

York Planning Board Meeting
Thursday, April 27, 2023; 7:00 P.M.
York Public Library

1. Call to Order; Roll Call; Determination of Quorum; Appointment of Alternates

Chair Wayne Boardman called the meeting to order at 7:00 P.M. A quorum was determined with five members voting: Chair Wayne Boardman, Vice Chair David Woods II, Board Secretary Pete Smith, Brian Trafton and Meredith Goodwin, a new full-member. Land Use Planner DeCarlo Brown represented Town Hall staff. Chris Di Matteo was the peer reviewer. Patience Horton was the recording secretary working remotely from Town Hall Streams. Votes were taken via roll call.

2. Field Changes

There were no Field Changes.

3. Public Forum

No one came forward to speak. Without objection, Wayne Boardman closed the Public Forum.

4. Discussion

a. April 18 GEROD Interviews

A week ago, two applicants were interviewed as potential consultants for the GEROD (Green Enterprise Recreation Overlay District) charrette. They were Yard and Company and TPUDC (Town Planning and Urban Design Collaborative, LLC). In discussion, TPUDC was preferred.

- Motion: Pete Smith moved to give the contract for the charrette for the GEROD to TPUDC. David Woods seconded the motion. Without further comment, the motion passed 5-0.

5. Application Reviews

**A. One U.S. Route 1 Elderly Housing, One U.S. Route 1
Map/Lot: 0087-0067/0068 owned by James Paolini—York Harbor Builders, LLC
(Concept Design Review—Open Space Conservation Subdivision)
This application is a concept plan for an open space conservation subdivision.**

For One U.S. Route 1: Geoff Aleva, Civil Consultants

Jamie Paolini, Property Owner

For the Kittery Land Trust:

Lisa Linehan, Executive Director

The applicant is seeking a waiver from the open space subdivision requirements to allow use of Ordinance Article 7.8 (reduced density for dwelling units) so they can economically develop elderly housing for this project, which is in the RTE 1-1 zone. Under Section 7.6.1.b, the Board has to decide if the applicant qualifies for a waiver. The applicant must do this by demonstrating why an open space conservation subdivision is unrealistic.

The applicant has provided documentation and a yield plan for the Planning Board 's consideration. Without waiving 7.8, the subdivision would yield 7 lots. With the proposed 7.6.1.b, the open space conservation subdivision would yield 14 lots. According to Mr. Paolini, the dwellings would be comprised of 16 duplexes (32 units) and two multi-unit buildings (24 units).

If the waiver is granted, the applicant has to fulfill all other conditions and requirements of open space conservation subdivisions. That includes an affordable (elderly) housing percentage (10%).

To meet the preferred ordinance requirement, the applicant has to "give away" (Mr. Paolini's term) the conservation land portion of the property. The Kittery Land Trust, White Pine (educational project), and the York Conservation Commission are lined up to take stewardship of the open land.

- Motion: David Woods moved to grant a waiver of the requirements of open space conservation subdivisions with the condition of meeting the open space subdivision requirement excluding 7.6.4.b (which is density) for One U.S. Route 1 Elderly Housing, Map/Lot: 0087-0067/0068. Meredith Goodwin seconded the motion.

In discussion, Meredith Goodwin said the waiver should be granted because the applicant is doing the best it can to conserve the area that needs to be protected. The configuration is well laid out and will meet the needs of the elderly population.

Dave Woods said the configuration that is proposed by the waiver meets an economic incentive.

Wayne Boardman said the waiver will create large blocks of unfragmented land. The yield plan as shown on the resources map meets the goals of conservation land.

Pete Smith said that conservation, affordable and elderly housing needs are all being met.

Wayne Boardman stated that the Board is clear on its reasoning.

Without further discussion, the motion carried 5-0.

The theme is conservation and education. Lisa Linehan of Kittery Land Trust came forward and said the contiguous-block totals 500 acres of conservation land. This specific land will be used for walking trails.

- Motion: Brian Trafton moved to approve the theme of the project for One U.S. Route 1 as Community Conservation. Pete Smith seconded the motion. Without further discussion, the motion carried 5-0.

B. 242 York St LLC, 242 York St

**Map /Lot: 0050-0114 owned by 242 York Street, LLC
(Site Plan/Subdivision—Preliminary)**

**This is a subdivision and change of use application to convert the existing
boarding house to an inn on the first and second floors and create four dwelling**

units on the third floor. The application also includes other improvements to the building as described in the narrative.

For 242 York Street: Ryan McCarthy, Tidewater Engineering
Jay Pewitt, Owner

Comments have been received by all departments: Traffic (approved), Police (no concerns), Fire (wants sprinklers), Schools (maybe one extra student), Water District (OK), Sewer (OK), Maine HDC (has restoration suggestions), York HDC (incentives are anticipated). Phase I of the Village Revitalization Plans are being met. Discussion is ongoing with DPW about ADA access and a bigger sidewalk in front.

- Motion: Pete Smith moved to waive §6.3.7, Grading and Landscape Design Plan, for 242 York St LLC, Map /Lot: 0050-0114. Meredith Goodwin seconded the motion. Without further discussion, the motion carried 5-0.
- Motion: Pete Smith moved to waive §6.3.32, High Intensity Soil Survey, for 242 York St LLC, Map /Lot: 0050-0114. Meredith Goodwin seconded the motion. Without further discussion, the motion carried 5-0.
- Motion: Pete Smith moved to waive §6.4.6, Landscaping Plan, for 242 York St LLC, Map /Lot: 0050-0114. Meredith Goodwin seconded the motion.

In discussion, Dave Woods brought up the design of the planters. That subject was put off for a future meeting.

The motion carried 5-0.

- Motion: Pete Smith moved to waive §6.4.15, Soil Erosion and Sedimentation Control Plan, for 242 York St LLC, Map /Lot: 0050-0114. Meredith Goodwin seconded the motion. Without further discussion, the motion carried 5-0.
- Motion: Pete Smith moved to waive §6.4.16, Stormwater Management Plan, for 242 York St LLC, Map /Lot: 0050-0114. Meredith Goodwin seconded the motion. Without further discussion, the motion carried 5-0.
- Motion: Pete Smith moved to waive §6.5.25, Performance Guarantee, for 242 York St LLC, Map /Lot: 0050-0114. Meredith Goodwin seconded the motion. Without further discussion, the motion carried 5-0.
- Motion: Pete Smith moved to accept the application for 242 York St LLC, Map/Lot 0050-0114 as complete for review. Meredith Goodwin seconded the motion. Without further discussion, the motion carried 5-0.
- Motion: Brian Trafton moved to open the Public Hearing for 242 York St LLC, Map/Lot 0050-0114. Pete Smith seconded the motion. Without further discussion, the motion carried 5-0.

No one came forward to speak. Without objection, Wayne Boardman closed the Public Hearing.

Chris Di Matteo went over his Compliance Review Letter with the Board and applicant.

With the new uses, the requirement of 28 parking spaces stays the same. It is an existing non-conforming situation. There are 20 spaces on site.

- Motion: Pete Smith moved to reduce the parking requirement as provided in §15.3.e to require 14 parking spaces for the application 242 York St LLC, Map 50, Lot 114. Dave Woods seconded. The motion passed 4-1.
Yes: Pete Smith, David Woods, Meredith Goodwin and Wayne Boardman
No: Brian Trafton
- Motion: Pete Smith moved to continue the application from 242 York St LLC, Tax Map 50, Lot 114, to the Planning Board meeting of May 25, 2023. Brian Trafton seconded the motion. Without further discussion, the motion passed 5-0.

C. Bristol Pointe 2, 294 York St.

**Map/Lot: 0050-0122; Owner Dave Lauze—Jefferson Homes Inc.
(Site Plan/Subdivision—Final)**

This application is for the demolition of an existing residence/office building and construction of a new, mixed-use, two-story building with a basement parking level and commercial and office space above with eight two-bedroom condo units in total.

Representing Bristol Pointe: Brud Weger, Weger Architects
Chris Duplantis, Project Manager, Weger Architects
Geoff Aleva, Civil Consultants

Chris Duplantis gave a PowerPoint presentation showing the architectural scale of Bristol Pointe 1 next to Bristol Point 2.

Geoff Aleva went over the Gorrill Palmer's peer review letter with the Board.

- Motion: Pete Smith moved to continue the meeting until 10:45. Brian Trafton seconded the motion. Without further discussion, the motion passed 5-0.
- Motion: Pete Smith moved to continue the application from Bristol Pointe 2, 294 York Street, Tax Map 50, Lot 122, to the meeting of May 25, 2023. Dave Woods seconded the motion. Without further discussion, the motion carried 5-0.

D. Jewett Farms, 55 Witchtrot Road

**Map/Lot: 0089-0043—Owned by Witchtrot Holdings, LLC
(Site Plan—Preliminary/Rinal)**

This application is for a site plan to expand an existing working use to include one new building and an addition to the existing building. Expansion includes related infrastructure.

Because of time constraints, this application was put off until another meeting.

6. Discussion

There was no further discussion.

7. Minutes

Motion: Brian Trafton moved to approve the Minutes from Thursday, February 23, 2023, as amended. Pete Smith seconded the motion. Without further discussion, the motion carried 4-0-1. Meredith Goodwin abstained (absent).

Motion: Brian Trafton moved to approve the Minutes from Thursday, March 23, 2023, as amended. Dave Woods seconded the motion. Without further discussion, the motion carried 4-0-1, with Meredith Goodwin abstaining (absent).

Motion: Brian Trafton moved to approve the Minutes from April 13, 2023, as amended. Dave Woods seconded the motion. The motion carried 4-0-1, with Meredith Goodwin abstaining (absent).

8. Other Business

There was no other business.

9. Adjourn

10:45

Respectfully submitted,
Patience G. Horton