

45 cottage. There will still be adequate parking. Later on, when the transformers are relocated, the
46 applicant will come back for an amendment to a previously approved plan, and the parking
47 space will be put back next to the cabin.

- 48
49 • Motion: Pete Smith moved to approve the field change for York Beach Surf Club, Tax
50 Map 38, Lot 59 and 69, as presented. Wayne Boardman seconded. There was no
51 discussion. The motion passed 5-0.

52 53 **Public Forum**

- 54
55 • Motion: Pete Smith moved to open the public forum. Ian Shaw seconded. The motion
56 passed 5-0.

57
58 No one came forward. No correspondence had been received. The Chair closed the public
59 forum.

60 61 **Application Reviews**

62 63 **Pine Ledge Motel, 1963 US Route 1**

64 **Map/Lot 0001-0004 owned by Michael Ramsey**

65 **Site plan review to re-develop existing seasonal workforce housing on the lot**

66
67 Travis Letellier, Northeast Civil Solutions

68
69 The demolition of a motel building and the construction of a new 11,000 square foot building is
70 being proposed. The new building will be put up first. The project is in the RTE 1-6 Zone and
71 the RES-2 Zone. The Code Office has indicated that the use of non-conforming motel can be
72 moved forward and categorized as employee housing, as well.

73
74 Chris Di Matteo noted that, in regard to the application's readiness for review, the 6.3.5 Impact
75 Statement has been submitted and the grading landscape design has been submitted, but it does
76 not meet the requirements of 7.3. This is something the Board can determine, Chris said.

77
78 Regarding the initial assessment of traffic impacts, Travis Letellier said that there is no change
79 in use or intensity of the use, so there is no change in the actual traffic on the property. It will
80 continue to be used as it has been for years. The employees are picked up by a van in the
81 morning and brought back at night. The housing is only used during high season.

- 82
83 • Motion: Gerry Runte moved to accept the application for employee housing by Michael
84 Ramsey, 1963 US Route 1, Tax Map 1, Lot 4 for preliminary review. Wayne Boardman
85 seconded. There was no discussion. The motion passed 5-0.

86
87 There is a capacity letter from the Ogunquit Sewer District. There is already a connection.
88 Nothing is changing.

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Chris Di Matteo said that essentially, the ordinance does not allow a large cut of more than 10 feet, or a large fill with changing grades. The Board may need to consider that and possibly waive it.

The applicant would like to keep the existing pavement loop around the building as it is now. Instead of putting pavement down to accommodate the new building, they would like to leave it as it is. There is a plan to landscape inside the loop when the old building comes down. Wayne Boardman said the buffer should be a real buffer, not pavement.

There is a requirement for utilities to be underground, but the plan keeps overhead wires as they are. The wires come from Route 1 to a pole. Instead of going from the pole down into the ground, they continue to run from the pole to the building.

- Motion: Pete Smith moved to open the public hearing for the application for employee housing, Michael Ramsey, 1963 US Route 1, Tax Map 1, Lot 4. Wayne Boardman seconded. There was no discussion. The motion passed 5-0.

No one came forward to speak. Kathleen Kluger entered a communication into the record. It was written by Jeff Hill, an abutter. She summarized that he is concerned about his view toward the new construction. She closed the public hearing.

The Board discussed 7.3 regarding the great amount of pavement that is proposed to remain on the site within a buffer yard. A waiver is necessary to keep the pavement. Pete felt there has never been a vegetated buffer there, and it is unrealistic to ask the applicant to tear up the pavement and repave 20 feet away. Wayne said that the original building was built in a time when bufferyards were not required. The project is a complete renovation and the bufferyard should be established. Kathleen said a site visit would be helpful for more than the one item. A time was set for Monday, November 15, 2021, at 11:00 A.M.

- Motion: Pete Smith moved to continue this application for the Pine Ledge Motel, 1963 US Route 1, Map 0001, Lot 0004, to the meeting of December 23, 2021. Gerry Runte seconded.

In discussion, Wayne Boardman asked staff if there are other sticking points that should be considered before the site walk. Kathleen Kluger paused the motion and offered the applicant a chance to speak. Mr. Letellier said that the outstanding issues are self-explanatory.

Kathleen Kluger called for the vote. The motion to continue the application to December 23 passed 5-0.

**Lupine Park—Mixed Use development, 4 Vacation Drive
Map/Lot 0086-0002, owned by Joshua Stauble**

132 **Site Plan amendment to add a second multi-use commercial building and associated**
133 **parking areas**

134
135 Ryan McCarthy, Tidewater Engineering and Surveying
136 Joshua Stauble, Lupine Park

137
138 Ryan McCarthy said that last time Joshua Stauble was before the Board, the existing
139 development was approved as a site plan. That includes an existing 5,000 square-foot building.
140 They are proposing to add a 4,950 square foot seconded building. It mimics the building that is
141 already there.

142
143 This development is more than 750 feet from Route 1 and is not required to connect to the
144 public water main. The site is served by a septic system and a well. There is a letter from the
145 Fire Chief indicating that approval of the first submission would continue to apply to this
146 submission. There is an email of approval from the Police Chief. An email from Dean Lessard
147 supports the waiver request on the full traffic impact analysis.

148
149 The second building adds another 25 parking spaces. There is a handicap spot in front of each
150 building. A pole barn to provide covered parking has been removed from the plan. The project
151 was previously approved to put in large stockpiling of materials. That has been removed from
152 the plan. Small dump trucks will be moving small piles of materials. Smaller bins will be used
153 for landscaping products.

154
155 The natural bufferyards around the property are not being touched. The required plant units
156 adjacent to the residential properties have been enhanced with white pine trees and an added
157 fence at the abutter's request.

158
159 The updates to the plan and notes have been made. There is no longer a request for a waiver for
160 the performance guarantee. The engineer's estimate for erosion control measures is under
161 \$10,000, for which a letter of credit will be provided.

- 162
163 • Motion: Pete Smith moved to open the public hearing for the application by Lupine
164 Park, 4 Vacation Drive, Tax Map 86, Lot 2. Ian Shaw seconded. The motion passed 5-0.

165
166 No one came forward to speak. Chair Kathleen Kluger closed the public hearing.

167
168 Pete Smith said that there were five waiver requests, and two are being withdrawn.

- 169
170 1. Waiver 1: Section 6.3.33, Traffic Impact Analysis, is required when 40 or more parking
171 spaces are provided and when it is projected that more than 400 vehicle-trips per day
172 will be generated. Ryan McCarthy said that an email from Dean Lessard states that
173 additional data are not required. There are no crash locations along this stretch of road.
174 Two hundred ninety-five trips per day are predicted, well under the limit of 400.
175 2. Waiver 2: Section 6.4.6, Landscaping Plan. The plan meets the standards of 7.1.7.

- 176 3. Waiver 3: Withdrawn
177 4. Waiver 4: Section 6.3.10, Landscaping a Bufferyard. It is not required for a licensed
178 landscape architect to prepare a Landscape Plan.
179 5. Waiver 5: Withdrawn

180

- 181 • Motion: Pete Smith moved to approve the following waivers requested by Lupine
182 Park—Mixed Use Development, 4 Vacation Drive, Tax Map 86, Lot 2:
183 Waiver 6.3.33, Traffic Impact Analysis
184 Waiver 6.4.6, Landscaping meets standards of 7.1.7
185 Waiver 6.3.10 Landscaping in Bufferyards.
186

187 Jerry Runte Seconded. There was no discussion. The motion to approved the waivers passed 5-0.
188

189

- 189 • Motion: Wayne Boardman moved to approve the amended site plan for Lupine
190 Park—Mixed-use development, Joshua Stauble, 4 Vacation Drive, Tax Map 86, Lot 2.
191 Pete Smith seconded. There was no discussion. The motion passed 5-0.
192

193

Kathleen Kluger said that the plan notes will be corrected as the peer reviewer has written.

194

195 **Mountain Road Conservation Subdivision, 51 Mountain Road**

196 **Map: 0097 Lot:0015 Owned by Dianne Goodwin**

197 **The intent of this project is to create a 15-dwelling unit open space conservation**
198 **subdivision development**

199

200 Geoff Aleva, Civil Consultants

201 James Paolini, York Harbor Builders

202

203 The 62-acre parcel on Mountain Road has been logged within the last five years. The land has a
204 38-acre contiguous conservation area the York Land Trust proposes to preserve as open space.
205 The forest would come back and it would become a wildlife area again.
206

207

207 There are uplands on the property that are suitable for development, said Geoff Aleva. The
208 Land Trust would like to use the subdivision's road to access the open space, for which an
209 entrance and parking would be added. The Land Trust would like to put in some trails. There
210 is an abutting parcel with open space they wish to purchase to add to this open space, he said.
211

212

212 Kathleen Kluger said that this meeting is considered a conceptual design review of the open
213 space. It is not understood what the York Land Trust wants to do with the property. The
214 applicant should solidify plans by collaborating with the Land Trust and the Conservation
215 Commission. Once a vision of the best use of the property is firmed up and the theme is
216 identified, the yield plan and sketch plan can be created.
217

218

- 218 • Motion: Wayne Boardman moved to continue the application for Mountain Road
219 Conservation Subdivision, 51 Mountain Road, Map 97, Lot 15 owned by Dianne
220

220

221 Goodwin, to a date that will be determined by the applicant. Pete Smith seconded.
222 There was no discussion. The motion passed 5-0.

223

224 **BD Solar York, LLC, 53 Major McIntire Road**
225 **Map/Lot 0086-0034 owned by Mary McIntire Davis Trust, Malcom R. Davis, Trustee**
226 **Site plan review to construct a 4.99 megawatt (MW) solar array project**

227

228 Sean Theis, Project Manager
229 Nick Mazuroski, Co-owner BD Solar York
230 Gordy Smith, Attorney for BD Solar

231

232 This application was brought before the Board as a sketch plan about a year ago. It was turned
233 away because there were proposed wetland fills. Now they have relocated the solar project
234 outside the Shoreland zone of the York River (based on the Town's mapping) and, at the same
235 time, kept it 250 feet from the Wetland boundary (based on the wetland delineation). There is
236 an uncertainty about the access road. It cuts through a portion of the Shoreland zone.

237

238 The applicant has a lease-option with the ability to enter into a long-term lease. The parcel is
239 140 acres. The array is on 13 acres of land. The majority of the property is open field. The
240 entire project is essentially buffered with an existing forest. Most of the electrical power system
241 would be underground. It would come above ground near the end of the access road.

242

243 The location of the solar panels has been moved as a part of the redesign. Before, the panels
244 were located close to the property line. Now they are set back 550 feet from the road and
245 neighbors. The whole site is surrounded with a 7-foot-high chain link fence. No lighting is
246 proposed. There is a minimal amount of noise. Glare is slight with solar panels.

247

248 There is external time pressure for the project. State legislature enacted rules amending Net
249 Energy Billing in the State of Maine. It has a tight "sunset" time frame for projects to be eligible.
250 If met, the company would be able to sell power directly to residents, relieving a good amount of
251 risk and uncertainty about how to sell the power. The applicant must obtain a conditional use
252 permit from the Town by the end of 2021. The project will have safe harbor if the Board can
253 approve the project with conditions in December.

254

255 • Motion: Pete Smith moved to accept the application for BD Solar York, LLC, 53 Major
256 McIntire Road, Map 86, Lot 34, for preliminary review. Gerry Runte seconded. There
257 was no discussion. The motion passed 5-0.

258

259 • Motion: Pete Smith moved to open the public hearing on the application for BD Solar
260 York, LLC, 53 Major McIntire Road, Map 86, Lot 34. Wayne Boardman seconded.
261 There was no discussion. The motion passed 5-0.

262

263 No one came forward to speak. Kathleen Kluger closed the public hearing.

264

265 Kathleen Kluger read a summarized voice mail from abutter Glen Lajoie into the record. He
266 opposes the solar farm. He had been told the land was protected as preservation land that would
267 not be built on. He believes it will be an eyesore from his property and will impact his horse-
268 farm business.

269

270 Kathleen Kluger also entered into a record a summarized communication from Kevin Solito of
271 7 Keith Road. He echoed Mr. Lajoie's concerns and added the issue of financial impact in
272 terms of lower property values. He wants to know how the integrity and the appearance of the
273 existing area will be maintained. He is also concerned about the view of it during the fall and
274 winter seasons when there will be no coverage from trees and other landscaping. How will the
275 clearing of the trees and the impact to the wildlife will be affected?

276

277 Kathleen Kluger closed the public hearing.

278

279 Nick Mazurski responded to the public hearing. The array has been moved more than 500 feet
280 from the nearest residential properties. Existing vegetation creates a solid visual buffer. There
281 is a "very discrete" potential visual impact on the front side where the access road turns in.
282 Vegetation is being taken away from the array area, but all surrounding vegetation will stay in
283 place. The applicant is willing to put in a vegetated buffer for the Schiffers's concerns.

284

285 The inverter systems generate sound, but they are far away from the road, and one has to be
286 within 10 feet to hear the sound. The stables are not near the access road and are set back
287 behind a house. They are not by the roadside and should not be affected by the project.

288

289 Nick Mazurski addressed some points Chris Di Matteo had raised.

290

- 291 • The applicant has produced a boundary survey.
- 292 • No traffic impact statement should be required. The site will be visited about once a
293 month for maintenance.
- 294 • There is no landscaping proposed. A waiver has not been requested. Some trees may be
295 planted for screening.

296

297 The applicant will ask for a waiver of the identification of the 24" trees.

298

299 Chris Di Matteo said that demarcation of the Shoreland zone lines needs to be field-verified and
300 properly delineated by a surveyor. Code is anticipating a certified plan. Code will determine
301 the status of the resource protection district.

302

- 303 • Motion: Pete Smith moved to continue the application for BD Solar York, LLC, Tax
304 Map 86, Lot 34 to the meeting of December 9. Gerry Runte seconded. The motion
305 passed 5-0.

306

307

308 **Minutes**

309

- 310 • Motion: Gerry Runte moved to approve the Minutes of October 14, 2021, as amended.
311 Wayne Boardman seconded. The motion passed 5-0.

312

313 **Other Business**

314

315 Wayne Boardman proposed three new members to the Climate Action Plan Steering
316 Committee, Carol Libby, Susan Covino, and Hailey Smith. They will replace members who
317 had not been active.

318

- 319 • Motion: Pete Smith moved to approve the new members of the Climate Action Plan
320 Steering Committee. Wayne Boardman seconded. There was no discussion. The
321 motion passed 5-0.

322

323

324 **Adjourn (10:30)**

325

- 326 1) The next Comp Plan Steering Committee meeting will be Thursday, November 4, at
327 6:00 P.M.
328 2) The next Planning Board November will be on November 9, at 7:00 P.M. There will be
329 only one Planning Board meeting in November.
330 3) The Planning Board will have a site walk at the Pine Ledge Motel, 1963 US Route 1 on
331 Monday, November 15, 2021, at 11:00 A.M.

332

333 Respectfully submitted,

334 Patience G. Horton

335 Recording Secretary