1. Planning Board Meeting Materials

Documents:

2019-11-21 PB AGENDA.PDF
YORK VILLAGE CENTER HISTORIC DISTRICT_20190819_V3.PDF
OCTOBER 24, 2019 DRAFT_MINUTES.PDF
NOVEMBER 14, 2019 DRAFT_MINUTES.PDF
MAY 2020_ORDINANCE AMENDMENTS_DRAFT_ 2019-11-19.PDF
COMP PLAN RFP DRAFT V.4_2019-9-20.PDF
AGENDA
York Planning Board Workshop
Thursday, November 21, 2019
7:00 PM
York Public Library

1. Call to Order; Determination of Quorum; Appointment of Alternates
2. Public Forum
3. Discussion/Review- May 2020 Ordinance Amendments
   • Expansion of the York Village Center Historic District
   • Workforce Housing and the Open Space Conservation Subdivision Ordinance
   • Other
4. Discussion/Review- Comprehensive Plan Proposals
5. Discussion- Dark Sky Compliant Ordinance
6. Discussion- Short Term Residential Rentals
7. Minutes
8. Other Business
9. 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, October 24, 2019, 7:00 P.M.
York Public Library

Call to Order; Determination of Quorum; Appointment of Alternates

Vice Chair Kathleen Kluger called this Planning Board application meeting to order. A quorum was determined with five people voting: Kathleen Kluger, Board Secretary Peter Smith, Wayne Boardman, Gerry Runte [pronounced “run-tay”], and Ken Churchill, who was asked to participate as a voting member. Al Cotton was absent. Land Use technician Heather Ross represented staff. Planning director Dylan Smith was not present. Patience Horton took minutes. Her occasional comments are in [brackets]. The meeting lasted 2.25 hours.

At the applicant’s request, the final approval for Stephen Carr Property Services, was not heard tonight.

- Motion: Peter Smith moved that the application for Stephen Carr Property Services, LLC, Map/Lot: 0094-0021-C, be continued to November 14, 2019. Wayne Boardman seconded. The motion passed 5-0.

Public Forum

- Nan Graves came forward and said that the ballot questions for the November referendum were written without Statements of Fact. This is the first time this is the case. She asked for clarification of the first six items. Vice Chairperson Kathleen Kluger explained the origins and purposes of the ballot items.

  1. Item 1 gives clarity to Code Enforcement about nonconforming structures.
  2. Item 2 gives clarity to Code Enforcement about the construction of cul-de-sacs to Town specifications.
  3. Item 3 makes the Shoreland Overlay ordinance consistent with DEP State law.
  4. Item 4 furthers Item 3.
  5. Item 5 has to do with changing the growth area zone. That must be done with public approval.
  6. Item 6 creates consistency with State law about medical marijuana.

- Torbert Macdonald referred to the upcoming Comprehensive Plan rewrite. Currently York doesn’t have a State-accepted and approved Comp Plan. The current one has loopholes in the land use ordinances that can cause unwanted and unforeseen legal problems brought up by developers.
He said there are 10 goals that the State mandates in the content of the Comprehensive Plan. The current Comp Plan has met them very well, however, the Capital Plan should be rewritten. Also, there are neighborhoods, like his, that are too tightly regulated, and that issue should be addressed. He cannot even add a bay window to his living room.

Field Changes

There were no field changes.

Application reviews

**Elderly Housing, 122 Long Sands Road**

**Map/Lot: 0044-0038 owned by Deborah Ouilette**

Sketch plan review for an elderly housing subdivision consisting of 12 dwelling units.

James Paolini presented his [non-engineered] sketch plan. All units are on the ground level. Each unit will have 800 to 1,200 square feet.

Heather Ross described the proposed 12-unit subdivision in the RES-1B zone on 1.57 acres that currently has one single-family house on it. The applicant wants to renovate and double the house configuration and construct five more duplex structures for elderly housing with access from Fernald Ave. Heather Ross said that per 8.2.2, Elderly Housing Zoning, architectural elevation drawings must be drawn showing how the design will be comparable with neighborhood properties. The Board must consider if two access points are necessary. What will the traffic impact be on Fernald Avenue? Per 7.8.1.k, is the parking in the best interest as depicted on the plan?

- **Motion:** Peter Smith moved to open the sketch plan review for Elderly Housing, 122 Long Sands Road, Map/Lot: 0044-0038. Wayne Boardman seconded. The motion passed 5-0.

Vice Chair Kathleen Kluger opened the public hearing. Eleven people came forward to speak.

- **Katherine Mulhern** said she looks to the Planning Board to protect her interests. She is the closest and most affected by the development. Her property has an unpainted 1740 Cape and barn surrounded by rough-hewn stonewalls and stone walks throughout her colorful cottage garden. She said she will have to look at twelve ugly new units that will make Fernald Avenue as dense as the areas down at the Beach.
Most people on her street have addresses on Long Sands Road, but they access their properties from Fernald Avenue, she said.

Her driveway is steep. There are rough winters on Fernald Avenue with snow-packed driveways and roads. Cars slide onto the proposed Ouilette property. She had an accident and was rear-ended there. Another family had an accident at the other end.

What about pedestrians? It is a very dark area. The entrance will require significant lighting and more light pollution than is already a problem from Long Sands Plaza being across the road. The area is ledge-y. She has an old foundation and is concerned about blasting. She is concerned about water pressure. Being at the far end of Fernald, her water pressure is very low.

- **Torbert Macdonald** lives on Fernald Avenue. The problem with the plan has to do with the topography, he said. The essence of how many units will be allowed to come in is based on suitable land. This is not suitable land. You need 10,000 square feet of suitable land for every duplex building. How are you going to get that? he asked.

It is an inappropriate use of elderly housing to shove it into a single-family residential neighborhood. With that slope and no sun, nothing will keep that area ice-free. It is very dangerous for elderly people. That is an insurmountable problem.

- **Laurie Macdonald** is Torbert Macdonald’s sister. “This is the enjoyment of people’s lives,” she said to the board members. “You could ruin it, destroy it and it take away from all these good people.” She waved her hand over the crowded audience. “Please don’t take that away from us. Please don’t!”

- **Meghan Louffler** of 110 Long Sands Road said “Just because you can do it doesn’t mean you should.”

Her house is listed as on Long Sands, but her driveway is on Fernald. The new buildings are on a treacherous hill. Emergency vehicles can’t get in there. She is worried about blasting and winter storm problems. The zoning is so awful, she can’t put a mother-in-law apartment above her garage.

- **Deb Demmick** of 62 Fernald Ave said that it is York’s last old-fashioned neighborhood. There are block parties.

With elderly housing, there are lots of calls for emergency vehicles—firetrucks, police cars and ambulances. Those vehicles are not going to get easily in or out, she said. There are cars coming up the hill spinning their tires in the snow. They
slide down into the neighbors’ bushes. She is also concerned about light
pollution.

- **Joe Goldstein** lives on Field Ave near Fernald. Is there a legal way to notify
every homeowner of these meetings? he asked.

- **Leslie Smith** said that the pitch of the property is significant. There are issues
with getting up the road every winter. She has slid back onto Long Sands Road
even going a snail’s pace. [Kathleen Kluger later commented that she once had to
avoid a car sliding out onto Long Sands Road.]

There are drainage issues, Leslie Smith continued. We have been victims of a
couple of storms where there was such significant water coming down the hill that
she and her three daughters had to shovel water out of her garage to keep it from
going into the basement.

Strict zoning has kept her from putting a small mudroom at the entrance to her
house. She was told “it would never happen.”

- **Andy Westinghouse** is a pediatrician who has moved to York Heights to be close
to the hospital to deliver babies. She lives next to the elderly property. The same
pitch of her land is that of the new buildings. That will make the new buildings
impossible to build. Her property is all ledge in front, and it drops off. She
doesn’t see how people can get to that lot safely.

Her address is Long Sands, but her driveway is on Fernald. She has a “plaza
view.” She has light pollution, water pressure and flooding problems.

- **Rebecca Coyle** at 73 Fernald has lived there for 30 years. She feels fortunate to
be in the neighborhood. The trees are huge and beautiful.

Her major concern is the increase in traffic. She is afraid for her 2-and-a-half-
year-old daughter who will grow up in the height of major construction traffic.
The elderly housing property is significantly higher than hers, and she fears water
runoff coming into her basement.

- **Paul Galant** of 30 Fernald Ave said that 12 duplexes in his residential area is not
what he signed up for. It is a beautiful neighborhood. It’s not just the people on
Fernald who will be affected. The people on Field Avenue will be affected as
well.

- **Seth Kecchum** is the newcomer to the neighborhood. He bought his house six
months ago. I spent a lot of money to live in this neighborhood, he said. As well
as the slope issue, he is concerned about the huge amount of ledge. How will the
snowplow maneuver around the cars that have no garage parking? Where is a place for the firetrucks to turn around?

- **Torbert Macdonald** said that the Planning Board can require 10% of open space of the application. Per 8.7.8.4.2.1, Elderly Housing “Shall provide open space at the judgement of the Planning Board.” Per 5.5.3, “The purpose of the open space is to lessen the intensity of property development, preserve natural features, provide scenic vistas, discourage development if geographically unsuitable land, and promote other similar uses deemed appropriate by the Planning Board.”

The Chair closed the public hearing.

Peter Smith said the Planning Board will do its best to take everything into consideration, not just professional assessments, but emotional issues as well.

Wayne Boardman said the lighting regulations are being tightened up to limit sky glow and glare light trespass. It is considered on every application.

Wayne said that more zoning flexibility should be given to York Heights. If the zoning restrictions are too strict, maybe they need to be looked at.

Speaking about the Long Sands addresses for Fernald Avenue house-fronts, Wayne also said, “If I were you, I would be petitioning the Town Assessor to try to get your addresses changed.”

Referring to the density the Fernald Avenue neighborhood could become, Gerry Runte pointed out that 12 units were being added to a neighborhood with 19 houses in it.

**York Street Mixed Use Building, 298 York Street**
**Map/Lot: 0050-0123 owned by Diane Delorie**
**Sketch plan review for a mixed-use building**

Architect Brud Weger from York and developer Dave Lauze from Newburyport, Massachusetts, presented this single structure, mixed-use building with multi-family dwellings on the upper floors. It has room for two offices on the street level. The plan is to knock the house down that is currently there.

- **Motion:** Peter Smith moved to accept the application sketch plan for York Street Mixed Use Building, 298 York Street, Map/Lot: 0050-0123. Wayne Boardman seconded. The motion passed 5-0.

Heather pointed to 6.1.12.1, specific non-residential design standards for the Village Center. There is a type of architecture that has to fit in there, she said. She added that the height of the roof, as presented, might need some adjusting.
York Village needs improvements as a village center, said Peter Smith. The town goes to sleep at 6:00 at night. The master plan calls for more liveness in the Village. He suggested having a restaurant on the first floor, instead of offices. Dave Lauze said he recognizes the upcoming overhaul of the center of York Village as a great opportunity to help refurbish the area and make it more exciting. He has done that with several real-estate projects in Newburyport.

Stephen Carr Property Services, LLC, 3 Ronnies Way
Map/Lot: 0094-0021-C owned by Stephen Carr Property Services
Final plan review for a mixed-use development consisting of a single-family home and garden center.

A motion was made earlier in the evening for this application to be continued to November 14, 2019.

Minutes

- Motion: Gerry Runte move to approve the Minutes of the Planning Board workshop of October 10, 2019, as amended. Wayne Boardman seconded. The motion passed 4-0-1, with Kathleen Kluger having been absent from said meeting.

Other Business

Kathleen Kluger, Gerry Runte and Peter Smith will be attending a Southern Maine Planning and Development Commission training in Sanford on Wednesday, October 30, 2019. Dylan Smith will represent staff.

Adjourn

The meeting adjourned at 9:15 p.m.

Respectfully submitted,
Patience G. Horton
Planning Board Recording Secretary
York Planning Board Workshop
Thursday, November 14, 2019, 7:00 P.M.
York Public Library

Call to Order; Determination of Quorum; Appointment of Alternates

Chairman Al Cotton called this Planning Board application review to order. A quorum was determined with five people voting: Al Cotton, Vice Chair Kathleen Kluger, Board Secretary Peter Smith, Wayne Boardman, and Gerry Runte. Alternate Ken Churchill was present but did not vote. Land Use Technician Heather Ross represented staff. Planning Director Dylan Smith was not present. Patience Horton took minutes. Her comments are in [brackets]. The meeting lasted two hours.

Chairman Al Cotton changed the agenda. He said that the Planning Board would not hear Workforce Housing, 296 U.S. Route 1, Map/Lot: 0059-0021 until the Board of Selectmen had reviewed the effect the recent referendum has on it.

[The Town Manager had sent a ballot item to the November ballot with a mistake on it. On the Workforce Housing ordinance amendment, he had inadvertently written in the number “5” where the number “10” was supposed to be. Since this application is about workforce housing, Al Cotton felt it cannot be heard until the legal ramification of the mistake is understood.]

Peter Smith disagreed with Al Cotton’s prerogative to hold the application over to a later date. Peter said that the amount of time the applicant and he personally had put into preparing and reviewing the application for tonight’s hearing warranted the application’s being heard despite the holdup by the BoS.

• Chairman Al Cotton asked for a show of hand for those in favor of hearing the application at a later date. Four agreed, and Peter disagreed.

Public Forum

No one came forward to speak.

Field Changes

York Hospital. 15 Hospital Drive, Map/Lot: 0050-0034

Eric Weinrieb of Altus Engineering, Portsmouth, and Jud Knox, York Hospital President and CEO since 1982, presented minor field changes to the proposed rehab facility that the Planning Board had approved in July, 2018. The cover sheet and generic plan notes
reflect changes required by DEP in the configuration of the original stormwater treatment pond. It was divided into two ponds.

- Motion: Kathleen Kluger moved to approve the field change required by DEP for Northeast Rehab at York Hospital, 15 Hospital Drive, Map/Lot: 0050-0034. Wayne Boardman seconded. The motion passed 5-0.

Application Reviews

Workforce Housing, 296 U.S. Route 1
Map/Lot: 0059-0021 owned by Carol Robinson/York Housing Authority
Preliminary plan review for a workforce affordable housing subdivision consisting of 76 dwelling units.

Continued to an uncertain date.

Stephen Carr Property Services, LLC, 3 Ronnies Way
Map/Lot: 0094-0021-C owned by Stephen Carr Property Services
Final plan review for a mixed-use development consisting of a single-family home and garden center.

Geoff Aleva of Civil Consultants, South Berwick, and Stephen Carr had presented the preliminary application for a Route 1 Use Permit on September 26, 2019.

- Motion: Kathleen Kluger moved to accept the application for Stephen Carr Property Services, LLC, 3 Ronnies Way Map/Lot: 0094-0021-C for final review. Wayne Boardman seconded. The motion passed 5-0.

The utility for the water district was a condition of preliminary approval. Since then, the waterline has been designed to no longer cross the abutter’s property to the south. It will be brought along the applicant’s property line and through his buffer. Heather Ross said it should be a condition of the approval.

- Motion: Pete Smith moved to approve the waiver requests for:
  6.3.32, High Impact Soil Survey;
  6.3.33, Traffic Impact Analysis;
  6.3.7, Landscape Plan;
  6.3.13.4, Building Materials; and
  6.3.30, Site Distances.

Kathleen Kluger seconded. The motion passed 5-0.
• Motion: Kathleen moved that a plan note will show the final location of the water line. Peter Smith seconded. The motion passed 5-0.

• Motion: Kathleen Kluger moved to grant final approval for Stephen Carr Property Services, LLC, 3 Ronnies Way, Map/Lot: 0094-0021-C. Wayne Boardman seconded. The motion passed 5-0.

Minutes

There were no Minutes to review.

Other Business

• Gerry Runte and Wayne Boardman have formed a work group assisting Dylan Smith on the light pollution ordinance. Some preliminary work has been done.

Adjourn

The meeting adjourned at 8:45 P.M.

Respectfully submitted,

Patience G. Horton
Planning Board Recording Secretary
Proposed Ordinance Amendments
to be considered at a

May 2020 Special General Referendum

Amendment

1. Expansion of York Village Center Local Historic District
2. Cul-de-sac Specifications
3. Shoreland Overlay District
4. Open Space Conservation Subdivision Ordinance
Amendment #
Expansion of York Village Center Local Historic District

**Ballot Language:** The following language would appear on the ballot:

**Article X**
The Town hereby ordains amendment of the Zoning Ordinance to change the boundaries of the York Village Center Historic District to include an additional ___ parcels as shown on the map “Proposed York Village Center Historic District Expansion” dated August 19, 2019.

**Statement of Fact:** The purpose of this amendment is to expand the protections of the existing York Village Center Local Historic District by including an additional __________ properties. The intent of this amendment is to compliment and preserve the historic architecture, heritage and character that lies within the York Street corridor. This is in keeping with the goals outlined in York’s Comprehensive plan specifically Town Goal 9.1.1 and Future Land Use recommendation 3 for the York Village Center Area.

**Recommendations:**
Recommended by the Planning Board:
Recommended by the Board of Selectmen:

**Amendment:**
Amend section 12.6 by changing the Village Center Local Historic District map reference date and replace the associated map entitled “York Zoning Ordinance: Village Center Local Historic District dated June 17, 2016 with the following:

Village Center Local Historic District, as shown on a map entitled, “York Zoning Ordinance: Village Center local Historic District” dated ___.

*(See attached Map)*
Amendment #
Cul-de-sac Specifications

Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains to amend the Zoning Ordinance, specifically amending footnote “e” in section 5.2- Schedule of Dimensional Regulations regarding street frontage exemptions for lots on cul-de-sacs.

Statement of Fact: The purpose of this amendment is to ensure a cul-de-sac that is to be constructed within a state exempt subdivision, is constructed to Town specifications for any lots that seek street frontage exemptions per footnote “e”- Street Frontage Exemptions within the schedule of dimensional regulations.

Recommendations:
Recommended by the Planning Board:
Recommended by the Board of Selectmen:

Amendment: Amend Article 5- Dimensional Regulations, by amending the following definitions:

e. Street Frontage Exemptions - New building lots located at the end of a cul-de-sac may be designed to have less street frontage than is required in the underlying zoning district but shall comply with the following:

- Have no less than 50 feet of street frontage along the circumference of the cul-de-sac, provided lot width at the location where the principal building is to be constructed is at least equal to the distance normally required for lot frontage in that zoning district;
- The cul-de-sac is designed and constructed to Town road acceptance standards with the exception that lots created through exemptions in State Subdivision Law may utilize road base standards located in §5.5 Right-of-Way Standards—Applicable to All Zoning Districts. See Public Road Acceptance Ordinance for cul-de-sac construction requirements (design specifications); and
- All minimum lot line setbacks shall be met.
Amendment #
Shoreland Overlay District

Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains to amend the Zoning Ordinance, specifically amending Article 8 Shoreland Overlay District.

Statement of Fact: The purpose of this amendment is to ensure consistency with commercial uses in the shoreland overlay subdistricts.

Recommendations:
Recommended by the Planning Board:
Recommended by the Board of Selectmen:

Amendment: In Article 8, Shoreland Overlay District, amend the Commercial Use Category for the stream protection shoreland subdistrict by adding “Medical Marijuana Registered Caregiver Retail Stores” and “Medical Marijuana Testing Facilities,” and amend the term “Medical Marijuana Production Facility” to “Medical Marijuana Manufacturing Facility” within the existing list of expressly prohibited uses as follows:

8.2.1.D Stream Protection Subdistrict

- EXPRESSLY PROHIBITED: Service Businesses Serving Local Needs; Small (under 2,500 square feet) Store for Retail Sale of Merchandise; Large Store or Mall (Group of Stores Under Single Roof) With Total Floor Space Over 2,500 Square Feet for Retail Sale of Merchandise; Banks; Antique Shops; Laundries and Dry Cleaning Facilities; Store for Retail Sale of Merchandise such as but not limited to Lumber Yards and Building Supply Yards; Plumbing, Electrical or Carpentry Shop or Other Similar Service or Repair Establishment; Motels/Hotels; Lodging and Tourist Homes/Inns; Restaurants; Fast Food Restaurants, whether the use is a principal use or an accessory use; Formula Restaurants, whether the use is a principal use or an accessory use; Ice Cream Stands; Truck Stops; Marinas; Florists; Garden Centers; Pet Shops; Commercial Schools; Day Care Facilities; Fruit and Vegetable Produce Stores; Medical Marijuana Registered Caregiver Retail Stores; Medical Marijuana Production Manufacturing Facility; Medical Marijuana Registered Dispensary; Medical Marijuana Testing Facilities; Artisanal Food and/or Beverage Facility.
Amendment #
Open Space Conservation Subdivision Ordinance

Ballot Language: The following language would appear on the ballot:

Article X
The Town hereby ordains to amend the Zoning Ordinance, specifically amending the Open Space Conservation Subdivision Ordinance by adding a section that requires the incorporation of workforce affordable housing in subdivisions of 10 units or greater.

Statement of Fact: The purpose of this amendment is to better achieve minimum guidelines pertaining to Maine municipalities assuring that workforce affordable housing is attainable in a community; that York continues to implement the Town’s Comprehensive Plan sections regarding affordable housing policies (State Goal 4, Town Goal 4.1 and Town Goal 4.2 in the Comprehensive Plan), and that the Town encourages and promotes affordable, decent housing opportunities for all of York’s citizens.

Recommendations:
Recommended by the Planning Board:
Recommended by the Board of Selectmen:

Amendment: Amend Article 7, Special Provisions, by amending section 7.6.4 Development Standards for Open Space Conservation Subdivisions as follows:

C. Workforce Affordable Housing. A proposed subdivision development that consists of ten (10) or more dwelling units shall include at least ten percent (10%) of the total number of dwelling units within the development as workforce affordable housing. All calculations for deciding the number of workforce affordable housing units required in a particular development shall be rounded up to the nearest whole number.

Density Bonus. A density bonus incentive of twenty percent (20%) above that indicated by the yield plan shall be allowed if at least twenty five percent (25%), rounded to the nearest whole number, of the proposed dwelling units within a residential open space conservation subdivision development are defined as “workforce affordable housing” as
determined by the Planning Board. The following standards shall also apply:
COMPREHENSIVE PLAN UPDATE ADVERTISEMENT

TOWN OF YORK

NOTICE OF REQUEST FOR PROPOSAL

for

COMPREHENSIVE PLAN UPDATE

The Town of York, Maine is seeking professional services for the completion of a Comprehensive Plan Update that utilizes a robust public process and modernizes the current document. The Comprehensive Plan Update is expected to comply with State requirements for amending Comprehensive Plans.

Sealed and/or emailed bids, which meet the delivery format specified in the Town’s Request for Proposal (RFP), shall be received until 4:00pm on Thursday, October 31, 2019 at the Town Planning Office in the York Town Hall, 186 York Street, York, Maine 03909.

The Comprehensive Plan RFP may be obtained at www.yorkmaine.org.

Questions regarding the RFP should be directed to Dylan Smith, Planning Director, York Town Hall, 186 York Street, York Maine 03909, 207-363-1000 or email Dylan at dsmith@yorkmaine.org.

Town of York, Maine

Dylan Smith, Planning Director

September 20, 2019
1. INTRODUCTION

The Town of York, Maine (hereinafter, the "Town") seeks the services of a qualified planning consultant (hereinafter, the "Consultant") to work with and assist the Planning Board in preparing an update to the existing Comprehensive Plan (hereinafter, the "Plan"). The current Plan, although amended yearly, was adopted as a whole in 1999, and is currently not consistent with MSRA Title 30-A and Chapter 208 of the State of Maine’s Comprehensive Plan Revision Criteria Rule. This update of the 1999 Comprehensive Plan would address new and future planning issues and result in a Plan consistent with the Growth Management Act of the State of Maine. The Plan will guide future growth, redevelopment, zoning changes, capital investments as well as many other land use and regional goals.

The Comprehensive Plan is the foundation for determining effective public policy, master planning, and land use decisions now and in the future. It provides an ongoing framework for informed and directed development and decision making. The Plan shall include goals, objectives, and strategies utilizing maps, graphs, and other imagery tools to analyze, assess, and recommend best practices for values-based planning, economic development, environmental protection, housing, infrastructure, and other improvements. The overall objective of the Plan is to reflect and respond to priorities, values, and requirements of York’s residents while safeguarding the Town’s history and sense of place.

2. PROJECT AREA

The Town of York is an attractive southern Maine coastal community with a population near 13,000 residents which encompasses 54.67 square miles of land area plus 77.11 square miles consisting of water. York's small town character and historic charm is enhanced by many natural resources including miles of rocky coastline, four beaches (Cape Neddick, Short Sands, Long Sands and York Harbor), a well protected harbor, two large rivers (Cape Neddick and York River) and a mountain (Mount Agamenticus) with an elevation of 652 feet.

These many attributes and its convenient location to major metropolitan areas (Portsmouth, NH and Boston, MA to the South and Portland, ME to the North) make York a desirable place to live, work and play.
York is one town away from being the southernmost point of entry to Maine, but it is considered as the southernmost gateway for access to Maine’s coastal beaches. It is bisected by both Interstate 95 and US Route 1.

York’s colonization dates back to early European settlements in the 1600’s, and York boasts some of the oldest and most historic architecture and sites in the state of Maine and New England, if not the entire country. York is not only home to well-preserved historic development and sensitive natural areas, but also to trendy shops, restaurants, and unique, distinctive village centers.

York is organized by Home Rule Charter whereby the legislative body is a Town Meeting consisting of registered voters who are qualified to vote in state and local elections. The type of government provided by the Charter is a Selectmen/Town Manager/Town Meeting by secret ballot vote form. The Town consists of an elected seven member (two alternates) Budget Committee, seven member (two alternates) appointed Board of Appeals, and an appointed seven member (two alternates) Planning Board that recommends ordinance and code amendments to the five-member elected Board of Selectmen for placement on the ballot. A number of advisory committees, including the Bike Pedestrian Committee, York Village Revitalization Committee, Parks and Recreation Committee, Conservation Commission, Historic District Commission, Harbor Board and many others are established, active, and motivated to update the Comprehensive Plan. Town staff in the Planning Office/Department includes a Planning Director, part time Land Use Technician and GIS/IT Director.

3. PROJECT BUDGET

The Town of York has allocated a maximum of $200,000 to update the Comprehensive Plan. All Proposers shall provide a fixed price fee, as a "not to exceed" quotation for the total project.

4. PROPOSAL SUBMISSION EXPECTATIONS

Complete Comprehensive Plan Update proposals, including those emailed to Dylan Smith at dsmith@yorkmaine.org must be received at the York Town Hall, 186 York Street, York Maine 03909, by 4:00pm on Thursday, October 31, 2019.

The Proposal must be signed by the Proposer with their full name and address and include a pdf submission in the sealed envelope. Any Proposal received after the deadline stated above may not be considered.

Each Consultant is required to state in the Proposal:

- Its company name, principal officer's names, mailing address, and telephone number;
- The name, telephone number, and email address for its Contact Person;
• The names, titles, mailing address, and telephone numbers for all subcontractors that will be used on this project; and

• A statement that no person acting for or employed by the Town of York is directly or indirectly related to the proposer or to any agreement which may be entered into to which the Proposal relates or in any portion of the profits here from.

The Proposer must submit one pdf and six hard copies of its Proposal.

Before commencing work under the Town Services Agreement, the successful Consultant shall produce evidence satisfactory to the Town that it and its subcontractor consultants, if any, have secured public liability, automobile, and workers' compensation insurance coverage.

Questions regarding this Request for Proposal should be directed to Dylan Smith, Planning Director, by phone 207-363-1000, email dsmith@yorkmaine.org or mail to York Town Hall, 186 York Street, York Maine 03909.

5. SCOPE OF SERVICES

The Consultant will conduct the following minimum tasks. The Town strongly encourages proposers to expand on these tasks, to provide detail on how they are to be accomplished, to recommend which tasks require greater emphasis, and to suggest additional tasks not identified in this RFP that may be necessary or beneficial.

Project Status Meetings.
The Consultant is expected to meet regularly with staff and the Comprehensive Plan Committee (CPC) appointed by the Planning Board to discuss project progress and direction.

Meetings with the CPC, Staff, Planning Board and Board of Selectmen.
The Consultant will meet with the CPC to provide progress updates and obtain further direction. In addition, the Consultant will solicit input and feedback from the Planning Board, Board of Selectmen, Town Staff, other Boards and Committees, and representatives from the State of Maine as appropriate. The Consultant will provide interim reports, presentations, and updates to each as required and appropriate; attend the Plan’s formal Planning Board Hearings; and support placement on the ballot by the Board of Selectmen.

Public Engagement and Communications.
Public participation is essential to this planning effort and must include an outreach and public participation process designed to engage the public and specific stakeholders in visioning the future of the Town. Significant public input will be required throughout the process. It is anticipated that a number of public meetings and visioning sessions will be held in order to seek opinions and views of the public at large, report on progress as the Plan develops, solicit
comments on specific ideas or concepts, and identify problems or barriers that must be
acknowledged and overcome.

Public involvement in the planning process and acceptance of the final Plan is critical to the
success of this effort, and respondents shall explain, highlight and detail their approach and plan
for public participation in their responses.

Comprehensive Plan Development. The Consultant will serve as the primary drafter of the Plan
and shall update research and develop materials for the Comprehensive Plan, including but not
limited to:

- A baseline review of existing information and relevant background, including but not
  limited to the existing Comprehensive Plan and all its chapters and volumes, the Cape
  Nedwick River Watershed Plan, Town of York Bicycle and Pedestrian Master Plan,
  York Village Master Plan, etc., existing codes and policies, demographic and census
data, and other information relevant to the required Plan elements.

- An existing condition inventory and projected needs analysis, including a population
  analysis, existing land use and capital facilities (water, sewer, transportation,
  recreation, open space) assessment, and residential/commercial growth patterns; and a
  projection of York’s population and housing trends to 2040.

- An inventory and assessment of issues and opportunities based on work with staff,
  CPC committee, and the public participation process.

- A vision and vision statement for York that will serve as a focal point for goals,
  policy and strategy decisions.

- Goals, policies, and strategies to guide the Town of York for the next decade and
  beyond. Areas that will need specific attention are:
  ~ Climate Change and Vulnerability
  ~ Sustainability
  ~ Business Development
  ~ Affordable and Workforce Affordable Housing
  ~ Natural Resource Protection
  ~ Village(s) Revitalization
  ~ Transportation Congestion Management- including multi-modal opportunities

- A new Comprehensive Plan for Planning Board approval and Town adoption. The
  Plan shall include updated existing chapters, new chapters, and GIS maps compliant
  and consistent with MSRA Title 30-A and Chapter 208 of the State of Maine’s
  Comprehensive Plan Revision Criteria Rules. This process may include revisions
  prior to final adoption. The Consultant will assess how consistency with state statute
  might support or hinder the proposed goals and policies for the Town.
In addition to general elements described above, the draft Plan will include specific areas of concern, including:

- A strategic plan for the future of York, complete with goals, objectives, public input mechanisms and results, and implementation strategies for the 2022 Comprehensive Plan.
- Incorporation and reference to plans and studies recently completed or currently underway, or as identified in the current Comprehensive Plan.
- Other specific areas of concern such as, but not limited to, economic development, climate change vulnerability and resiliency etc.

The Consultant will provide digital, editable, and printable copies of all final documents including reports, maps, and the final Plan. Mapping should be provided in a form compatible with the Town’s GIS. An adequate number of hard copies of maps (scale to be agreed upon) and drafts of final documents should be provided to facilitate review and support by the Planning Board, staff, and CPC.

6. PROJECT MANAGEMENT AND RESPONSIBILITIES

The Consultant will be responsible for working closely with the CPC and town staff. The Town Planning Director will be the Project Director and will serve as primary contact and coordinator between the Town, the CPC, and the Consultant. Other town staff will be available as possible.

The CPC will serve as an oversight committee for this project. It will guide, evaluate, and approve the direction and completion of the Plan. This committee will recommend the final Plan to the Planning Board for approval and for the Board of Selectmen to place on the Ballot.

Town staff will:

- Be available for interviews or to assist in research activity
- Provide any and all existing documentation to the Consultant as requested, within reasonable expectations and costs;
- Assist with human and technical resources as needed to facilitate timely progress;
- Provide and distribute minutes for all CPC meetings;
- Schedule, coordinate, and make necessary arrangements for other Plan-related meetings.
7. **SCHEDULE**

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
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<tbody>
<tr>
<td>Release RFP</td>
<td>September 20, 2019</td>
</tr>
<tr>
<td>Receive Proposals from Consultants</td>
<td>October 31, 2019</td>
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<tr>
<td>Determine Short List of Consultants</td>
<td>November, 2019</td>
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<tr>
<td>Interview Short-listed of Consultants</td>
<td>Early December, 2019</td>
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<tr>
<td>Select candidate and recommend</td>
<td>Early January, 2020</td>
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<tr>
<td>to Board of Selectmen for Approval</td>
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<tr>
<td>Issue Notice of Award</td>
<td>January, 2020</td>
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<tr>
<td>Execute Contract by</td>
<td>February, 2020</td>
</tr>
<tr>
<td>Start Project Work</td>
<td>March/April 2020</td>
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</table>

Respondents shall provide a proposed project schedule that may be subject to modifications during negotiation of the contract. It is expected that completion of the project and delivery of the Comprehensive Plan should take no longer than 2.5 years.

8. **PROPOSAL SUBMISSION REQUIREMENTS**

All services to be furnished to the Town shall be performed with equipment, methods, and use of personnel in accordance with pertinent professional standards and with the Occupational and Safety and Health Act requirements of the State of Maine and the United States.

Consultants’ response to this RFP must include a detailed, step-by-step description of the methodology intended for use in performing the scope of work as defined. This description shall include:

A. Cover Letter: Briefly describe the firm, its history, size, and its areas of expertise;

B. Project Description and Scope of Services: Describe in detail your understanding of the project, the services your firm will provide and the methodology that you will use, specifically addressing how the points outlined in the scope of work will be met;

C. Statement of Qualifications (SOQ): Include the following information:
   1) Resumes of key personnel including who will be the project lead/manager, who will participate in the project including educational background and employment history, not to exceed two pages per person;
   2) Past Experience with similar projects for other clients, particularly in Maine, for the past five (5) years with references, contact names, and telephone numbers;
   3) Example of Work: One (1) complete copy of the final report from the project your firm has completed within the past five (5) years that is most similar to this project; ideally a Plan that has been found consistent with MSRA Title 30-A and Chapter 208 of the State of Maine’s Comprehensive Plan Revision Criteria Rule.
   4) Statement of Availability and location of key personnel to work on the York assignment;

D. Project Task and Schedule Matrix: Provide a high-level matrix/spreadsheet that identifies: major project tasks and milestones; estimated date for completing each task; personnel and their hours planned for each task; total number of hours for each task.
9. SELECTION CRITERIA

The Consultant shall address the proposed scope of services, including their approach, personnel who will do the work, in-house technical review capabilities, and ability to meet the project schedule.

The Proposal shall discuss in sufficient detail the steps that the Consultant will take to arrive at the desired results. The discussion shall be important for the selection process. The Town reserves the right to solicit additional information from the Consultant or their references. Each responding Consultant will be ranked according to their proposal, qualifications based on experience, results, and other information furnished.

The Planning Board will use the following criteria to make a recommendation to the Board of Selectmen for award of the contract:

- A successful record in completing similar projects.
- The quality and depth of the consultant team's applicable experience and expertise, especially with similar projects.
- Resumes of the personnel who will be assigned to this project, including relevant experience.
- The proposed approach to soliciting meaningful public input as documented in the submitted public participation plan.
- The timeliness of the proposed schedule and the ability of the consultant team to complete the work as scheduled based on current and projected workload.
- A reasonable and competitive fee.
- The quality of oral presentation, and of submitted example products.
- The quality of references.
- Other applicable factors as the Town determines necessary or appropriate.

10. ACCEPTANCE/REJECTION

The Town reserves the right to waive any informalities in Proposals, to accept any Proposal, and to reject any or all Proposals, should it be deemed in the best interest of the Town to do so.

A Proposal may be held by the Town for a period not to exceed thirty (30) days from the date of the opening of Proposals for the purpose of reviewing the Proposal and investigating the qualifications of the Proposer prior to the award of a contract.
11. **FEE STATEMENT**

Fee Statement: The proposal shall include a SEALED, SEPARATE fee statement for the work to be performed. The fee statement shall include a cost for each of the tasks to complete the work outlined in the Scope of Services and any additional tasks the Consultant feels are necessary to complete the work. This cost information shall be related to and presented as a version of the matrix described in section 8.D above. The Consultant team may modify, combine, or otherwise change the tasks in the Scope of Services as they see fit as long as it meets the needs of the Town.

The Town reserves the right to negotiate with the Consultant to determine the amount of work and fees to be included in the contract and how the payments will be made (quarterly/upon Plan achievements, etc.).

The fee statement shall include a schedule of fees on an hourly basis for each of the key personnel and subcontractors, as well as a schedule of other basic costs, should additional services be necessary. The Consultant should estimate the nature and cost of additional services deemed necessary to complete the project.

A maximum of $200,000 is funded for this project and the final fee shall not exceed this amount, inclusive of all reimbursable expenses.