datum discussed)
- 6.3.4 Natural Features: Ok (Bud Brown's report to be reviewed by DEP before Final)
- 6.3.5 Impact Statement (Docs. due by Final; Torbert notes there are none) **Flagged**
- 6.3.6 Proposed Development Ok (Approximate buildable footprint shown)
- 6.3.7 Grading & Landscape "Not even close," said Torbert. **Flagged**
- 6.3.8 Traffic Impacts Ok (Letter submitted)
- 6.3.9 Deed Ok (Fee Simple, no 2nd party)
- 6.3.10 Proof of ownership Ok (Meets Great Works' criteria)
- 6.3.11 Easements, Rights of Way Ok **Flagged**
- 6.3.12 Phosphorous Pollution Not applicable
- 6.3.13 Scenic resources Ok
- 6.3.14 Historic resources Ok (Not all responded received--Inland Fisheries Only)
- 6.3.15 Watersheds Ok
- 6.3.16 Habitat blocks Ok
- 6.3.17 Streets and roads Ok
- 6.3.18 Reserved
- 6.3.19 Lot lines and acreage Ok
- 6.3.20 Public use **Flagged**
- 6.3.21 Reserved
- 6.3.22 Flood hazard and 100-year storm Ok
- 6.3.23 Reserved
- 6.3.24 Sewage disposal **Waiver request**
- 6.3.25 Water Supply Ok
- 6.3.26 Fire Chief Ok (Letter/maintenance info. anticipated)

- 6.3.27 Stormwater drainage plans Ok **Flagged**
- 6.3.28 Sewage & drainage Ok (We don't have full information, says Torbert)
- 6.3.29 Markers for layout Ok (Roads and cul-de-sacs were identified for site walk)
- 6.3.30 Sight distances Ok (traffic analysis of intersection with Logging Road, etc.)
- 6.3.31 Reserved
- 6.3.32 High intensity soil survey OK
- 6.3.33 Traffic analysis Ok
- 6.3.34 Waivers

6.3.24.2 Indication of the type of sewage disposal to be used

Joe Cheever explained this is a request to waive the requirement to submit HEE-200 Final Septic Design until final plan approval. The test pit is on the lot, which as a footprint foot of a septic field on top of it. When the road structure is developed and the lots are cleared and sited a building in on that footprint, another test pit might have to be dug and the wastewater field and final design would be done at that time. At that time, the final HEE-220 form can be submitted. (The test pits that were dug supported smaller systems. They could not put in larger test pits that would work for community systems that would have to be pumped to.)

7.7.2 Requirement that electrical and cable utilities are installed underground

Joe Cheever said there exists overhead to the end of existing Turner Drive. They are proposing and feel it is reasonable to have overhead power from there through the subdivision. It is for practicality and economic issued.

7.8.2.6 100-foot well protective radius

In presenting the waiver request, Joe Cheever said, The ordinance requires that the 100 foot protective well radius around each proposed well not only excludes septic areas and their reserve areas, but also roads and adjacent properties. We propose to keep a 100 foot well protective radius around the well system that does not include septic systems or their reserve areas, but that we feel comfortable enough that drilled wells will be sufficient within 45 feet of a road structure, or that we could have a well that is close to a boundary of another parcel where their well is 50 or 60 feet away from that well, and they can, without detailed easement, both live and have potable water, sufficiently. We feel it is reasonable in this cluster design of having that protective radius just applied to the septic and the reserve areas. We are able to have easements from one neighbor to another for a well radius, because we own all the lots now, and we can easily do that. . . . The ordinance requires that the well radius be conclusive inside your lot, and it does not over the boundary to an abutter, that you have an easement over the abutter's land for that well radius (quoted).

6.3.24.2 Indication of the type of sewage disposal to be used

Christine Grimando said that the Town Plumbing Inspector Ben MacDougal has reviewed the septic system at the preliminary and is "okay" with that, but, he will have to receive more information from the soil scientist to show that the soil can hold so many houses with so many bedrooms. He recommended that the board not vote on that waiver

tonight. The Chairman agreed that board did not want to vote on private septic disposal until there is more data.

7.7.2 Requirement that electrical and cable utilities are installed underground

Motion: Dave Woods made a motion that we waive the necessity for underground utilities. Lew Stowe seconded; passed, 5-0.

7.8.2.6 100-foot well protective radius

Torbert Macdonald said that that the absence of definitive septic site and any hydrogeologic data, we don't have a substantial basis for making any decision other than to stay with the 100 feet. Todd Frederick said that he would like to see the data showing how that would work. Also, what are the impacts or options with regard to road salt and infiltration from public roads into the well? We would like to bring that back when there is more data.

9.5.8 Giving the subdivision one access as discussed during the sketch plan

The ordinance requires two mean of access when you get to 200 trips a day and we are at 300 trips per day. The board was amenable to that waiver. Joe Cheever said a meeting has been held where the Police Chief and the Fire Chief were OK with one means of access. There isn't a letter.

Motion: Al Cotton moved that 9.5.8 be waived. Dave seconded and said that he said he is in favor of the waiver with writing documentation from the department heads. There was not vote.

Torbert Macdonald said that unique natural resourcess of this land has not been presented per 7.6.1(d) and 7.6.3(b), and that the open space was designed first around unique nature. He said the board should have its own third party evaluator.

Carriage House Expansion 14 Gorgeana Way Map & Lot 0048-0026-A. Preliminary Review of a subdivision application for additional units at an existing multi-family site

Christine Grimando said that this is an existing site with 18 affordable housing units. This brings the number of units on the site to 29.

Motion: Torbert Macdonald moved that we accept the York Housing Authority Carriage House Expansion for preliminary review, finding it complete. Al Cotton seconded. The motion passed, 5-0.

Patricia Martine, Director of York Housing Authority, said that a year ago, they purchased an 18-unit development on Georgiana Way. The property is large enough to take advantage of the density bonus that the workforce-housing ordinance grants. They added three new buildings. This is non-age-restricted affordable housing.

Architect Mike Lasso said the design fits the existing design. One building is 1 ½ foot higher than what is there, per code. Totally, there are nine two-bedrooms, one ADA unit, and one Type-B accessible unit. The existing buildings will be updated. The siding will be vinyl. The federal guideline for accessibility is 10%, and meets fire marshal approval. Is under the Fair Housing Act. Single bedroom units are 590 square feet. The two-bedroom unit has about 650 square feet.

Lew Stowe said 6.3.13 calls for no long, continuous walls and there are no shutters. Mike Lasso pointed out gables on the front of the longest building. Lew said there are shutters, breaks at doorways and overhangs on the other buildings, but not this one. Mike said there are a variety of architectural styles in the overall “village.”

Jeff Clifford from Altus Engineering said there is room for 44 parking places. 42 are necessary. The amount landed on 43, to save a tree in the way.

Torbert said that 6.13.4 require that all new construction shall have a building exterior that is wood clapboard, wood shingles, stone, or brick. Planning board will consider a request for waivers. Per 6.3.28, the waiver has to be requested in writing.

Al Cotton said the village look is an appropriate goal. A three-story wall with no shutters does not look any village I’ve ever seen. Patricia Martine said it is about cost. This is not State- or Fed-funded. It is conventionally financed and the budget is narrow. Shutters will come along as the project comes along. We want to get the units started, get the people in them, and enhance the community. The rents will be comparable to those there now: \$700 to \$850 per month.

Motion: Torbert Macdonald moved to continue the meeting for 15 minutes beyond 10:30. Dave seconded, and it passed 5-0.

Christine Grimando added that there may be ways to brighten the buildings up, but non-functional paste-on shutters that are not proportions to window openings (and are worse looking than no shutters at all. If we go toward shutters, we should look at whether they work with the spacing. Patricia Martine said we have a vision for a big picture. Torbert He moved to open the **Public Hearing**.

Chairman Todd Frederick said an email from Cheryl Corrao (Plaisted Rd., across the street) asked about then number of units, turnover, and traffic increase. These things were either talked about or will be talked about (increased traffic) in the subsequent hearing. The letter is the only public comment. It is in the record. Torbert closed the **Public Hearing**.

Terrance Parker of Terra Firma Landscape Architecture said the property meets the plant requirement count without adding any new plants. Those numbers include in front of the units and in front of the property line. Counting is only necessary in York.

Motion: Torbert Macdonald moved that we give preliminary approval to the York Housing Authority Chairman House expansion. Al Cotton seconded. Passed: 5-0.

Motion: Torbert Macdonald moved that we add 5 more minutes to get through our business. Lew Stowe seconded the motion. All were in favor.

Paolini Subdivision 27 Paul Street, Map & Lot 0094-0086-B. Sketch Review of a major subdivision.

Not reviewed this evening.

New Business

- To accommodate the Budget Committee, the two Planning Board meetings in March 2013 will probably be swapped. The planning board workshop location will be the Senior Center on March 14, and the Planning Board can then televise the application reviews on 28th.
- The town attorney is coming for new-member training and old-board member retraining. January 30, 2013 6:00, in the bit conference room.
- Christine Grimando said that regarding the planning board's revocation of final approval in the case of the connector road/police station, the Town Attorney has indicated that there is no statute about this. The applicant was in agreement and did not appeal it. There was faulty information submitted. The board seems to be on solid ground. He was not concerned, said Christine. He recommended writing Findings of Fact, which he will review.
- The next workshop meeting will be on the May amendments, the November amends and forecast into goals for the next couple of years.
- Stonewall Kitchen has Mylars for the group to sign.

Old Business

Adjourn

10:50