

1. Planning Board Meeting Materials 2023-01-12

Documents:

DECEMBER 1, 2022 PLANNING DRAFT MINUTES.1.DOCX
NOVEMBER 10, 2022 PLANNING DRAFT MINUTES.1.DOCX
OCTOBER 13, 2022 PLANNING DRAFT MINUTES.2.DOCX
2023-01-12 PLANNING BOARD AGENDA.PDF
DRAFT FOF YORK WATER DIST.DOCX

1 **York Planning Board Meeting/Hearing**
2 **Thursday, December 1, 2022; 7:00 P.M.**
3 **Zoom**

4 **Call to Order; Roll Call; Determination of Quorum; Appointment of Alternates**

5 Chair Wayne Boardman called the meeting to order at 7:00 P.M. A quorum was determined
6 with five people voting: Wayne Boardman, Vice-chair Kathleen Kluger, Board Secretary Pete
7 Smith, and alternates Dave Woods II and Brian Trafton, who were appointed as voting
8 members. Gerry Runte and Ian Shaw were absent. Land Use Planner DeCarlo Brown
9 represented Town Hall staff. Chris Di Matteo was the peer reviewer. Patience Horton was the
10 recording secretary working remotely. Votes were taken via roll call.

11
12 **Public Forum**

- 13 • Larry Burke asked if Chris Di Matteo’s comments about Moorehouse Place would be
14 discussed.
- 15 • An email had been received requesting postponement of this meeting.

16
17 **Field Changes**

18 There were no field changes.

19
20 **Woodstone at York Village, 142 York Street**
21 **Map/Lot 0091-0009 owned by JHR Development LLC**
22 **(Amendment—Final) Application is an amendment to a subdivision to convert a triplex**
23 **unit to a duplex and convert a single-family home to a duplex. Amendment will revise**
24 **Workforce Housing Units and plan note, add a landscaping feature, redesign the sewer**
25 **layout for a portion of the development, and York Sewer District will assume ownership of**
26 **the sewer system per their request.**

27 Larry Beals, Beals Associates Engineering
28 J. Hilary Rockett, JHR Development

- 29 • Motion: Kathleen Kluger moved to accept the application for Woodstone at York
30 Village, JHR Development, LLC, 142 York Street, Tax Map 91, Lot 9, as complete for
31 review as an amendment to a previously-approved plan. Brian Trafton seconded the
32 motion. There was no discussion. By roll call, the motion passed 5-0.

33 Larry Beals made an introductory summary.

34 JHR Development was not part of the design and approval process of this project.

35 Multiple grinder pump stations had been replaced with one central pump station on the plan.

- 36 • Motion: Kathleen Kluger moved to open the public hearing for Woodstone at York
37 Village, JHR Development, LLC, 142 York Street, Tax Map 91, Lot 9, for an amendment
38 to a previously-approved plan. Pete Smith seconded the motion. There was no discussion.
39 By roll call, the motion passed 5-0.

40 No one came forward to speak. Without objection, Wayne Boardman closed the public
41 hearing.

42 The Board engaged in discussion with the applicant.

43 • Motion: Kathleen Kluger moved to grant final approval to the amendments to the plan
44 Woodstone at York Village, JHR Development, LLC, 142 York Street, Tax Map 91, Lot
45 9, with the following conditions of approval.

- 46 1. Prior to signing the Finding of Fact, the applicant will make changes to the plan and
47 submit them to Planning Department for approval.
- 48 2. All changes made tonight will be made on the final plan prior to the Board's signing the
49 plan.
- 50 3. Any outstanding fees to the Town of York will be made prior to the signing of the
51 Findings of Fact.

52 Pete Smith seconded the motion. There was no discussion. By roll call, the motion passed
53 5-0.

54

55 **Bristol Pointe #2, 294 York Street**
56 **Map/Lot 0050-0122; Owner: Jefferson Homes Inc.**
57 **(Subdivision/Site-Plan—Preliminary) Application is to demolish the existing**
58 **residence/office space and construct a mixed-use three-story building with a lower parking**
59 **level, commercial & office space above with eight (8) two-bedroom condo units.**

60 Geoff Aleva, Civil Consultants
61 Chris Duplantis, Project Manager, Weger Architects
62 Brud Weger, Weger Architects
63 Dave Lauve, Jefferson Homes

64 This plan replaces an earlier submission that the Board did not accept.

65 Mr. Duplantis made an introductory summary.

66 • Motion: Pete Smith moved to consider the waivers for Bristol Pointe Phase #2, 294 York
67 Street, Tax Map 115, Lot 233. Per section 6.3.3.8.2, the existing conditions plan, the
68 elevation contours at two-foot intervals referenced to NGBD 1929 should reference
69 NGBD 1988, instead.

70 Kathleen Kluger offered a friendly amendment to change the phrasing "Bristol Pointe
71 *Phase 2*" to "Bristol Pointe #2." Pete Smith accepted the amendment.

72 Kathleen Kluger seconded the motion. There was no further discussion. By roll call, the
73 motion passed 5-0.

74 • Motion: Pete Smith moved to approve the waiver request for 6.3.3.8.7, the seasonal
75 highwater table on the existing conditions plan. Dave Woods seconded the motion.

76 In discussion, Kathleen Kluger asked if the highwater table was the true issue. Geoff
77 Aleva explained the how the waiver request indicates yes.

78 By roll call, the motion passed 5-0.

79 • Motion: Pete Smith move to grant the waiver request for 6.3.32, the requirement for a
80 high intensity soil survey. Kathleen Kluger seconded the motion. There was no further
81 discussion. By roll call, the motion passed 5-0.

82 • Motion: Kathleen Kluger moved to accept the application for Bristol Pointe #2, Jefferson
83 Homes, Inc., 294 York Street, Tax Map 115, Lot 233, as complete for preliminary plan
84 review. Dave Woods seconded the motion. There was no further discussion. By roll call,
85 the motion passed 5-0.

86 • Motion: Kathleen Kluger moved to open the public hearing for Bristol Pointe #2,
87 Jefferson Homes, Inc., 294 York Street, Tax Map 115, Lot 233. Pete Smith seconded the
88 motion. There was no further discussion. The motion passed 5-0.

89 **John Watts**, abutter.

- 90 1) The project is too large.
- 91 2) It does not meet Site/Sub Reg 1.2.5.
- 92 3) It does not meet local Ordinance 1.2.9.
- 93 4) Per 6.1.2, the building does not fit into the relating environment.
- 94 5) The parking performance standards do not meet 15.3.
- 95 6) Per the York Village Master Plan Appendix found in the Comp Plan, curbside
96 parking is a goal in the long-ranged plan. Bristol Pointe does not provide this.

97 **Ellen Joyce**, abutter

- 98 1) There is not enough space for wetland.
- 99 2) The building is too big for the lot.
- 100 3) There should be two ADA spots.
- 101 4) Where will the demolition equipment, dumpsters, and delivery vehicles go?

102 Without objection, Wayne Boardman closed the public hearing.

103 Chris Di Matteo's comments were reviewed.

104 There were 32 items in Gorrill Palmer's review. The applicant said they would be easily
105 addressed.

106 Brian Trafton said that the ADA signage was unduly confusing in Bristol Pointe #1. He spoke
107 against the location of construction vehicles during the new building's construction.

108 • Motion: Kathleen Kluger moved to grant preliminary approval to Bristol Pointe #2,
109 Jefferson Homes, Inc., 294 York Street, Tax Map 115, Lot 233. Pete Smith seconded the
110 motion.

111 In discussion, Wayne Board explained that the application will have more exacting
112 requirements for final approval.

113 By roll call, the motion passed 4-1, with Kathleen Kluger, Pete Smith, Dave Woods, and
114 Wayne Boardman voting yes. Brian Trafton voted no.

115
116 **Moorehouse Place, 296 US Route 1**
117 **Map/Lot 0059-0021 owned by York Housing Authority**
118 **(Subdivision/Site-Plan Amendment--Preliminary/Final) Application is to amend the layout**
119 **of the approved Phase II construction for Moorehouse Place including the Phase III**
120 **development depicted by not approved on the Phase I development plans. Amendment will**
121 **remove two (2) structures with ten (10) units and construct one (1) structure to create 42**
122 **units.**

123 Patricia Martine, York Housing Authority
124 Eric Weinrieb, Altus Engineering
125 Ron Beal, Altus Engineering

126 Kathleen Kluger recused herself.

127 Pete Smith recused himself.

128 Dave Woods was appointed as a voting member.

129 Brian Trafton was appointed as a voting member.

130 Patricia Martine gave an update on the progress of the development.

- 131 • Motion: Dave Woods moved to waive the preliminary two-step process for Workforce
132 Affordable Housing Phase II York Housing Authority, 296 US Route 1, Moorehouse
133 Way, Tax Map 59, Lot 21. Brian Trafton seconded the motion. By roll call, the motion
134 passed 3-0.
- 135 • Dave Woods moved to accept the waiver for 6.3.3.a.2, the existing conditions plan, for
136 Workforce Affordable Housing, York Housing Authority, to waive elevation contours at
137 2-foot intervals referenced to NGBD of 1929, requesting reference the NGBD of 1988,
138 instead. Brian Trafton seconded the motion. By roll call, the motion passed 3-0.
- 139 • Dave Woods moved to grant a waiver request for Workforce Affordable Housing, York
140 Housing Authority, Section 6.3.3.5, Planning Board Review Fee. The Housing Authority
141 is exempt from the fee with previous regulatory review. Brian Trafton seconded the
142 motion. By roll call, the motion passed 3-0.
- 143 • Dave Woods moved to waive the written waiver requirement for Workforce Affordable
144 Housing, York Housing Authority, 296 York Street. Brian Trafton seconded the motion.
145 By roll call, the motion passed 3-0.
- 146 • Dave Woods moved to waive 6.4.3.1, public water supply. (The Water District must
147 approve in writing all specifications for the water supply system that appear on the plan.)
148 Brian Trafton seconded the motion. The motion passed 3-0.
- 149 • Dave Woods moved to waive 6.4.4.1, public sewage disposal, for the Workforce
150 Affordable project. (The Sewer District must approve all plans to connect the public
151 sewer line and all line extension. This approval will cover issues of capacity, as well as
152 piping and pump station specifications.) Brian Trafton seconded the motion. By roll call,
153 the motion passed 3-0.

- 154 • Dave Woods moved to accept Workforce Affordable Housing for completeness review,
155 296 US Route 1, Tax Map 59, Lot 21. Brian Trafton seconded the motion. By roll call,
156 the motion passed 3-0.

157 Eric Weinrieb gave an overview of the project.

- 158 • Motion: Brian Trafton moved to open the public hearing for the York Housing Authority
159 Workforce Affordable Housing Phase II amended site plan, 296 US Route 1, Tax Map
160 59, Lot 21. By roll call, the motion passed 3-0.

161 **Larry Burke**, abutter

- 162 1. He would like to see that the proposed landscaping is more robust.

163 Without objection, Wayne Boardman closed the public hearing.

164 Chris Di Matteo reviewed comments with the Board and applicant.

165 Board members unanimously agreed to go past 10:30. The Bald Head Cliff House application
166 would be moved to the next possible night.

- 167 • Motion: Dave Woods moved to waive 10-H.5.e, exterior lighting poles, for Workforce
168 Affordable Housing, York Housing Authority, 296 US Route 1, Moorehouse Way. Brian
169 Trafton seconded the motion. By roll call, the motion passed 3-0.

- 170 • Motion Dave Woods moved to waive 7.3.1.a, the cut and fill analysis for Workforce
171 Affordable Housing, York Housing Authority, 296 US Route 1, Moorehouse Way. Brian
172 Trafton seconded the motion. By roll call, the motion passed 3-0.

- 173 • Motion: Dave Woods moved to approve the Workforce Affordable Housing, York
174 Housing Authority, 296 US Route 1, Moorehouse Way, Tax Map 59, Lot 21, amended
175 Site Plan and Subdivision with the following conditions.

- 176 1) Approval with signature from Public Works for a traffic study
177 2) Approval of the as-built plan that supports the final coverage and pervious
178 surface calculations
179 3) Condition to add official documentation to satisfy 10-F.6, outdoor lighting
180 4) Condition to address 7.3.1.b. Slopes will be no greater than 20%
181 5) Wavier of 7.4.1.5, exclusion of 20% slope calculations from lot size
182 calculations
183 6) The condition that a plan note will be added to address the single-family
184 dwelling unit at the front of the property on Route 1.
185 7) The condition that a third-party engineer will review and approve Ransom's
186 previously stated concerns

- 187 • Brian Trafton seconded the motion. There was no further discussion. By roll call, the
188 motion passed 3-0.

189 In conclusion, Patricia Martine thanked the Planning Board for creating 42 workforce homes
190 for York.

191
192 ~~**Bald Head Cliff Road Access Revision (Cliff House Amendment), 591 Shore Road**~~
193 ~~**Map/Lot 0004-0029 owned by owned by RBDD Cliff House Acquisitions, LLC**~~
194 ~~**(Amendment—Final) Application is to redesign layout of Bald Head Cliff Road to decrease**~~
195 ~~**traffic through private residential areas.**~~

196 -----
197 **Minutes**

198 Minutes were not reviewed.

199 -----
200 **Other Business**

201 There was no other business.

202 -----
203 **Adjourn**

204 Brian Trafton moved to adjourn. The time was 11:15.

205 Respectfully submitted,

206 Patience G. Horton

1 **York Planning Board Meeting/Hearing**
2 **Thursday, November 10, 2022; 7:00 P.M.**
3 **York Public Library**

4 **Call to Order; Roll Call; Determination of Quorum; Appointment of Alternates**

5 Chair Wayne Boardman called the meeting to order at 7:00 P.M. A quorum was determined
6 with five people voting: Wayne Boardman, Vice-chair Kathleen Kluger, Ian Shaw, alternate
7 Dave Woods II, and alternate Brian Trafton. Peter Smith and Gerry Runte were absent.

8 The Town Hall expansion hearing was facilitated by Lee Jay Feldman, Director of the
9 Southern Maine Planning and Development Commission.

10 Land Use Planner DeCarlo Brown facilitated the workshop that followed the Town Hall
11 hearing. Patience Horton took Minutes working remotely from Town Hall Streams. Votes were
12 taken via roll call.

13
14 **Field Changes**

15 There were no field changes.
16

17 **Public Forum**

18 Correspondence had been delivered to the Board.
19

20 **Application Review**

21 **York, Maine Town Hall Expansion—Town of York, Maine, 186 York Street**
22 **Map 0109, Lots 0039 & 0045, owned by Town of York, Maine**
23 **(Sketch Plan) Application is to renovate and expand the existing Town Hall. Site**
24 **improvements include reconfiguring the building entrance, adding a performance stage**
25 **and improving site drainage. A generator transformer and HVAC units will be located**
26 **behind the existing garage.**

27 Lita Semrau, Port City Architecture

28 Steve Blais, Blais Civil Engineers

29 Steve Blais and Lita Semrau went over aspects of the new addition, which is 8,100 square feet
30 on three floors. The old Town Hall section is 5,700 square feet.

- 31 • The stormwater pipe size is a current issue being worked out with DPW.
- 32 • If the waiver for 7.23.4.g, ADA, is granted, will it meet the strictest standards?
- 33 • The Certificate of Appropriateness has recently been received.

34 When the presentation was over, Wayne Boardman closed the sketch plan review.
35

36 **Discussion—May 2023 Potential Ordinance Amendment**

37 Kristie Rabasca, Integrated Environmental Engineering

38 Kristie Rabasca and DeCarlo Brown took two-and-a-half hours working with the Planning
39 Board, going through amendments to the MS4 erosion and sedimentation permit. Board
40 members edited the text and organized the document.

41 A MS4 project will require Planning Board review when a project is larger than one acre.
42 Smaller projects will be permitted through the Code Office.

43
44 **Discussion—May 2023 Potential Ordinance Amendment**

45 Altering Article 18-A. Notifications to abutters.

46 When an application valued at \$100,000 or greater, it is up to the applicant to notify the
47 abutters within seven days of the issuance of the permit.

48
49 **Discussion—May 2023 Potential Ordinance Amendment**

50 Shoreland Overlay District

51 The Board discussed two requests for changes of the Shoreland Overlay, one from Eldredge
52 Lumber, and the other from the Nevada Motel.

53 The property owners of the Nevada have a complicated situation with stream protection
54 conflicting with the underlying zones. Other properties in the neighborhood share the same
55 situation.

56
57 **Other Business**

- 58 1. Dylan Smith will make a presentation to the Selectboard at their Monday, December 12
59 meeting. He will discuss the next steps for the Comp Plan.
- 60 2. On Thursday, December 8, Susan Silberberg will work with the Planning Board and the
61 Selectboard about moving the Comp and CAP forward.
- 62 3. In November, the Comp Plan passed with 80% approval. The Climate Action Plan had
63 already passed with 70% approval.
- 64 4. Per DeCarlo Brown, if the web version of Town Hall Streams is not “working,”
65 meetings can be heard on mobile phones. He did not explain the technicalities.

66
67 **Minutes**

68 There were no Minutes to review.

69
70 **Adjourn**

71 10:30

72
73 Respectfully submitted,
74 Patience G. Horton

**York Planning Board Meeting
Thursday, October 13, 2022
York Public Library
Joint Meeting with the Selectboard (6:00-7:00 P.M.)**

Chair Wayne Boardman brought the joint meeting to order at 6:00 P.M. A quorum was determined with five people voting: Wayne Boardman, Vice Chair Kathleen Kluger, Board Secretary Pete Smith, and Gerry Runte. Alternates Dave Woods II and Brian Trafton were also present. Selectboard members present were Chair Todd Frederick, Vice Chair Robert Palmer, Kinley Gregg, and Mike Estes (who arrived at 6:10). Dylan Smith, Planning Director; DeCarlo Brown, Land Use Planner; and Katheryn Lagasse, Human Resources Director, represented staff. Patience Horton was the recording secretary working remotely.

Upcoming Ordinance Amendments

Five initiatives were described by Dylan Smith.

1. MS4 Permits

Christie Rabasca has been retained to update SM4 stormwater permitting changes that are required by the State.

2. LD 2003 Affordable Housing

LD2003 requirements consider:

- 1. Affordable housing
- 2. The maximum of four dwellings on a lot
- 3. Section 3 dwelling units
- 4. Production goals

3. Notification requirements

There will be new notification requirements for certain building permit types.

4. There is a specific zoning change.

A zoning change has been requested where a specific property is split between the mixed-use and shoreland zones.

5. Short Sands Charrettes

The completion of the Short Sands Charrette RFP is expected next week [October 17].

37 **Kathleen Kluger described what is next for the Comp Plan once it is accepted in November,**
38 **2022.**

- 39 1. The specific implementation of the new Comp Plan has not been determined.
- 40 2. The Selectboard is to establish a task force to guide the Climate Action Plan.
- 41 3. CivicMoxie will be retained for a Selectboard/Planning Board workshop to determine
- 42 places where the Comp and the CAP overlap.
- 43 4. Article 2, the townspeople’s acceptance of the Comp Plan, is obscurely placed on the
- 44 ballot and might be easily overlooked by the voters.
- 45 5. There is no link on the Town of York website for the Voter Information Guide.

47 **Adjourn**

48 The joint meeting with the Selectboard adjourned at 7:00 P.M.

49 Respectfully submitted,
50 Patience G. Horton

52 **York Planning Board Meeting/Public Hearings**
53 **Thursday, October 13, 2022; 7:00 P.M.**
54 **York Public Library**

55 **Call to Order; Roll Call; Determination of Quorum; Appointment of Alternates**

56 Chair Wayne Boardman called the meeting to order at 7:00 P.M. A quorum was determined
57 with Wayne Boardman, Vice-chair Kathleen Kluger, Board Secretary Pete Smith. Gerry Runte,
58 Alternate David Woods II and Alternate Brian Tafton. Ian Shaw was absent. Planning Director
59 Dylan Smith and Land Use Planner DeCarlo Brown represented Town Hall staff. Chris Di
60 Matteo was the peer reviewer. Patience Horton was the recording secretary working remotely.
61 Votes were taken via roll call.

62 This meeting was not broadcast or recorded.

64 **Field Changes**

65 There were no field changes.

67 **Public Forum**

68 No one came forward to speak.

70 **Discussion—May 2023 Potential Ordinance Amendments.**

71 The potential ordinance amendments had been described by Dylan Smith during the prior
72 meeting with the Selectboard.

74 **Application Review**
75 **York Housing Authority—Moorehouse Place, LLC, 296 US Route 1**
76 **Map 0059, Lot 0021, owned by York Housing Authority (c/o Patricia Martine)**
77 **(Sketch Plan) Application is an amendment to a previously-approved plan for the**
78 **construction of a multifamily dwelling containing 42 dwelling units. The application**
79 **amends the layout of the approved Phase II construction Morehouse Place.**

80 Patricia Martine, Director of York Housing
81 Eric Weinrieb, Altus Engineering

82 Kathleen Kluger and Pete Smith recused themselves due to conflict of interest.
83 Alternates Dave Woods and Brian Trafton were appointed voting members.

84
85 Due to Covid, the cost of the project went from \$1,800,000 to over \$3,000,000. There are
86 subsequent extended costs in site adjustment, architecture, system design, and construction.

87 The planning and infrastructure site work for the entire buildout is complete.

- 88 1. Phase I is built.
89 2. Phase II has been approved but is not built.
90 3. The applicant proposes changes to Phase II, including building location.

91 Eric Weinrieb described the details of the new plan and said he would request a waiver from
92 the two-step process.

- 93 • Motion: Gerry Runte moved to open the public hearing on the application Workforce
94 and Affordable Housing Phase II, York Housing Authority, 296 US Route 1, Tax Map
95 59, Lot 21. Dave Woods seconded the motion. There was no further discussion. By roll
96 call, the motion passed 4-0.

97 No one came forward to speak. Without objection, Wayne Boardman closed the public
98 hearing.

99 Chris Di Matteo went over his comments with the Board and the applicant.

100 DeCarlo Brown cautioned the Board about on approving preliminary and final approval
101 together. He said:

- 102 1. Requirements of 6.3 and 6.4 are often incomplete.
103 2. Comments from peer and engineering reviewers often come in too late to review.
104 3. It is sometimes hard to schedule the public hearing with appropriate notifications.

105 As the hearing drew to a close, Eric Weinrieb added that there will be an additional waiver
106 request at the next hearing. That waiver will entail how the third building was to have been
107 notably different that the first two but now will be similar in appearance.

108

109 **Application Review**
110 **Wiggly Bridge Distillery Barrel Houses, 441 & 445 US Route 1**

111 **Map 0054, Lots 0010-B and 0010-C, owned by Woods Family Inc.**
112 **(Amendment) Application is an amendment to previously-approved plan for the**
113 **construction of two 36' by 76' barrel houses used for product storage, expansion of the**
114 **existing building with associated grading, and stormwater components.**

115 David Woods

116 Dave Woods II

117 James Lowery, Fuss & O'Neill

118 Dave Woods II recused himself due to conflict of interest.

119 Brian Trafton was appointed a voting member.

120 There was a site walk on September 21 from 10:30 A.M. to 11:13 A.M. It was attended by:

- 121 1. Wayne Boardman, Kathleen Kluger, Ian Shaw, and Brian Trafton from Planning Board
- 122 2. DeCarlo Brown from Town Hall staff
- 123 3. Applicants David Woods, Dave Woods, and James Lowery
- 124 4. Four abutters

- 125 • Motion: Pete Smith moved to open the public hearing for Wiggly Bridge Distillery
- 126 Barrel Houses, Tax Map 54, Lots 10-B and 10-C. Brian Trafton seconded the motion.

127 In discussion, Kathleen Kluger asked to delay the public hearing so the applicant could
128 make a presentation.

129 James Lowery made a presentation describing changes that had been made to the plan
130 since the last hearing.

131 By roll call, the motion to open the public hearing passed 5-0.

132 **A gentleman** [name obscured] asked:

- 133 1. Will nearby houses be impacted?
- 134 2. Will food and beverage be served?
- 135 3. Will drinking water be affected?

136 **Adam Flaherty**

- 137 1. There is a code in violation. It concerns whisky fungus.
- 138 2. The fungus is on surrounding buildings and fences.
- 139 3. His house value is decreasing.

140 **Jenna Cecot**, 17 Winterbrook Drive

- 141 1. There is ethanol alcohol on the site. It is flammable and explosive.
- 142 2. Mold/fungus
- 143 3. 100 neighborhood children are at risk

144 **Chris Pasternak**

- 145 1. There are no fire suppression or warning systems.
- 146 2. A nearby brook and the York River are at risk.

147 **Jared Richardson**

- 148 1. There is poor drainage in the area.
149 2. Any spill will go into overflowing culverts.

150 **Riana Rabbani** [name obscured]

- 151 1. Her two children are at risk.
152 2. Vapors
153 3. Fungus
154 4. Code violation

155 Chair Wayne Boardman closed the public hearing.

156 DeCarlo Brown indicated that if there are code violations, they are in the jurisdiction of the
157 Code Office.

158 David Woods and Dave Woods responded to the public hearing.

159 Chris Di Matteo went over his comments.

- 160 • Motion: Pete Smith moved to authorize the Planning Board staff to obtain advice from
161 a qualified expert regarding the health and property hazards of the distillation process at
162 the Wiggly Bridge Distillery at 441 US Route 1, Tax Map 54, Lot 10-B and 10-C,
163 York, Maine. Brian Trafton seconded the motion.

164 In discussion, Mr. Smith amended his motion saying that the planning department will
165 accomplish this task at the earliest possible time, “with urgency.”

166 The motion passed 5-0.

- 167 • Motion: Kathleen Kluger moved to continue the application for Wiggly Bridge
168 Distillery Barrel Houses, 441 & 445 US Route 1, Map 54, Lots 10-B and 10-C, owned
169 by Woods Family, Inc., to a date to be determined pending the outcome of staff
170 obtaining professional advice about health and safety effects and pending the
171 applicant’s decision to amend (or not amend) their application. Pete Smith seconded the
172 motion.

173 In discussion, David Woods asked if, to save time, he could hire the expert, himself.
174 Wayne Boardman explained that in this case, the Town hires the expert.

175 By roll call, the motion passed 5-0.
176

177 **Minutes**

178 Minutes were not reviewed.
179

180 **Other Business**

- 181 1. The Comp Plan booth at Harvestfest for Saturday, October 15, was cancelled.
182 2. The Comp Plan is Article 2 on the ballot, November 8.

183

184 **Adjourn 10:40**

185 Respectfully submitted,

186 Patience G. Horton



**Public Hearing Notice
York Planning Board
Thursday, January 12, 2023
7:00 PM**

The York Planning Board will hold a remote meeting on Thursday, January 12, 2023, at 7:00 p.m. This meeting will take place using Zoom.

Virtual meetings are allowed pursuant to 1 M.R.S. § 403-B and per adoption of the “Remote Participation Policy” by the York Board of Selectmen on October 18, 2021.

Allow your computer to install the free Zoom app to get the best meeting experience.

ZOOM MEETING INSTRUCTIONS

When: Jan 12, 2023 07:00 PM Eastern Time (US and Canada)

Topic: Planning Board Meeting 1/12/2023

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/85193162939>

Or One tap mobile :

US: +13052241968,,85193162939# or +13092053325,,85193162939#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 646 931 3860 or +1 929 205 6099 or +1 301 715 8592 or +1 564 217 2000 or +1 669 444 9171 or +1 669 900 6833 or +1 689 278 1000 or +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847

Webinar ID: 851 9316 2939

International numbers available: <https://us02web.zoom.us/j/85193162939>

To view and listen to the meeting live you may also go to the Town of York’s homepage or to the following URL on your computer or device: https://townhallstreams.com/towns/york_meetings if there is not a meeting already in progress.

Plans and agenda items can be found with the Planning Department at York Town Hall, and on the York Planning Board’s webpage under “Recent Agendas, Minutes and Meeting Materials.” Public comments may be taken for each item on the agenda during the estimated allotted time. Written comments should be submitted to the Planning Board via mail or emailed to dbrown@yorkmaine.org well in advance of the meeting.

All meetings shall be adjourned no later than 10:30 PM, unless extended by unanimous consent of the Board.

AGENDA

- 1. Call to Order; Determination of Quorum; Appointment of Alternates**
- 2. Public Forum**
- 3. Field Changes**
- 4. 2023 Meeting Schedule**
- 5. Findings of Fact – Water District**
- 6. Discussion**
 - A. Officer Election – Vice Chair
 - B. Public Hearing Scheduling - Stormwater Management
 - C. Legislation – Electric Vehicle Charging Stations
 - D. Climate Action Plan/Comprehensive Plan Implementation
- 7. Minutes**
- 8. Other Business**
- 9. Adjourn**

All meetings shall be adjourned no later than 10:30 PM, unless extended by unanimous consent of the Board.

Findings of Fact, Conclusions of Law, & Decisions
Planning Board, Town of York, Maine

Regarding an application for

Subdivision Amendment

Tax Map 96 Lot 24-I

Applicant

York Water District

Findings of Fact

Street address:

6 Gertrude Lane

Property ownership:

York Water District

PO Box 447, York, ME 03909

Other parties to the application:

Jarod Kidd & Violeta Archilla

23 Boban Street, York, ME 03909

Description of the existing use(s) of the property:

Residential and York Water District

Description of the proposed use(s) of the property and the nature of the application:

Reconfiguration of LOT 3 depicted on plan recorded at York County Registry of Deeds plan book 224, page 27. Transfer of a portion of LOT 3 to owner (York Water District) of adjacent, non-subdivision land

Base zoning district:

Gen-2

Overlay zoning district(s):

Mixed-use Shoreland Overlay District

Other relevant regulatory districts:

List of materials submitted at each stage of the application process:

Materials submitted for the September 22, 2022 Planning Board Meeting:

1. Application form dated 8/30/2022

2. Project Narrative entitled *6 Gertrude Lane, York, ME Subdivision Amendment Application*, and associated application material, prepared by Civil Consultants, dated 8/30/2022.
3. Plan entitled: *Subdivision Plan of Chase's Pond Estates Chase's Pond Road, York, Maine dated February 1988*. Prepared by Anderson Associates.
4. Plan entitled: *Subdivision Plan of Snowden Hill Chase's Pond Road York, Maine dated October 1993*. Prepared by Anderson Livingston Engineers.
5. Plan entitled: Revised Subdivision Plan of Snowden Hill Road York, Maine Dated October 1993 Revised June 1995. Prepared by Anderson Livingston Engineers.
6. Plan entitled: Subdivision Plan of Snowden Ridge Chase's Pond Road York, Maine dated May 1997, revised November 1997. Prepared by Anderson Livingston Engineers.
7. Plan entitled: Plan showing land surveyed for Ben Ames Williams Jr, York, Maine dated April 3, 1980. Prepared by Dow & Coulombe Inc.
8. Plan entitled: Proposed Revision to Lot 3 Snowden Hill Subdivision Y.C.R.D Plan Book 224 Page 27, Located on Gertrude Lane York, Maine dated 7/21/2022. Prepared by Civil Consultants.

Date(s) on which the Board met to consider the application:

Final Plan: 9/22/2022

Date(s) on which the Board conducted a public hearing on the application:

9/22/2022.

Brief description of substantive materials and testimony received at the public hearing:

None

List of public comment via letters and email.

None

List of staff and peer-review reports and Town Attorney legal opinions.

1. Peer-review letters prepared by Long Meadow Planning and Landscape Architecture, LLC for the York Planning Board, DeCarlo Brown, Land Use Planner dated 9/13/2021.

<i>Conclusions of Law</i>

Planning Board Jurisdiction

Statutes:

None

Ordinances:

York Zoning Ordinance, Section 18.15.B.1.A

Site Plan and Subdivision Regulations:

Section 1.2 and all other applicable provisions related to Major Site Plan Application

Permits Required:

Route One Use Permit (YZO Section 18.1)

Planning Board Approval Criteria

(Site Plan and Subdivision Regulations Article 1 Section 2)

Pollution:

Not applicable

Sufficient Water:

Not applicable

Municipal Water Supply:

Not applicable

Erosion:

Not applicable

Traffic:

Not applicable

Sewage Disposal:

Not applicable

Municipal Solid Waste Disposal:

Not applicable

Aesthetic, Cultural and Natural Values:

The development is not in the vicinity of any scenic or natural beauty of the area, aesthetics or historic sites or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline, and thus will not have an undue adverse effect.

Conformity with Local Ordinances and Plans:

The Planning Board finds the application to be in conformance with municipal zoning, land use codes and the Comprehensive Plan. In making this determination, the Planning Board is authorized to interpret these Ordinances and Plans.

Technical and Financial Capacity:

The applicant has engaged with a professional surveyor to provided technical assistance.

Surface Waters:

Not applicable.

Ground Water:

Not applicable

Flood Areas:

Not applicable

Freshwater Wetlands:

Not applicable

River, Stream or Brook:

Not applicable

Stormwater:

The proposed development will provide for adequate stormwater management. A completed stormwater management system has been designed for the proposed development. The system will collect, treat, and properly discharge all ground level and roof stormwater runoff.

Spaghetti Lots Prohibited:

Not applicable.

Lake Phosphorous Concentration:

Not applicable.

Impact on Adjoining Municipality:

Not applicable.

Decisions

Date Application Accepted as Complete for Review:

9/22/2022 (final)

Waiver(s) Granted:

None

Decision(s) voted on by Planning Board:

(From the 9/22/2022 minutes)

Motion: to accept the application as complete. There was no discussion. The motion passed 5-0.

Final Plan Approval Date:

September 22, 2022

Conditions for Final Approval:

Update plans based on Staff comments, plans updated and dated 9/26/22.

Expiration Date (if conditions are not satisfied): N/A

"A conditional approval shall be valid for a period of 60 days from the date on which the vote was taken. If the applicant fails to satisfy all conditions precedent within this timeframe, the board may vote to deny without prejudice. Both of these standards shall be expressly stated in the findings of fact."

Chair, Planning Board

Date