1. Planning Board Meeting Materials

   Documents:

   2020-2-13 PB AGENDA.PDF
   JANUARY 23, 2020 PLANNING BOARD DRAFT MINUTES.PDF
   SIGN ORDINANCE_CURRENT.PDF

2. Planning Board Meeting Materials

   Documents:

   FEBRUARY 13, 2020 PLANNING APPROVED.DOC
AGENDA
York Planning Board Workshop
Thursday, February 13, 2020
7:00 PM
York Police Department

1. Call to Order; Determination of Quorum; Appointment of Alternates
2. Public Forum
3. Discussion/Review- Comprehensive Plan Consultant Interview Process
4. Discussion/Review- Outdoor Sign Lighting
5. Discussion- November 2020 Potential Ordinance Amendments
6. Review of Minutes
7. Other Business
8. Adjourn

All meetings shall be adjourned no later than 10:30 PM, except with agreement of the majority of the Board.
York Planning Board
Thursday, January 23, 2020, 7:00 P.M.
York Public Library

Call to Order; Determination of Quorum; Appointment of Alternates
Chairman Al Cotton called this application review to order. A quorum was determined with five people voting: Al Cotton, Vice Chair Kathleen Kluger, Board Secretary Pete Smith, Wayne Boardman, and Gerry Runte. Alternate Ken Churchill was present but did not vote. Land Use Technician Heather Ross represented staff. Patience Horton took minutes. The meeting lasted 2.25 hours.

Public Forum
Alica Johnson-Grafe spoke about the Workforce Housing application (296 US Rte 1 Map/Lot: 0059-0021), which is still in its sketch plan phase. She is the head of the abutting Brixham Montessori Friends School. She asked that if the workforce housing subdivision is built, will there will be a sidewalk along Route 1 in front of her school and the new subdivision. Chairman Al Cotton answered yes and added that the PB has been trying to get sidewalks along Route 1 for quite some time.

Field Changes
There were no field changes.

Application Reviews
Continuation—Clark & Howell, 464 RS Route 1
Map/Lot: 0048-0025 owned by Groundswell, LLC
Map/Lot: 0053-0024 owned by Hannaford Bros.
Continuation of final plan review for an office building
Geoff Aleva of Civil Consultants reviewed this final plan submission. Applicant Matt Howell was also present. Dean Lessard had indicated that he has no further issues with the project. The traffic review memo indicates that no further traffic study is needed. However, per Planning, the stormwater permit has to be in place before the preconstruction meeting.

The landscape plan around the building and the parking lot is complete. The applicant has met the required point system York has for the plant placement on the property. The plan meets the buffer requirements for the Route 1-3 zone. There is a letter from the abutter to the north indicating there are no issues with reducing the side buffer, but the letter to the same extent from Bangor Savings has not been received. Since it is a nonconforming lot, the buffers can be reduced with the provision that letters of acceptance are received from both sides of the property.
Chairman Al Cotton opened and closed the public hearing. No one came forward to speak.

Heather Ross reported that the Code Office wants to see the location of the sign on the plan as well as the plan for snow removal. She also said that the performance guarantee that assures municipal services for the water and sewer connections is due at the time of the preconstruction meeting. The PG must also guarantee funds for erosion control.

- Motion: Kathleen Kluger moved to approve for final plan application by Clark & Howell, 464 RS Route 1, Map/Lot: 0048-0025 (owned by Groundswell, LLC) and Map/Lot: 0053-0024 (owned by Hannaford Bros.), with the conditions that there will be a condition that snow storage and sign location are placed on the plan set and also that any state and federal permits are obtained before the preconstruction meeting. Gerry Runte seconded. The motion passed 5-0.

**Crane Hotel Group, 230 Nubble Road**
- Map/Lot: 25-0201 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0202 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0203 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0204 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0220 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0221 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0222 owned by 229 Nubble Rd, LLC
- Map/Lot: 25-0223 owned by 229 Nubble Rd, LLC

Sketch plan for construction of buildings to create 16 hotel suites, restaurant, and associated parking.

Geoff Aleva with Civil Consultants is the civil engineer on this project. Architect/owner Chris Reynolds with Wow Design Group, LLC, reviewed the plan for the PB with Geoff. The Crane Hotel Group includes Chris Reynolds, Joe Lipton, and Michelle Lipton. The group also owns the Viewpoint Hotel across the street. This cabana-inspired campus is an extension of the Viewpoint Hotel.

Tonight, Chris Reynolds produced a PowerPoint presentation introducing the project. In December, 2019, and January of this year, the applicants held meetings with abutters and gave this same presentation. Twenty-five invitations went out and 15 interested people showed up. Ultimately six sent letters of enthusiasm were sent to the planning department, the positivity of which was considered unusual for any application. During one of the abutters’ events in Dec and Jan, the applicants recorded Joe Lipton’s narration of the PowerPoint presentation. Tonight, that recording was used to accompany the same presentation, as Joe was not present to narrate it.

The hotel complex is located on the former Browns Ice Cream property featuring Browns Rock. Chris Reynolds said that he personally grew up in the summers eating ice cream.
on Browns Rock. Al Cotton commented that everyone in the room has had that experience.

The hotel design is inspired by York history, as the site was once the site of the Cabana Colony of the 1950s. According to Joe, it was the Nubble Point’s first summer vacation rentals. The cabana design was a low scale, cost effective way to build interesting accommodations to meet the demand for summer rentals, he said.

This cabana-styled hotel will sit on two-acres north of Dunne’s Ice Cream and is kitty-corner to the Viewpoint Hotel across Nubble Road. The new hotel features a wellness cabana and 12 cabana-style hotel units in six buildings. The site also has a more traditional three-story building with four hotel units. The ground floor pool and bar are strategically situated around Browns Rock. A first-floor restaurant and bar with seating for 75-100 is featured in that building, too. The campus has lawn space for tent- and community-programs like weddings. The property is rounded out with a grassland/bird sanctuary and a check-in gatehouse (across the street) to serve both hotels. That ended the PowerPoint presentation.

Chairman Al Cotton opened the public hearing.

Steve Dunne owns Fox’s Lobster House and Dunne’s Ice Cream, both of which abut Viewpoint property on either side of road. He attended a December/January get-together and is one of many who are enthusiastic about what the project will bring to the neighborhood. He said that the Town is doing a lot of road work on the Nubble. It is important for the sidewalks to line up, he said. He’s seen certain sections of town where the town puts in a new road and created a bump up into the driveways that he hopes will not be repeated here.

The Chair closed the public hearing.

- Motion: Kathleen Kluger moved to accept the Crane Hotel Group, 230 Nubble Road; Map 0025/Lots 0201, 0202, 0203, 0204, 0220, 0221, 0222, and 0223 for sketch plan review. Pete Smith seconded. The motion passed 5-0.

The architecture is sustainable and follows green practices. It is a year-round hotel/restaurant. The passive solar design has an overhanging roof to provide shade in the summer and long rays of sun in winter to warm the thermal materials that will hold heat in. There are green trellises along the sides of the cabana-inspired units.

There are power lines between the new cabanas and the lighthouse. Geoff Aleva plans to meet with CMP to if see if the cost of getting them buried is practical. The building will begin as soon as possible, hopefully “by Labor Day,” and will be completed in one phase.

Lupine Park, 4 Vacation Drive
Map/Lot: 0086-0002 owned by Joshua Stauble
Preliminary and final plan review for a garden center

Ryan McCarthy of Tidewater Engineering and Survey introduced applicant Joshua Stauble. Gorrill Palmer had done the review for this application, and it is complete.

The property is in the Route 1-2 zone near the Kittery line. The property tips out of the York Growth Zone, which puts particular restrictions on the property. Historically, the property was an organic nursery. There is a manmade pond that was used for irrigation. Joshua will most likely fill and use the pond. There is an existing cottage that he hopes to demolish and replace with a new home someday.

He plans to headquarter his excavating and landscaping business in a proposed 5,000 square foot, mixed-use building. It would have three units, two rented out to trade businesses like a plumber or a carpenter.

Chairman Al Cotton opened and closed the public hearing. No one came forward to speak.

- Motion: Kathleen Kluger moved to accept for preliminary and final review the application of Lupine Park, 4 Vacation Drive; Map/Lot: 0086-0002. Pete Smith seconded. The motion passed 5-0.

Josh wants to put a minor accessory structure in the form of a farm stand out by Route 1. He would like to sell bundles of firewood or flowers from it. It would also serve as a kind of advertisement and landmark for his business. But zoning prohibits it. Heather Ross said she would look into some way some kind of unit can be put out there. Perhaps a pickup truck can be backed up there every day, Josh said.

A pole barn is proposed next to the 5,000 square foot building. It will store nine company vehicles. Employees will park in the large Lupine Park lot and go in Lupine trucks to the properties they are landscaping. The parking lot calculation is based on the square footage of the building, one space for every 200 square feet of the 5,000 square feet of the building—25 spaces. There will be no retail sales on the property.

There will be five concrete bins and stockpiles of materials. Josh does not plan to bring snow onto the site. There are about two acres for growing and selling flowers someday. Heather said agricultural like that is allowed in the Route 1-2 zone.

Dean Lessard had written that there should be a light post at the entrance of Vacation Drive. In response, Geoff Aleva has proposed a business sign with overhead lighting. The Fire Department has asked for a dry hydrant—a pipe that will go into the pond so fire trucks can fill up there.
Motion: Kathleen Kluger moved to approve the waiver request for Zoning Ordinance 6.3.10, Landscaping of Buffer Yards. Pete Smith seconded. The motion passed 5-0.

Motion: Kathleen Kluger moved to approve the waiver request for Zoning Ordinance 6.3.2.1, Performance Guarantee for Required Improvements. Wayne Boardman seconded. The motion passed 5-0.

Motion: Kathleen Kluger moved to approve the waiver request for Site and Subdivision Regulation § 6.3.3.2, High Intensity Soil Survey. Pete Smith seconded. The motion passed 5-0.

Motion: Kathleen Kluger moved to approve the waiver request for Site and Subdivision Regulation § 6.4.6, Landscaping Plan. Pete Smith seconded. The motion passed 5-0.

Motion: Kathleen Kluger moved to approve the waiver request for Site and Subdivision Regulation § 6.4.2.5, Performance Guarantee. Pete Smith seconded. The motion passed 5-0.

Motion: Pete Smith moved to approve the application for Lupine Park, 4 Vacation Drive, Map/Lot: 0086-0002, as presented with the condition that necessary state and federal permits are obtained before preconstruction meetings. Gerry Runte seconded. The motion passed 5-0.

Minutes

Motion: Kathleen Kluger moved to accept the minutes of January 9, 2020 as amended. Pete Smith seconded. The motion passed 5-0.

Other Business

The letters to the Comp Plan rewrite candidates have been sent out. The appointments for their interviews/PowerPoint presentations are being scheduled.

The letters to the community listeners for the Comp Plan interview/PowerPoint presentations have been approved and sent out. The student observers have not been selected, but will be soon. It is a matter of coordinating with the civics instructor at the High School, said Kathleen Kluger.

Kathleen Kluger and Al Cotton have been working as a work group on the Short-Term Residential Rentals amendment. It will be discussed at the next workshop meeting.

Adjourn

The meeting adjourned at 9:15 P.M.

Respectfully submitted,

Patience G. Horton
Planning Board Recording Secretary
ARTICLE SIXTEEN
SIGN STANDARDS
(Entire Article Amended 11/08/2011)

16.1 Purpose
Because a proliferation of advertising signs could create a hazard to the motoring public, and diminish the natural scenic and historic beauty of York, it is the purpose of this section to reduce the possible negative effects of signs while providing reasonable opportunities for the advertisement of goods, services and other attractions in York while minimizing visual clutter and contributing to York’s aesthetic coherence. These standards regulate on-premise business advertising signs, and temporary off-premise advertising signs.

16.2 Sign Types

16.2.1 A-frame sign: An advertising sign located on the ground, not permanently attached and easily movable, and usually two-sided. Also called a “sandwich board.”

16.2.2 Banner. A sign composed of lightweight cloth, plastic material, or other non-rigid material, affixed to a structure either by ropes, pins, cables, etc. or by framing, in such a way that it moves in the wind.

16.2.3 Billboard. See Article Two, Definitions.

16.2.4 Blade Sign. Hanging or placard style signs which project from the front façade of the building over the sidewalk, fixed at an angle or perpendicular to the wall on which it is mounted. These signs are typically two sided and either square, rectangular or oval in form.

16.2.5 Business Directional Signs. Off-Premise Business Directional Signs are governed by the Town of York’s Directional Sign Ordinance.

16.2.6 Changeable Signs. An on-premise sign created, designed, manufactured, or modified in such a way that its message may be electronically, digitally or mechanically altered by the complete substitution or replacement of one display by another. Signs that contain changeable copy that can only be altered by manual means shall not be considered changeable signs.

16.2.7 Directory Sign. A directory of the business establishments occupying a building affixed to the exterior wall of a building containing multiple businesses.

16.2.8 Freestanding Sign. A sign that is permanently erected in a fixed location and supported by 1 or more columns, upright poles or braces extended from the ground or from an object on the ground, and not attached to or dependent for support upon any building.

16.2.9 Gateway Signs: A gateway sign is a freestanding sign, constructed within a public right-of-way, or adjacent lot, which communicates the name of the Town or village area. - AMENDED 05/16/2015

16.2.10 Information Sign. A sign, without commercial speech or advertising material, designed and intended to convey information about a permitted use, whether it be a business, institution, school, church, public building, fraternal or service clubs, to convey regulations or restrictions, or otherwise to provide needed guidance to the general public; for example, "no trespassing," "exit", hours of operation, and other useful information.

16.2.11 Open Flag. A flag placed outside a business, during business hours, indicating a business is open.

16.2.12 Window Sign: A sign printed on, affixed to, in contact with or etched on a window and intended for viewing from the exterior of the building.

16.2.13 Wall Sign: A sign attached to, erected against or hanging from the wall of a building, with the face in a parallel plane to the plane of the building wall. Signs on awnings shall be considered wall signs. Wall signs shall include only letters, background, and an optional logo. Information shall consist only of the name and/or logo of the business. Wall signs shall not list products, sales, other promotional messages, or contact information.

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16.3 Performance Standards

16.3.1 No new, additional or enlarged commercial sign shall be erected or placed within the Town of York except as provided below. No person, firm, corporation or organization shall erect, enlarge, or replace any sign described above without first obtaining a permit from the Code Enforcement Officer, except as exempted by this Ordinance. All permit applications shall include a drawing showing all dimensions, types of materials, and illumination proposals. An application for a "Gateway Sign," as permitted in this ordinance, shall obtain written approval from the Board of Selectmen after receiving comment by the Code Enforcement Officer and Public Works Director. - AMENDED 05/16/2015

16.3.2 Signs shall not cause any traffic hazard, or any nuisance, as defined by state statute.

16.3.3 Sign color or format shall not resemble traffic signals or safety signs.

16.3.4 Signs adjacent to any public way shall not: a) obstruct clear and free vision of vehicle operators; b) interfere with, obstruct the view of or be confused with any authorized sign, by reason of its position, shape, color, illumination or wording; c) otherwise constitute a hazard to pedestrian or vehicle traffic.

16.3.5 Signs shall not be attached or affixed to any tree or to any public utility pole.

16.3.6 Signs are prohibited on roofs, and shall not project above the eave lines or parapet walls of buildings to which they are attached. For flat roofed buildings that employ roof fronts that give the appearance of a pitched roof, signs are prohibited on the roof front.

16.3.7 Signs shall not be placed so as to interfere with free ingress to or egress from any door, window or fire escape, or parking lot.

16.3.8 Signs shall not be placed so as to adversely impair vehicular or pedestrian safety or circulation.

16.3.9 All signs, including any supporting posts or structural elements, shall be appropriately maintained. Appropriate maintenance consists of the sign remaining in the same condition as when it was installed. Missing lettering, cracked or broken glass or plastic, insecure or broken signs, or any other sign condition that may cause unsafe or unsightly conditions shall be repaired or removed.

16.3.10 Any sign which advertises a business no longer being conducted shall be removed within 6 months of the business closing.

16.3.11 All signs, except where otherwise specified in §16.6. and §16.7, shall be on the property of the business being advertised, or within that business's access easement. In the event a sign is placed on an access easement, it shall be calculated towards the maximum sign area allowed per business and/or per lot for the business being advertised.

16.4 Illumination of Signs

16.4.1 Except as prohibited in section 16.9 of this ordinance externally and internally illuminated signs shall be illuminated only by steady, stationary, shielded light sources directed solely on the sign without causing glare. - AMENDED 05/16/2015

16.4.2 Light levels shall be deemed acceptable if they do not exceed a factor of 3 above the ambient light intensity at any point on the ground when measured with an incident light meter and the following procedure:
   a. The intensity of the sign illumination, in foot candles, is measured with all normal background and ambient illumination on.
   b. With the sign turned off, the same measurement is repeated.
   c. The ratio of the measurement in (1) to that in (2) shall not exceed 3.

It shall be the responsibility of the applicant to provide documentation that proposed sign lighting meets the above maximums.
16.4.3 Except in the case of permitted and/or grandfathered neon signs, LED lights shall be the source of sign illumination, unless it can be demonstrated that another bulb type is equal or greater in energy efficiency.

16.4.4 Illuminated signs shall be constructed and erected in such a manner as to deflect light away from residential properties and public roads.

16.5 Dimensional Standards

16.5.1 Measurement of Sign Area

16.5.1.1 Measurement of signs include the area of all boards, panels, frames, or sheets of material but does not include supporting posts or any structural elements outside the limits of such perimeter which do not form an integral part of the display.

16.5.1.2 In determining the area of wall signs or window signs, the entire area with a continuous perimeter enclosing the extreme limits of the actual letters, characters, background surface, and any associated graphics shall be measured. For a sign consisting of individual letters or symbols without a distinguishable background, the area shall be that of the smallest rectangle which encompasses all of the letters and symbols.

16.5.1.3 Sign area shall be determined as the product of the maximum width and maximum height of the sign unit, excluding the supporting structure. However, if the supporting structure is built in the shape of a corporate symbol, its area shall also be counted.

16.5.1.4 Maximum Dimension shall mean the longer of either height or width.

Sample Illustrations of how to calculate sign area. Dashed line indicates where measurements are taken.

16.5.2 Dimensional Standards by Sign Type

16.5.2.1 A-Frame Signs
a. A-frame signs may be double sided with the identical sign face displayed on both sides; a double-sided a-frame sign shall constitute one sign and only one side shall contribute towards total sign area. One A-frame sign is permitted per business. An A-frame sign shall not exceed 8 square feet, and may not exceed a maximum height of 4 feet from the ground to the top of the sign.

b. An A-frame sign must be placed within fifteen feet of the primary entrance of the business it is advertising, and must not interfere with pedestrian traffic or violate standards of accessibility as required by the American with Disabilities Act. Placement of A-frame signs must maintain a five foot sidewalk clearance at all times.

c. A-frame signs may only be displayed during business hours, and must not be left out overnight.

16.5.2.2 Blade Signs

a. Blade signs may be double sided with the identical sign face displayed on both sides; a double-sided blade shall constitute one sign and only one side shall contribute towards total sign area.

b. Blade Signs shall be permitted only for businesses that have a principal entrance on the first story.

c. Blade Signs may encroach over a sidewalk or public way up to four feet and must have a minimum clearance from existing grade of at least eight feet, with a maximum height of twelve feet to the top of the sign. Blade Signs shall not encroach above the roof line nor above the bottom of the second story window.

d. The maximum permitted sign area for a blade sign is 8 square feet.

f. For buildings with multiple businesses, a blade sign is allowed for each first floor business located there, except that businesses which front on two streets and have an entrance for the public on each frontage, may have one blade sign on each frontage.

16.5.2.3 Directory Sign

a. One directory of the business establishments occupying a building may be affixed to the exterior wall of the building at each public entrance to the building.

b. Each business directory sign may be no larger than 4 square feet.

16.5.2.4 Freestanding Signs

a. Freestanding signs may be double-sided with the identical sign face displayed on both sides; a double-sided sign shall constitute one sign and only one side shall contribute towards total sign area.

b. Not more than one freestanding sign shall be permitted per lot, except that on a lot which fronts on two streets, in which case the lot may have one freestanding sign along each road on which the lot fronts. All freestanding signs shall be placed perpendicular to the road frontage they are meant for. In the case of lots with multiple frontages, the frontage which constitutes the front lot line shall be allowed the maximum area and longest dimension allowed for freestanding signs in that zone. For lots which front on two streets in the Route One zones, a freestanding sign on the secondary frontage shall be allowed a maximum of 20 square feet of area, with the longest dimension not over 6 feet. For lots which front on two streets in all other zones except for RES-1A, RES-1B, RES-2, and RES-3, a freestanding sign on the secondary frontage shall not exceed 12 square feet of area.

c. In the Route One zones, freestanding signs shall not exceed 48 sq. ft. of area in total, with the longest dimension not over 12 feet. However, such signs may be larger in area when they advertise a group of multiple businesses located in a single building, mall, plaza or office park. In such cases, an additional 12 square feet per additional business may be added, for up to a maximum total of 100 square feet, with the longest dimension not over 12 feet. Allocation of sign area for each business is at the discretion of the applicant as long as no business is allocated more than 48 square feet of sign area. Sign area devoted to the name of the building, mall, plaza or office park shall be included in calculation of sign area.

d. Freestanding signs shall not be placed closer than twelve feet from any lot line, unless after an on-site inspection, the Code Enforcement Officer waives or partially waives this setback on a finding that no sign could be properly set back and provide reasonable advertising exposure in both directions.

e. Maximum height of freestanding signs in the Route One zones shall be fifteen feet from adjacent ground grade to top of sign.

f. In all other zones except for RES-1A, RES-1B, RES-2, and RES-3, freestanding signs shall not exceed 20 square feet of area, with the longest dimension not over 6 feet. However, signs may be larger in area when they advertise a group of businesses located in a single building, mall, plaza or office park. In such cases an additional twelve square feet per business may be added for up to a maximum total of 64 square
feet, with the longest dimension not over 6 feet. Allocation of sign area for each business is at the discretion of the applicant as long as no business is allocated more than 20 square feet of sign area. Sign area devoted to the name of the building, mall, plaza or office park shall be included in calculation of sign area.
g. Freestanding signs not in the Route 1 zones, RES-1A, RES-1B, RES-2, and RES-3 zones, maximum height shall be twelve feet from adjacent ground grade to top of sign.
h. A business may have either a freestanding sign or a blade sign, but not both, except that a business located on a lot which fronts on two streets may choose to have two freestanding signs, or two blade signs, or one of each.

16.5.2.5 Gateway Signs
Gateway Signs shall not have a sign area greater than 12 square feet or be greater than 8' from the adjacent ground grade to the top of the sign.

16.5.2.6 Home Occupation Signs
See 7.4.5.B

16.5.2.7 Information Sign
Display area of Information Signs shall not exceed three square feet or extend higher than seven feet above ground level.

16.5.2.8 Open Flags
Open Flags shall not exceed 3'x5'; no more than one per business shall be displayed; it shall be displayed only when the business is open; it shall only be displayed on the business premises; it shall not be illuminated; and it shall not obstruct free and clear vision of vehicle operators; interfere with, obstruct the view of or be confused with any authorized sign; or otherwise constitute a hazard to pedestrian or vehicle traffic.

16.5.2.9 Wall Signs
Wall signs shall not exceed a total of 25 sq. ft. or 10 percent of the wall area to which they are attached, whichever is less. Not more than one wall sign shall be permitted per building, with the following exceptions: buildings with multiple businesses shall be permitted one wall sign per business. Where there are two or more wall signs per building, their total area shall not exceed the above maximum per wall. No part of a wall sign shall extend more than twelve inches from the building wall unless the sign is part of an awning, or be located more than 15 feet above the ground to the top of the sign. Wall signs shall not be wider than 90% of the width of the building facade.

16.5.2.10 Window Signs
Permanent window signs affixed to or painted on the inside of a window shall occupy no more than 25% of the surface of each window area. Window area is counted as a continuous surface until divided by an architectural or structural element. Mullions are not considered an element that divides window area.

16.5.2.11 Signs within the RES-1A, RES-1B, RES-2 and RES-3 Zoning Districts
Any permitted principal use within the RES-1A, RES-1B, RES-2, and RES-3 districts shall allow no more than one blade or freestanding sign located on the premises, or single lot. Signs shall be solid wood or metal. The total area of such signs shall not exceed four square feet and shall have no artificial illumination. Maximum height shall not exceed 12 feet from the ground to the top of the sign.

16.6 Temporary Signs

16.6.1 In the event of conflict with the Performance Standards of section 16.3, the specific standards for Temporary Signs shall prevail.

16.6.2 Temporary signs giving notice or relaying information such as political posters, advertisements of charitable functions, civic, educational, or non-profit organization notices of meetings and signs of a similar nature are allowed for a period of time as specified by state law or a maximum of thirty days if not specified by state law, without a permit, provided no such sign shall exceed 48 square feet in total area.
16.6.3 Temporary real estate signs advertising the sale, lease or rental of the premises upon which the sign is located are allowed without a permit and shall be removed by the owner or agent within thirty days of sale, lease or rent. Not more than one temporary real estate sign shall be permitted per lot, with the following exceptions: properties with multiple units for sale, whether commercial or residential, shall be permitted one temporary real estate sign per unit for sale; lots with two frontages may have one sign per unit for sale for each street frontage. The sign area of each sign shall not exceed 12 square feet in the Route 1 Zones, and the sign shall not exceed 5 square feet in all other zones. In no case shall temporary real estate signs constitute more than 48 square feet in aggregate in the Route 1 Zones, or 20 square feet in all other zones, if more than one such sign is on the property.

16.6.4 Temporary development or construction site signs are allowed without a permit provided such signs do not exceed sixteen square feet in area, or thirty two square feet in aggregate if more than one such sign is on the property, and are limited to a general identification of the project, building, owner, contractor, or other indication of the business conducting the site work, and shall be removed upon completion of the project. No more than one sign is permitted for each project, building, owner, contractor, or other indication of the business conducting the site work. If the project work is intermittent, the sign is only permitted while the work is underway.

16.6.5 Open House Signs. For an open house, a real estate seller or their agent may place up to four temporary signs at one time announcing the open house and indicating directions to the property. No signs shall be posted more than 48 hours before the start of the Open House. The sign area of each sign shall not exceed 5 square feet.

16.6.6 Yard Sale Signs. For a yard sale with a permit from the York Police Department, yard sale signs shall be allowed without a permit from Code Enforcement, subject to the following requirements:
   A. Not more than 4 signs shall be located off-premise;
   B. Off-premise signs shall not be larger than 5 square feet;
   C. All signs shall be posted not more than 24 hours before the start of the yard sale, and shall be removed within 1 hour of the end of the yard sale; and
   D. No sign shall be placed such that, in the opinion of the York Police Department, it constitutes a traffic or other hazard.

16.6.7 New Business Openings. When a new business opens for the first time, it has a unique need to inform the public that the business is now open. This event warrants additional signage for a limited period, beyond the signage which it will have on a permanent basis. For this reason, temporary banners or other temporary signs for the opening of a new business shall be permitted with a permit from Code Enforcement, subject to the following limitations:
   A. The business has all required Town permits, approvals and licenses.
   B. One sign or banner shall be permitted facing each street adjoining the lot.
   C. The size of each sign or banner shall not exceed:
      1. In all Route One zones 32 square feet;
      2. In all other zones, 20 square feet.
   D. Each sign or banner shall be legible, and shall be maintained in good condition and appearance.
   E. No sign or banner shall be illuminated.
   F. No such sign or banner shall be located in a manner which would obstruct sight distance for drivers, bicyclists and pedestrians, and any sign shall be moved upon request if the York Police Department finds this standard is not adequately met.
   G. Temporary sign display shall begin within 7 days (before or after) of the initial opening of the business to customers, and all such temporary signage shall be removed within 30 days of its first display.

16.6.8 Temporary Event Signs. Businesses advertising sales or special events shall be permitted to have temporary signs for limited time periods. A Temporary Event sign shall be allowed with a permit from Code Enforcement, subject to the following limitations:
   A. The new business has all required Town permits, approvals and licenses.
   B. The temporary event sign may take the form of a freestanding sign, an a-frame sign, or a banner.
   C. For signs on lots with two frontages, one sign shall be permitted facing each frontage.
   D. The size of each freestanding sign or banner shall not exceed: 234
1. In all Route 1 zones 32 square feet;
2. In all other zones, 20 square feet.
E. A-frame signs shall not exceed eight square feet regardless of zone.
F. Each a-frame sign, freestanding sign or banner shall be legible, and shall be maintained in good condition and appearance.
G. No a-frame sign, freestanding sign or banner shall be illuminated.
H. No sign or banner shall be located in a manner which would obstruct sight distance for drivers, bicyclists, and pedestrians, and any sign shall be moved upon request if the York Police Department finds this standard is not adequately met.
I. Temporary event sign display shall begin no earlier than 48 hours before the special event, and all such temporary event signage shall be removed within 24 hours of the special event ending.
J. Special Events shall be permitted for a maximum duration of one week, and the dates of the event shall be indicated in the permit application.
K. A business may utilize temporary event signs for a maximum of twelve days per calendar year.

16.7 Exemptions
The following signs do not require a permit from the Town, though they are subject to the performance standards of this article. The following signs are not included in total number of signs allowed, or total sign area allowed for a business or property.

16.7.1 Signs erected for public safety and welfare or pursuant to any governmental function.

16.7.2 Information signs.

16.7.3 Signs relating to trespassing and hunting, not exceeding two square feet in area.

16.7.4 Signs announcing an event, or activity, or information of a civic, philanthropic, educational or non-profit organization may be erected and maintained on residential properties for a period not to exceed 30 days prior to the event and removed within three days after the event.

16.7.5 Open Flags.

16.7.6 Temporary signs giving notice or relaying information, such as political posters, announcements of charitable functions, civic, educational, or non-profit organization notices of meetings and signs of a similar nature.

16.7.7 Temporary real estate signs.

16.7.8 Temporary development or construction site signs.

16.7.9 Open House Signs.

16.7.10 A-Frame Signs.

16.7.11 Window Signs.

16.8 Non-Conforming Signs

16.8.1 Continuance: A non-conforming sign that does not conform to the provisions of this Section, but which did meet such provisions when the sign was installed, may continue.

16.8.2 Maintenance: Any lawfully existing sign may be maintained, repaired or repainted, but shall not be enlarged, except in conformance with the provisions of this Section.

16.8.3 Replacement: Any new sign of different size and shape replacing a non-conforming sign shall conform to the provisions of this Section, and the non-conforming sign shall not thereafter be displayed. Any application to replace a non-conforming sign shall demonstrate that the replacement sign is no more non-conforming than the
existing sign, or the application will be denied. After-the-fact permitting to replace a nonconforming sign shall not be permitted.

16.9 Prohibited Signs and Displays

16.9.1 Billboards, streamers, pennants, ribbons, spinners or other similar devices shall not be displayed.

16.9.2 Banners, except as specified under Temporary Signs, or as permitted by the Selectmen’s Policy on Banner Placement.

16.9.3 Flashing, moving or animated signs, movable electric signs, changeable signs, intermittently lit signs, digital, or signs that display electronic images or video are not permitted. Signs indicating fuel prices, time and/or temperature are permitted provided they meet the other provisions of this Section. AMENDED 5/16/2015

16.9.4 Neon or gas filled tubular signs are prohibited in all areas of Town except in the YBVC Zoning District where they are permitted as window signs, blade signs, or wall signs.

16.9.5 A string of lights shall not be used for the purpose of advertising or attracting attention on non-residential properties, except that holiday lighting shall be permitted on non-residential properties from November 1 through January 10 of each year, and low intensity landscape lighting shall be permitted year-round. Residential lighting is not governed by this lighting standard.

16.9.6 No signs shall be erected in Districts BUS-1, BUS-2, and RES-4 without written permission of the Board of Design Review, the procedures for which are outlined in Zoning §18.9.

16.9.7 Along any State or State-Aid Highway, Title 23 MRSA §1401-A specifies additional setback requirements which may be more restrictive than Town Requirements.
<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Zoning District</th>
<th>Maximum Sign Area</th>
<th>Total Number Allowed</th>
<th>Min. Setback</th>
<th>Maximum Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-Frame Signs</td>
<td>All Zones</td>
<td>8 sq. ft.</td>
<td>1 per business</td>
<td>n/a</td>
<td>4 ft.</td>
</tr>
<tr>
<td>Blade Signs</td>
<td>All except RES-1-A, RES-1-B, RES-2, RES-3</td>
<td>8 sq. ft.</td>
<td>1 per 1st floor business</td>
<td>n/a</td>
<td>12 ft.</td>
</tr>
<tr>
<td></td>
<td>RES-1-A, RES-1-B, RES-2, RES-3</td>
<td>4 sq. ft.</td>
<td>1 per principal use</td>
<td>n/a</td>
<td>12 ft.</td>
</tr>
<tr>
<td>Directory Sign</td>
<td>All Zones</td>
<td>4 Sq. ft.</td>
<td>1 per public entrance</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Freestanding Signs</td>
<td>Route 1 Zones</td>
<td>100 sq. ft.</td>
<td>1 per lot, unless lot fronts on more than one road</td>
<td>12 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Multiple Business Signs</td>
<td>BUS-1, BUS-2, GEN-1, GEN-2, GEN-3, RES-4, RES-5, RES-6, RES-7, YBVC, YVC-1 &amp; YVC-2</td>
<td>64 sq. ft.</td>
<td>1 per lot, unless lot fronts on more than one road</td>
<td>12 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td>Freestanding Signs</td>
<td>Route 1 zones</td>
<td>48 sq. ft.</td>
<td>1 per lot, unless lot fronts on more than one road</td>
<td>12 ft.</td>
<td>15 ft.</td>
</tr>
<tr>
<td></td>
<td>BUS-1, BUS-2, GEN-1, GEN-2, GEN-3, RES-4, RES-5, RES-6, RES-7, YBVC, YVC-1 &amp; YVC-2</td>
<td>20 sq. ft.</td>
<td>1 per lot, unless lot fronts on more than one road</td>
<td>12 ft.</td>
<td>12 ft.</td>
</tr>
<tr>
<td>Identification Sign</td>
<td>All Zones</td>
<td>3 sq. ft.</td>
<td>n/a</td>
<td>n/a</td>
<td>7 ft.</td>
</tr>
<tr>
<td>New Business Openings</td>
<td>Route 1 Zones</td>
<td>32 sq. ft.</td>
<td>1 per business</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>All Other Zones</td>
<td>20 sq. ft.</td>
<td>1 per business</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Open Flags</td>
<td>All Zones</td>
<td>15 sq. ft (5ft. X 5ft.)</td>
<td>1 per business</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Open House</td>
<td>All Zones</td>
<td>5 sq. ft.</td>
<td>4 per open house</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Temporary Development</td>
<td>All Zones</td>
<td>16 sq. ft. each/32 sq. ft. total</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Temporary Event Signs</td>
<td>Route 1 Zones</td>
<td>32 sq. ft.</td>
<td>1 per business, unless lot fronts on more than one road</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>All Other Zones</td>
<td>20 sq. ft.</td>
<td>1 per business, unless lot fronts on more than one road</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Temporary Real Estate Signs</td>
<td>Route 1 Zones</td>
<td>12 sq. ft.</td>
<td>1 per unit for sale for each street frontage</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td></td>
<td>All Other Zones</td>
<td>5 sq. ft.</td>
<td>1 per unit for sale for each street frontage</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Wall Signs</td>
<td>All Zones</td>
<td>25 sq. ft or 10% of wall area</td>
<td>1 per business</td>
<td>n/a</td>
<td>15 ft.</td>
</tr>
<tr>
<td>Window Signs</td>
<td>All Zones</td>
<td>25% of window surface</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Yard Sale Signs</td>
<td>All Zones</td>
<td>5 sq. ft. each</td>
<td>4 signs off premise</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Sign Type</td>
<td>Permitted By</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>---------------------------------</td>
<td>-----------------------</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A-Frame Sign</td>
<td>CEO</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Banner</td>
<td>Select Board</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Blade Sign</td>
<td>CEO</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business Directional Sign</td>
<td>Select Board</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Directory Sign</td>
<td>CEO</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Freestanding Sign</td>
<td>CEO</td>
<td></td>
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<tr>
<td>Home Occupation Sign</td>
<td>CEO</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Identification Sign</td>
<td>No Permit Required</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Business Openings</td>
<td>CEO</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Flag</td>
<td>No Permit Required</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open House</td>
<td>No Permit Required</td>
<td></td>
<td></td>
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<tr>
<td>Temporary Development/Construction</td>
<td>No Permit Required</td>
<td></td>
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<tr>
<td>Temporary Event Sign</td>
<td>CEO</td>
<td></td>
<td></td>
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<tr>
<td>Temporary Political Sign</td>
<td>No Permit Required</td>
<td></td>
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<tr>
<td>Temporary Real Estate Sign</td>
<td>No Permit Required</td>
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<tr>
<td>Wall Sign</td>
<td>CEO</td>
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<td></td>
</tr>
<tr>
<td>Window Sign</td>
<td>No Permit Required</td>
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<td></td>
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</tr>
<tr>
<td>Yard Sale Sign</td>
<td>Police Department</td>
<td></td>
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</tbody>
</table>
York Planning Board
Thursday, February 13, 2020, 7:00 P.M.
York Police Station

Call to Order; Determination of Quorum; Appointment of Alternates

Chairman Al Cotton called this workshop to order. The meeting took place at the Police Station because the Budget Committee was using the community room. A quorum was determined with five people voting: Al Cotton, Vice Chair Kathleen Kluger, Board Secretary Pete Smith, Wayne Boardman, and Gerry Runte. Alternate Ken Churchill was not present. Planning Director Dylan Smith represented staff. Recording secretary Patience Horton was not present and constructed these minutes from a voice recording. The meeting lasted 2 hours.

Public Forum

No one came forward to speak.

Discussion/Review—Comprehensive Plan Consultant Interview Process

The questionnaire for the Comp Plan consultant interviews has been fine-tuned and is in the Planning Board members’ hands.

The community stakeholders who are going to sit in on the meetings have been notified. Fifteen out of 16 [not the high school student] have responded that they will be involved. People are happy to have been asked to join in. They will be instructed about the importance of the Comp Plan and their role and responsibilities. They will be able to put questions and comments on index cards and forward them to the Planning Board members who will be conducting the interviews, but the community stakeholders will not speak out loud.

The director of Human Resources, Kathryn Lagasse, will be present for all the sessions, two on Wednesday afternoon (February 26) and two the next day.

Kathleen Kluger thought it would be within the rights of the Planning Board to say to the applicant that they are invited in for their presentation, but not to observe others’. The interviewees will speak from the podium. The Planning Board members will sit at what is typically the applicant and planner’s tables.

The PB members divided up the questions so each member will ask one or two. Al Cotton suggested that each question warrants 10 minutes. Wayne Boardman believed
there should be some kind of alert when only one-half hour is left. The discussion will likely veer off into climate change, but it must not be the total focus of the sessions, said Dylan.

Gerry Runte is taking responsibility for Question 5. He broke it up and rearranged its two parts: How does your group deal with sustainability and climate change? and How will you work with another group that is focusing on sustainability?

Answers to Question 10, the applicants’ familiarly with the process of getting a Comp Plan State certified, will be especially telling, said Kathleen.

The PB members will rate the applicants on a zero- to ten-point system in a way that could add up to 100. Someone with a 90 might end up better than someone with 100, Dylan said. We are looking for chemistry, said Chairman Al Cotton.

Discussion/Review—Outdoor Sign Lighting

Wayne and Gerry have worked with Dylan on the lighting ordinance, but now the focus is specifically on the illumination of signs. The existing ordinance says that signage glare must not create a hazard to vehicular traffic. Internally lit signs are a particular eyesore, and the one at the credit union especially bothers Dylan.

Wayne Boardman had found good sample ordinances for sign illumination in Bar Harbor and Camden. In Camden, sources of lighting for externally illuminated signs must be shielded from streets and adjoining properties. The intensity of light, color, location, and brightness are factors.

He was also impressed with what Bar Harbor has done. They prohibit internally illuminated signs Downtown, on Town Hill, and in the Village Historic District. Outside of those areas, signs can be internally illuminated but only in a way that letters are on an opaque background. Apparently, that works.

Whereas the sign at Stonewall kitchen was said to be a considerably tasteful, well-lit sign, the sign at Lobster Cove might be considered the worst in town.

Dylan said he will pull together a draft of a new ordinance.

Discussion—2020 Potential Ordinance Amendments

- The Docks and Shoreland Protection amendment in 3.6 will be tweaked from the last vote.

- The Green Enterprise zoning will be completely revamped. This is going to be significant rezoning, like the Village Center was.
• The Conservation Commission is coming forth to participate more with the Planning Board. Their job is to comment on open space in developments.

• Small Wireless Facilities: A citizen has notified the Planner that 5G cell-towers should be blocked from residential neighborhoods, school, hospitals, and the Historic District.

• Short Term Residential Rentals: Wondering if this will be the case again, Kathleen said that part of the reason the last amendment did not go forward was because citizen/supporter participation stopped.

• Stormwater structure setback: Is rip rap that is located in setbacks considered a structure?

Review of Minutes

• Motion: Pete Smith moved to approve the January 23, 2020 Minutes as written. Kathleen Kluger seconded. The motion passed 5-0.

Other Business

• Kathleen Kluger said that she has a potential conflict of interest for an upcoming application from Gary Woods. He is a home renovation contractor who might do some work for her. Kathleen does not feel she should be recused, but bringing this possible professional relationship to the Board is part of the transparent process, she said.

Adjourn

The meeting adjourned at 9:00 P.M.

Respectfully submitted,
Patience G. Horton
Planning Board Recording Secretary