

**York Planning Board
Thursday, June 13, 2019, 7:00 P.M.
York Public Library**

Call to Order; Determination of Quorum; Appointment of Alternates

Chairman Al Cotton called this workshop meeting to order at 7:00 P.M. A quorum was determined with three people voting: Al Cotton, Wayne Boardman, and alternate Ken Churchill, who was appointed as a voting member.

Board members Peter Smith, Lew Stowe, and Kathleen Kluger were not present. Recording secretary Patience Horton was not present and constructed these minutes from the online stream. Her comments are in [brackets]. Land Use Technician Heather Ross was not present.

Planning Director Dylan Smith represented staff. Harbor master David Webber addressed the York River ordinance amendment, dock size. The meeting lasted one hour.

Public Forum

Public Hearings—Proposed Ordinance Amendments

Shoreland Overlay District

The expansion of a structure within the Shoreland Overlay District is defined in terms of State minimum standards. That is also true for the setbacks of retaining walls

The verbiage “civic and public use” has been changed to “municipal use.” This amendment contains the definition of the float size allowance for municipal use. Plus, commercial-marine and commercial-fishing uses are exempted from the 200-square-foot rule.

Chairman Al Cotton opened the public hearing.

- **Jim Smith:** If I had a private dock, and I was willing to put a lobsterman or commercial boat on it, would I be allowed to put another 200-square-feet on my dock? [Consensus: Though it is logical that the owner of the dock has to be a commercial fisherman, the ordinance might have room for interpretation, and it could possibly become an enforcement issue.]

42 Al Cotton closed the public hearing.

43

- 44 • Motion: Wayne Boardman moved to recommend endorsement of the Shoreland
45 Overlay District amendment as amended. Ken Churchill seconded. The motion
46 passed 3-0.

47

48 **Zoning Definitions**

49

50 Minor clarification of the definition of building appurtenances, specifically the
51 definition of “driveways,” has been made. Indications of “others” in the definition,
52 which had included weathervanes and cupulas, no longer fit the classification.

53

54 Al Cotton opened and closed public hearing. No one came forward.

55

- 56 • Motion: Wayne Boardman moved to recommend the amended Zoning
57 Definitions ordinance to the Selectboard, in that it has been altered to remove the
58 word “other.” Ken Churchill seconded. The motion passed 3-0.

59

60 **As-built Plan Requirement for Nonconforming Structure Expansions**

61

62 Has a structure been placed on the lot in accordance with the building permit? The As-
63 built plan requirement assures that before the occupancy permit is granted, it has been
64 built as permitted.

65

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

67

- 68 • Motion: Wayne Boardman moved to approve and pass the As-built amendment
69 to the Selectboard as modified. Ken Churchill seconded. The motion passed
70 3-0.

71

72 **Cul-de-sac Specifications**

73

74 In the case where builders seek certain approval of, for example, a family subdivision, a
75 Cul-de-sac must be assuredly built to Town specifications.

76

77 The Chair opened and closed the public hearing. No one came forward to speak.

78

- 79 • Motion: Wayne Boardman moved to recommend the amendment on Cul-de-sac
80 specifications to the Board of Selectmen. Ken Churchill seconded. The motion
81 passed 3-0.

82

83

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85

86 **Workforce Housing**

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88 This amendment expands the Workforce Housing Overlay District southerly into the
89 Kittery sewer service priority area. Also, any development of five or more dwelling
90 units must contain at least 10% workforce housing [one in the case of five]. If a
91 developer wants to go above and beyond 10%, additional marketable units can be
92 allowed.

93

94 Al Cotton opened the public hearing.

95

- 96 • **Jim Smith** said he supports this required incentive for builders to provide more
97 workforce units.

98

99 The Chair closed the public hearing.

100

- 101 • Motion: Wayne Boardman recommended sending the Workforce Housing
102 amendment to the Board of Selectmen. Ken Churchill seconded. The motion
103 passed 3-0.

104

105 **Medical Marijuana**

106

107 Dylan has added a performance standard that a medical marijuana manufacturing facility
108 may voluntarily contain a medical marijuana testing facility that might ensure the
109 product meets State standards and guidelines.

110

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

112

- 113 • Motion: Wayne Boardman moved to recommend the Medical Marijuana
114 amendment to the Board of Selectmen as drafted. Ken Churchill seconded. The
115 motion passed 3-0.

116

117 **Minutes**

118

- 119 • Motion: Wayne Board moved to accept the Minutes of May 23, 2019, as
120 written. Ken Churchill seconded. The motion passed 3-0.

121

122 **Other Business**

123

- 124 • There is a large queue for application hearings, including Davis.
- 125
- 126 • The upcoming joint meeting with the Selectboard will include a presentation on
127 workforce housing by Matt Peters.

128

- 129 • There are 3 big November, 2020, items on the horizon.
130
131 1) The Comp Plan will be front and center in your lives for the next two years,
132 said Dylan.
133
134 2) Food trucks are on their way. How will formula restaurant restrictions get in
135 the way of the new food truck ordinance?
136
137 3) The consultant for the economic development of the Green Overlay will not
138 have a bearing on zoning--just on economic development.
139
- 140 • The Conservation Commission has new ideas about the yield plan for the open
141 space conservation subdivision ordinance. Therefore, tweaking is imminent.
142

143 **Adjourn**

144
145 The meeting adjourned at 8:00 P.M.

146
147 Respectfully submitted,
148 Patience G. Horton
149 PB Recording Secretary