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February 25, 2021

Robin Cogger
Director of York Parks & Recreation
186 York Street
York, ME 03909

Re: Mt. Agamenticus Parking & Restrooms

Hello Director Cogger,

Now that we have received Selectmen, Trustee, Maine Public Utilities Commission, and Voter approval, this very important project is nearing the construction phase. Our Board of Trustees recently voted to approve a proposal by Wright Pierce addressing their level of effort to bring the design and engineering phase to completion (our agreement did not include building design. I believe WP will provide you with a proposal for architectural drawings).

Wright Pierce is working to finalize plans and will be working thru the Planning Board and Maine DEP permitting process and then the final design, bidding documents and bidding phase services.

York Water District/Town of York Property Line-

The York Water District/Town of York property line cuts through the upper parking lot. There are questions of the ability to meet Town of York setbacks from property lines with two property owner's property line cutting through the middle of this project.

In a previous meeting with the Mount Agamenticus Parking & Planning sub-committee and Town Planner Dylan Smith and Code Enforcement Officer Amber Harrison the feeling was if Mt. A can show this is an existing use (photos attached and exhibit B-3) it should not be a problem.

In addition, the 1980 York Water District-Town of York Lease Agreement grants this use and the final lease amendment approved by both Attorneys will continue to allow this use.

York Water District's Attorney Anthony Calcagni of Verrill Law gave an opinion.

It is a zoning interpretation question, that I think the Town needs to deal with when it gets to the application stage for the parking areas. I think the Town has a perfectly good argument that the Lease (as amended) gives them the rights they need on the Districts land, so that the setback restrictions should not create a problem. Obviously, this is not a typical case where concern is getting

too close to a neighboring landowner, and in fact our proposed Lease Amendment expressly gives the right to (and actually requires) the Town to construct the Parking Areas as shown.

We are pleased with the new design and we do not foresee any problems moving forward.

York Water District fully supports the lease amendment and the proposed parking and restroom facilities.

If you have any questions please call

Respectfully submitted,

A handwritten signature in cursive script that reads "Donald D. Neumann Jr." with a stylized flourish at the end.

Donald D. Neumann Jr.
Superintendent
York Water District