

**York Planning Board**  
**Thursday, January 24, 2019, 7:00 P.M.**  
**York Public Library**

**Call to Order; Determination of Quorum; Appointment of Alternates**

Chairman Al Cotton called this application meeting to order at 7:00. A quorum was determined with four people voting: Al Cotton, Vice Chairman Peter Smith, Wayne Boardman, and alternate Kathleen Kluger, who was appointed as a voting member. Lew Stowe was absent. Planning Director Dylan Smith represented staff. Land Use Technician Heather Ross was also present. Chris Di Matteo from Gorrill Palmer provided peer support. Patience Horton was the recording secretary. The meeting lasted 2.5 hours.

**Center for Wildlife, 375 Mountain Rd**  
**Map/Lot: 0093-0025A**

Joe Mulledy of Ambit Engineering in Portsmouth represented the Center for Wildlife.

- Motion: Peter Smith moved to authorized the Chair to sign the Findings of Fact for Center for Wildlife, Map/Lot: 0093-0025A, 375 Mountain Road. Kathleen Kluger seconded. The motion passed 4-0.

Chairman Al Cotton signed the Findings of Fact, and the Planning Board members signed the Mylars, backdated to January 10, 2019.

**Public Forum**

No one came forward to speak.

**Field Changes**

There were no field changes.

**Public Hearings—Applications**

**McIntire Woods Subdivision, 142 York Street (Continuation)**

**Map/Lot: 0091-0009 owned by the Mary McIntire Davis Trust.**

**Preliminary plan review for 120 dwelling units on approximately 112 acres with access provided from the York Street and Raydon Road**

This application was accepted as complete for preliminary approval on September 27, 2018, and is continued tonight from prior meetings.

Tom Greer and Bill Walsh from Walsh Engineering in Westbrook presented an update. There are forty units that are for “over 55.” Six units of workforce housing have been added. The trail system will be connected and maintained by the Town’s trail system.

Chris Di Matteo said the three waivers being sought are reasonable.

1. There are 3 places where grade is greater than 10-feet. The applicant wishes to change the slopes from 5:1 to 3:1 in those places.
2. Locations of the survey monuments shall be given at time of final occupancy.
3. The cross sections of road plans will be eliminated.

The Applicant has responded to the original 13 draft conditions plus 4 conditions that the Planning Board added.

1. The revised plan includes all pertinent notes.
2. There is a note stating that all homes are greater than 600 square feet.
3. The plan for construction management has been submitted.
4. There is a note stating there will be neighborhood meetings about blasting prior to each phase.
5. The home and clearing impact plan required in § 8.3.3.3. has been included.
6. The plan has the condominium documents detailing stormwater maintenance.
7. The 50-foot right-of-way line is depicted on the plan.
8. Subdivision plans show areas set aside for open space and stone walls.
9. A neighborhood open space plan has been provided.
10. The trees to be removed or saved have been identified.
11. The solid waste plan adheres to DEP regulations and the Town’s ordinance.
12. A note states that new landscaping materials that die in the first year will be replaced.
13. N/A
14. Short term residential rentals will be prohibited.
15. There will be a public playground operated by the Town.
16. Six units will be dedicated to workforce housing.
17. The roads will be open to the public.

Regarding response 15, the Town has declined the playground. With the Town’s cooperation, the applicant has offered public sewer extension to Donica Road.

- Chairman Al Cotton opened the Public Hearing. Six people came forward to speak.

**Greg Orso**, representing Betsy Goodman, made three points. Because the waiver request regarding the grade ratio for the entrance into York Street does not meet the ordinance or the Comp Plan, the Planning Board has to right to reject the waiver. Though the Comp Plan encourages cluster development, the Planning Board has accepted conventional site layout. Only three units of workforce housing will be built during Phase I.

**Betsy Goodwin**, 130 York St., said blasting will go on over the course of 7 to 10 years. It will be harmful to children and wildlife. Running sewer to Rte. 1 will cost the Town's people up to \$1 million.

**William Gladhill**, 14 Organug, said there should be at least 10 units of workforce housing. The buildings that will be seen from York Street should be historical in design and materials. One hundred-twenty units is too many to put on this land.

**Bill Massidda**, 127 York Street, said this massive project will widen York Street and ruin the Village. He recommends voting against the three waivers. He encourages the Town to buy the property.

**Nathan Gurtman**, 37 Raydon Road, said the wildlife reports should have been made by ecologists and were not. Every new home in York should be built to Platinum certification. There is no general contractor in York who is capable of maintaining the stormwater systems.

**Frances Kirshner**, 151 York St., said consideration should be given to children who will be exposed to continuous noise.

The Chair closed the Public Hearing. Tom Greer addressed comments made during the Public Hearing.

1. The Comp Plan indicates that the Davis Property ought to be for housing.
2. The waiver for the difference in grades is spoken to in § 7.3.3.1.c, "except under building footprints, changes in pre- and post-development which exceeds 10' may be permitted by the Board."
3. The stormwater plan works very well, and it meets the ordinance.

The stormwater manual has 170 pages. The Stormwater plan requires a DEP permit that is renewed every five years. It requires annual professional inspection by a contractor or CEO. If issues arise, the Code Office can issue its own fines or bring in the DEP to do so. The stormwater maintenance agreement is in the Condominium Assoc. documents.

The Board discussed energy efficiency, snow storage, maintenance of the vernal pools, blasting, phasing, and parking for public access. The price of a workforce housing unit recovers the builder's cost of the house, the cost of infrastructure, and utilities to it. It does not recover the land cost. The developer is providing a free lot. In the Village, that is worth \$100,000+.

- Motion: Peter Smith moved to approve the preliminary plan for the application for McIntire Woods Subdivision, 142 York Street, Map/Lot: 0091-0009, as presented with the following three waivers:

1. Slopes marked on Plan C-3.0 are allowed at a 3:1 ratio.
2. The type of monuments to mark the boundary lines and the timing of the phasing of the boundary are to be done as described on the bottom of Page 2 and the top of Page 3 of the Memo to the Planning Board Chairman of January 2, 2019, from Tom Greer of Walsh Engineering Associates.
3. We allow the third waiver that the road cross-sections as required in our ordinance will not be required in this application.

Per Robert's Rules, Al Cotton stepped out of the Chairmanship and handed the Chair over to Vice Chair, Peter Smith. Al Cotton seconded the motion.

In discussion, Wayne Boardman said the site is not adequate for the total number of units that are projected. The numbers in the traffic report for the School zone and the Organug Road intersection of York Street do not represent the excessive amount of traffic there. The open space is primarily unbuildable land, and the quality of the contiguous open space does not meet the standards of the ordinance. He proposed that 10% to 20% fewer units would lessen the York Street and Rte. 1 impacts and improve the open space.

Kathleen Kluger called the question. The motion to grant preliminary approval passed, 3-1, with Wayne Boardman opposed.

## **Minutes**

- Motion: Kathleen Kluger moved to accept the minutes of January 10, 2019, as corrected. Peter Smith seconded. The motion passed 3-0-1, with Wayne abstaining. He was not at that meeting.

## **Other Business**

- February 14, 2019, will be a workshop with Dylan Smith. The November 20, 2019, referendum is the focus. Upcoming subjects include workforce housing, changes to the marijuana laws, and the Green Enterprise zone.
- The February 14 meeting will begin at 6:30 p.m. for training on new tablets.
- Dylan said the \$200,000 needed to update the Comprehensive Plan is becoming available. The Planning Board will put together a Comp Plan committee for the update. The process will take two or three years.
- Dark Sky should be compliant for all commercial, not just new Rte. 1, projects.

## **Adjourn**

The meeting adjourned at 9:30

Respectfully submitted,  
Patience G. Horton  
PB Recording Secretary