

**SELECTMEN'S WORK SESSION w/ PLANNING BOARD  
SPECIAL SELECTMEN'S MEETING  
7:00 P.M. TUESDAY FEBRUARY 19<sup>th</sup>, 2008  
YORK LIBRARY**

**MINUTES**

**Attendees:** Michael L. Estes, David F. Marshall, J. Dwight Bardwell, Kinley Gregg, Edward W. Little, Robert G Yandow, Town Manager, Kathryn Danylik, Recorder, Christine Grimando, Steve Burns, Cayce Dalton, Barrie Munro, Glen MacWilliams, David Woods, Todd Frederick and Members of the Press & Public.

**A. Call to Order**

Chairman Estes called the meeting to order at 7:03 PM. He welcomed our audience to the joint meeting between the Planning Board and the Selectmen. Chairman Estes stated that there will be no public input at this meeting.

**B. Discussion**

**1. Affordable Housing**

Steve Burns, Director of Community Development, stated that back in December there was a discussion on affordable housing which led to the decision to bring it back to the Planning Board. Mr. Burns did some research on the background of the state statute concerning affordable housing in Maine and how it ties into our Comprehensive Plan, our Town Codes, and essentially what our goals should be. This research does not however address workforce housing. Mr. Burns looked at the state statute along with regulations and standards set by HUD (Housing and Urban Development). It is stated that the maximum annual income for one person to qualify for affordable housing is \$41,100 and \$58,700 for a family of four. These figures do not factor in other living costs such as utilities, car payments, or monthly grocery bills.

State statute says that we need to provide 11 affordable Units in 2008; this however does not specify if they need to be rentals or purchases. Mr. Burns has encouraged the Planning Board not to come up with definite solutions but to determine ideas on additional research that can be done on potential solutions, for example reducing the minimum square footage of units being built. Other research that should be explored are the current construction costs in different areas, where

the most feasible places to build affordable housing might be, and who is the target group for affordable housing.

The next step would be to instruct staff to do this additional research with a goal to have something for the November Ballot. It was expressed that it is concerning that students are leaving the state and the area after graduation due to the lack of housing options. The only affordable housing that has been done in the past is geared toward the elderly. There are a few different options that can be looked at and it might be a matter of adopting and applying a few different methods to reach our goal. Mr. Marshall suggested looking at the barriers against affordable housing that are currently in place and the possibility of removing some of these barriers. For example the restrictions on multi-family units could be looked at. Mr. Burns suggested looking at other existing programs that might be out there such as federal grants and programs.

The Board of Selectmen passed this issue back to the Planning Board with the charge to give staff the direction they need to take the next step.

## **2. York Beach Re-Zoning**

This is a proposal for the York Beach Village area which creates two new zones and eliminates one zone all together. The transition zone is an effort to allow further commercial and mixed use zones to expand the commercial core at less intensity than in the village. This proposal will expand commercial possibilities and pedestrian amenities by allowing the village to be a walking friendly area, our goal was to make this pedestrian friendly and a walking community. One of the biggest reasons to change this zoning is to see what can be created through this zoning.

Potential problems are traffic, parking and possible increase in noise. There are many things that can change in the transition zone that could affect existing homes. People like the way their community is now but the way that the zones currently are, that might not be possible.

There are three different design review standards in this ordinance, the Harbor, Route One, and Historic Districts will all have design standards to follow. These will be controversial due to the fact that people do not want to have to make their buildings conform to a certain standard. There are reasons why these are not the best areas to expand and a lot of work will need to be done by those that want to expand but it will create benefits to the town in the long run. Need to have design standards to create these neighborhoods and developments

Ms. Gregg expressed concern that this is happening on the backs of many homeowners, especially those that are in the proposed transition zone. There are currently two businesses in that area and the rest is residential. The change to the

transition zone is very different compared to where you look. Depending upon one's view point making this the transition zone may or may not be an improvement.

Two of the biggest issues raised were parking and drainage. These are two huge investments that need to be addressed. It was suggested that the developers that come in to build or expand would need to address both of these issues if appropriate in their proposals. For someone to come in with a new structure they need to have answers to some of these problems. It was also suggested that it might be time to revitalize the parking committee again and Selectmen need to take a proactive stance on the drainage study that was previously done.

Mr. Bardwell stated that he has heard a lot of negative comments about this proposed ordinance, he would like to hear from those that are in support of it. There have been about 100 signatures collected by Renaissance Committee in favor of the changes, mostly from business owners. Mr. Bardwell stated that he would like to see the hard work of this committee rewarded however the Board needs to hear from all sides. He encourages both those for and against this proposal to come to the public hearing on February 25<sup>th</sup>.

Chairman Estes called for a break @ 10:00 PM. The meeting was called back to order at 10:10 PM

Chairman Estes asked that number 7 and 8 be taken out of order

#### **7. Shore land Zoning Update (Wetland Mitigation)**

Cayce Dalton, Shore Land Resource Officer presented an update on shore land zoning. The Department of Environmental Protection has extended the deadline for shore land zoning changes to July of 2009. Mr. Dalton believes that concerns over these regulations were heard and therefore another year was given. Therefore Mr. Dalton is recommending placing the amendments to shore land zoning on the November 2008 ballot. The four changes are text only changes, resource protection zones, coastal bluffs, and inland water fowl and wading bird habitats. The data given on the bird habitat was revised and the new data contains 9 wetlands, with far fewer homes being affected. We had 400 homes potentially affected now closer to 50 homes will be affected. Mr. Burns and Mr. Dalton decided it would be a good idea not to rush it and take advantage of the time that DEP has given us. The Board of Selectmen agree but would like to see these ordinance amendments in the spring, with the idea that the sooner that we can start an ordinance amendment the better. Mr. Estes asked that staff to give us a little more overview on the wetland mitigation. Mr. Burns will come back with a report for the Board.

#### **8. Comprehensive Plan work for November**

### **York River Dock Rules-**

Mr. Dalton explained that the comprehensive plan prohibits us from creating an ordinance that would change the York River Dock rules. He did not feel that there was much room to create this ordinance. If the board is still interested he would recommend that this start with the comprehensive plan and the Harbor Board. The Board of Selectmen expressed that more research is needed to see what the possible effects would be of changing these standards and why the number currently stand as they are. Mr. Dalton will speak with the Harbor Board on this issue to determine a timeline when this can be addressed.

### **Public Sewer Policies**

It is believed that the Board asked staff to look at the possibility of extending Sewer Service Areas. Mr. Dalton expressed that this issue would be easier to understand with a written policy and enforcement would be better if there was an ordinance. This issue could warrant the possibility of a possible work session with the York Sewer District.

### **3. Open Flags**

Both the Board of Selectmen and the Planning Board are comfortable with this going to public hearing next Monday, February 25<sup>th</sup>.

### **4. Neighborhood Front Set-Back Rules**

This amendment addresses the dimensional regulations that allows for averaging of set backs. Footnote B allows for expansions and renovations and Footnote K allows for new construction. This draft is now a special exception. Both boards are comfortable with this going to public hearing next Monday, February 25<sup>th</sup>.

### **5. Demolition Delay**

Mr. Marshall expressed that overall the intent of this amendment is a good thing. There are some potential language changes that can be addressed at the public hearing on February 25<sup>th</sup>, such as the 75 years requirement. It was recommended to attach an actual date to the amendment. It was suggested to possibly ask the Historic District Commission (HDC) why they picked 75 years. David Woods also suggested adjusting the timeline; however this could be seen as putting a financial burden on people. Both of these questions can be asked of the Historic District Commission at the public hearing.

### **6. Town Farm Historic Designation**

This amendment places the Town Farm under the jurisdiction of the HDC with some exceptions such as the community gardens and the development of municipal trails. It was recommended by the Board of Selectmen to possibly increase the size of the buildings that can be on the Town Farm Property from 150 square feet to 500 square feet. Mr. Marshall and Christine Grimando, Town Planner, met with Bob Cutts to discuss and work out this language.

## **8. Comprehensive Plan Work for November**

### **Municipal Capacity**

Ms. Grimando explained that she is working on the last remaining inventory and analysis chapter of comprehensive plan. The purpose is to get inventory of town land, services, facilities and other government lands (ex water/sewer districts, York Housing Land). This will provide an analysis of what is available and what is needed. Ms. Grimando is in the process of conducting interviews with department heads will add in that feedback. The Cumberland Study is very similar to this chapter and some of the analysis can be done after the chapter is written to take it a step further.

### **C. Other**

It was expressed that the Board of Selectmen would like the Planning Board to work on the York Harbor Design Review. This already has a written amendment but it needs to be brought back and reviewed.

Moved by Mr. Bardwell and seconded by Ms. Gregg to adjourn the work session with the York Planning Board at 11:25 PM

## **SPECIAL SELECTMEN'S MEETING MINUTES**

Chairman Estes called the Special Selectmen's Meeting to order at 11:26 PM.

Moved by Mr. Bardwell and seconded by Mr. Marshall to go into executive session at 11:30 PM.

Moved by Mr. Bardwell and seconded by Mr. Little to come out of executive session at 12:35 AM. Without objection so moved.

Moved by Ms. Gregg and seconded by Mr. Marshall to not place the land currently under consideration for a police station on the May ballot as the full land analysis will not be complete until late May. Vote 4-1 motion passes. (Mr. Estes against)

Moved by Mr. Marshall and seconded by Ms. Gregg to adjourn at 12:40 AM

Respectfully Submitted

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Kathryn Danylik

