

**SELECTMEN'S MEETING  
7:00 P.M. MONDAY FEBRUARY 9th, 2009  
YORK LIBRARY**

**MINUTES**

Attendees: Michael L. Estes, David F. Marshall, Kinley Gregg, Edward W. Little, Robert G Yandow, Town Manager and, Kathryn Danylik, Recorder, and Members of the Press & Public

Ms. Goodwin was not in attendance.

**Call to Order-** Chairman Estes called the meeting to order at 7:00 PM

**Pledge of Allegiance**

**A. Minutes**

-January 26<sup>th</sup> Selectmen's Meeting Minutes

Moved by Mr. Little and seconded by Mr. Marshall to accept the minutes of the January 26<sup>th</sup>, 2009 Selectmen's Meeting. Without objection so ordered.

**B. Chairman's Report**

None

**C. Manager's Report**

Mr. Yandow reported that April 22<sup>nd</sup> is Earth Day and we are assembling a group of Town Employees to do some work around town. We are not sure what the project will be yet.

Mr. Yandow reported that there will be a public hearing on the parking study that was done for York Beach on March 9<sup>th</sup> during the regular meeting and on March 16<sup>th</sup> there will be a joint meeting held with the York Beach Zoning Subcommittee to discuss the streetscape options that they had previously reported on. This meeting will begin at 6:30 at the York Beach Fire Station with an informal display of the options with members available for question and then at 7:30 the formal meeting will commence.

Mr. Yandow stated that on February 23<sup>rd</sup> the Board of Selectmen will have their first public hearing on ordinance amendments for May followed by the second public hearing on March 23<sup>rd</sup>. May 29<sup>th</sup> is the tentative date for the May

Referendum, this has been changed to a Friday due to the new process with the school budget .

Mr. Yandow reported that he called Mr. Oscar Plotkin to discuss his intentions and plans regarding his "What-If" proposal. As of today there was still no return call.

**D. Reports**

1. Affordable Housing Survey Presentation

Steve Burns, Kathryn Danylik and Tom Manzi presented the results of the Voter Survey regarding affordable housing in York. In November and December 2008 the York Community Development Department conducted a survey of people who voted in the May 2008 Budget Referendum. They were asked a series of 16 questions about housing and 6 demographic question. The survey was randomly distributed to 1,242 people, roughly 1/3<sup>rd</sup> of the number of people who voted in May 2008. A total of 689 people responded to the survey giving a 55% response rate. The target goal was to reach a 95% confidence level with at +/- 4% margin of error, and in order to do that there needed to be a response of at least 522 surveys, which was clearly reached. The 95% confidence with +/-4% allows us to say that if we survey everyone on that voter list we are 95% sure that those answers would be within 4% of the responses shown. The full survey and results can be obtained at the Town Hall. Mr. Burns will be using this information to draft some proposals for the November Referendum regarding affordable housing.

E. **Citizens Forum** - Open to audience for comments on items to be addressed on this agenda; or, to propose items for board consideration.

Public Comment: Charles Stacy  
Jack MacDonald  
David Bridges

F. **Approval of Warrant #32**

Moved by Mr. Little and seconded by Mr. Marshall to approve Warrant #32. Without objection so approved.

G. **PUBLIC HEARINGS**

1. Mt. Agamenticus Summit Guideline Recommendations

Moved by Mr. Marshall and seconded by Mr. Little to open the public hearing on Mt. Agamenticus Summit Guideline Recommendations

Robin Stanley, Conservation Coordinator for Mt. Agamenticus asked the Board of Selectmen to consider three recommendations for the Mt. A area that are discussed in the guidelines that could be implemented this summer: Conversion of the Lodge to an Educational Facility, Pilot program on nightly gate closures, and the process of having any new proposals for the summit/structures/facilities to be forwarded to the steering committee for review and recommendation.

Mr. Little asked what the closing of the gate would mean for the fire department?- Dave Bridges responded to that question and stated that he is not sure if gating off the mountain at night will help with problems but the Fire Department can deal with it.

Public Comment: Charles Stacey  
Janalee Moquin

Moved by Mr. Marshall and seconded by Mr. Little to close the public hearing on Mt. Agamenticus Summit Guideline Recommendations

Ms. Gregg asked Janalee Moquin how much of the night activity is harmless vs. destructive?

Ms. Moquin stated that a very small percentage of people are up there doing appropriate night activities there is lots of coming and going all night long. In the summer months it is a pretty regular happening that people are coming and going at night up there. 95% are doing things that they shouldn't be doing.

Mr. Marshall questioned the history of the gate that is there? Mr. Sullivan responded that the gate was installed probably 10 or 15 years ago by the Parks Department. The reason for installing the gate was for snow storms- at the time that town was not regularly plowing up there and people were trying to access the mountain in snow storms. It was never used to close at night only during snow storms.

Mr. Marshall asked when lodge started being used as a public recreation center? It was not mandated by the community to offer that up as a recreation center instead it was more of an effort on that Parks Department to develop a usage for the lodge and to generate some income to put back into the Mountain.

Mr. Estes asked the where the money will come from to transfer the lodge into an educational center? Ms. Stanley stated that Don Watson is planning to work with us on this very issue at a planning meeting this summer.

Mr. Estes stated that he would like to see a flag pole up there.

Mr. Estes asked if the gate closure would mean that there would be no access to the mountain after a certain hour? Ms. Stanley stated that it would really mean no vehicle access. People can still access it but our rules

state that it is open dawn to dusk; we are looking to enforce the no vehicle access to cut down on the partying.

Ms. Gregg asked if you see 4 wheelers or ATV's using the old ski trails if road is closed. Ms. Stanley stated that currently they can get in the back side but they are not.

Mr. Estes asked Mr. Yandow if we will have this on the agenda at an upcoming meeting? Mr. Yandow stated that we will re-visit this in March.

## **H. ENDORSEMENTS**

### **License Applications**

-The Goldenrod dba Lobster Cove (Victualers, Liquor, Special Amusement)

Moved by Ms. Gregg and seconded by Mr. Marshall to approve the license application for The Goldenrod dba Lobster Cove (Victualers, Liquor, and Special Amusement). Subject to taxes, fees and inspections being current and compliant with the usual noise stipulations, without objection so ordered.

## **I. Old Business**

### **J. New Business**

#### **1. Growth Permit Lottery**

In November the voters approved an amendment to the growth ordinance allowing for an annual residential growth permit lottery. Applicants must have been able to meet either of the following two conditions; 1). The applicant must own the property for at least 25 years as of February 1, 2009 or 2). The applicant must be the current owner and is related to all the prior owners who have owned the property for at least 25 years as of February 1, 2009. 25 applications were received during the month of January for the drawing. The Board of Selectmen are to draw 5 applications per Section 6.I (D) of the Ordinance. The CEO will verify that each of the 5 selected application is for a property which is eligible and shall report back to the Selectmen in this regard. The five names drawn were: James and Helen Lewis, Dexter Spiller (2), Roy N Johnson, and Thomas E. McNiece. If any of these five properties are deemed ineligible then another name will be drawn.

#### **2. FEMA Grant for Fire Truck**

On March 31<sup>st</sup>, 2008 the York Village Fire Department applied to the Federal Emergency Management Agency for a grant of \$475,000 in order to purchase a 75' "Quint" combination pumper/ladder fire apparatus which would replace two existing vehicles. The Fire Department was recently notified that the grant had been approved. The grant award is in the amount of \$475,000 and there is a

\$25,000 match that will be provided by the Firefighter's Association. The Fire Department will be going out to bid for the vehicle and the Board of Selectmen will take action on the preferred bid at a future meeting

The Board of Selectmen commended and congratulated the Fire Department for their hard work on this project.

Moved by Mr. Marshall and seconded by Mr. Little to accept a grant award for the York Village Fire Department in the amount of \$475,000 from the Federal Emergency Management Agency for the purchase of a 75' Quint fire apparatus. Vote 4-0 motion passes.

### **3. Town Manager's Employment Agreement**

The Town Manager's contract will be extended for an additional two years with a salary increase of 3% and a raise in the vehicle allowance from \$300 to \$350.

The Board of Selectmen thanked Mr. Yandow for his work.

Moved by Mr. Marshall and seconded by Mr. Little to move this agreement forward. Vote 3-0-1 motion passes, Ms. Gregg abstained.

### **K. Other Business**

Mr. Estes stated that he received a request to increase the maximum size of an ADU unit to 900ft. The reason being that people would like to build a separate building apart from their home, something like a carriage house. Mr. Estes poll the Board to see if there was interest in this and then to forward the request to Mr. Burns for the drafting of new language. Because this is not a planning Board ordinance then it would be legal to only have one public hearing on it. Mr. Marshall and Mr. Little expressed that they are open tot the idea and to explore it further.

Mr. Yandow will talk with Mr. Burns about changing then language to increase the ADU by 100ft to 850ft.

### **Adjourn**

Moved by Mr. Little and seconded by Ms. Gregg to adjourn at 9:25 PM

Respectfully Submitted By:

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Kathryn Danylik, Recorder