

York Planning Board Meeting/Hearing
Thursday March 24, 2022; 7:00 P.M.
York Public Library

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

Chair Kathleen Kluger called the meeting to order at 7:00 P.M. A quorum was determined with five people voting: Kathleen Kluger, Board Secretary Gerry Runte, and Peter Smith, plus alternates Ian Shaw and Kenny Churchill, who were appointed as voting members. Wayne Boardman and Al Cotton were not present. Planning Director Dylan Smith and Land Use Planner DiCarlo Brown represented staff. Patience Horton took Minutes. Votes were tallied via roll call.

This was the first return to in-person meetings after two years.

Heard tonight:

1. SM & BF Realty (Field Change)
2. Brookside Landing
3. Bristol Point #2
4. Viewpoint Hotel
5. 115 Josiah Norton Subdivision

Field Changes

SM & BF Realty
1000 US Route 1
Geoff Aleva
Troy Williams

Because of product supply problems, the colors for this building have been changed to dark red at the top and dark gray at the bottom. Veneers are planned for the front side bottom, but not back.

Also discussed. A waterline was designed to go under US Route 1, but at the direction of the Water District, the connection is now located on the property side of the road.

- Motion: Pete Smith moved to approve the field changes for SM & BF Realty, 1000 US Route 1, Map 134, Lot 95. Seconded by Gerry Runte, the motion passed 5-0.
- Motion: Ian Shaw moved to open the public hearing. Gerry Runte seconded the motion, which passed 5-0.

No one came forward to speak.

Public Forum

No one came forward to speak.

Brookside Landing, 1400 US Route 1

Map/Lot 0097-0020; Owner; 1400 Group LLC

Application is a Site Plan Amendment to include a 1,400 square foot storage garage with paved driveway.

Lee Allen, Colby Company Engineering

The CEO has designated this building use as garage-shop facility under 2,500 square feet classified for plumbing, electrical, carpentry, or similar services. The space will be used for vehicles and the storage of materials. Because of the size of the building, six parking spaces are required. Last month, during the February 24 hearing, the Planning Board waived the design requirement and settled for three outdoor spaces in front of the overhead doors with three inside.

The single-family house has been added back onto the plan, and stormwater has been recalculated. The 2-year and 200-year flood requirements have been met with installation of a 6.5-foot pond. The calculation has not been passed on to Gorrill Palmer.

Per §6.3.2.3 (the provision of pedestrian amenities in Route 1-5 Zone), sidewalks are desired for the area. A sidewalk will not be built at this time, but an easement for a sidewalk was established in the previously-approved plan. In the event that a future abutter puts in a sidewalk, this property will install a new sidewalk and tie into it. The Planning Board will reassess the situation when it comes up.

- Motion: Peter Smith moved to grant preliminary and final approval of the amended site plan review for Brookside Landing, 1400 US Route 1, Map/Lot 0097-0020 with the following conditions.
 - 1) Gorrill Palmer will sign off on the of final stormwater design calculations.
 - 2) The Findings of Fact, Conclusions of Laws, and Decisions will be submitted by the applicant.
 - 3) The plan will show an easement for the construction of a future sidewalk according to the standards in the RTE-1-5 zone, as stipulated in the first plan.
 - 4) The plan will delineate the appropriate uses.

Ian Shaw seconded the motion, which passed 5-0.

Bristol Point #2, 294 York Street

Map/Lot 0050-0122 owned by Bristol Pointe LLC

The intend of the project site is to demolish the existing residence/office space and construct a new mixed-use two-story building above a parking garage level.

Geoff Aleva, Civil Consultants

Brud Weger, Architect

The original plan called for stormwater to discharge directly into the wetland, but the system has been redesigned. Retaining walls will guide water into underground chambers. They will hold back the flow before releasing it onto riprap and dispelling it into the wetland.

- Motion: Peter Smith moved to accept the application of Bristol Pointe #2, 294 York Street, Map 115, Lot 233, as complete for preliminary review. Gerry Runte seconded the motion, which passed 5-0.
- Motion: Ian Shaw moved to open the public hearing. Seconded by Pete Smith, the motion passed 5-0.

Peter Yauch, 308 York Street, lives across the street from Bristol #1. He said the buildings, including their change in building materials, do not fit into York. This building is so large, it will dwarf the one that is already built. He referred to the telephone pole that has been put in and called the area a mess. The builders never came to the neighbors in a neighborly way to introduce themselves and apologize about the disturbance. He hoped the Planning Board would not approve the application.

Mr. Yauch read comments from Betty McFee of 304 York Street. She called Bristol Point One an eyesore to the village and said no one in their right mind should allow another one.

Ellen Joyce of 285 York Street said she is nervous about wetlands. This is so big that it is like having Pease Airforce Base moving in across the street.

The public hearing was closed.

Geoff Aleva: There is enough space in the building to install an electrical vehicle charging unit. The stormwater calculations have been submitted.

Chris Di Matteo's letter commented that his calculation of 17 parking spaces does not match up with the plan's number. Geoff Aleva said he would make sure the number of parking spaces matches on both plans.

The tip-down in the curbing along the York Street sidewalk is ADA compliant. If necessary, the design at the end of the walk can be adjusted.

Waiver Requests

1. The Board did not object to §6.3.3.a.7, depicting areas of high or seasonal high-water table on the existing conditions plan.
2. Neither did the Board object to §6.3.3.2 (high intensity soil survey). Geoff Aleva explained the high intensity surveys are used for larger developments with septic systems, not for small, urban-style developments.
3. Regarding the third waiver request for §8.2.6.2 (access width and design), the Planning Board is going to wait. Fire Chief Balentine has not weighed in on it. Public Safety has not been heard from. It has not been verified by the peer reviewer. Dean Lessard and Gorrill Palmer have both expressed that, because design of the driveway might back traffic up, there is a possible impact on traffic flow on York Street.

Bristol Pointe #2 is called "Bristol Point 2," not Phase 2.

- Motion: Peter Smith moved to grant preliminary approval for the application from Bristol Point 2, Jefferson Homes, 274 York Street, Map 115, Lot 233, as presented. Gerry Runte seconded. There was no discussion. The motion passed 5-0.

- Motion: Peter Smith moved to grant the waiver for §6.3.3.a.7, depicting areas of high or seasonal high-water table on the existing conditions plan. There was no discussion. The motion passed 5-0.
- Motion: Peter Smith moved to grant the waiver for §6.3.32, High Intensity Soil Survey. Seconded by Gerry Runte, there was no discussion. The motion passed 5-0.

The Chair asked the record to show that the motions were made out of order. The waivers should have been granted before preliminary approval.

The application was continued to May 26, 2022.

Viewpoint Hotel, 229 Nubble Road

Map/Lot 0025-0193-A owned by 229 Nubble Road, LLC

Application is a Site Plan Amendment to create 13 additional hotel units. Seven unites will be located within two new structures. Six units will be added to the existing 9-unit hotel.

Geoff Aleva, Civil Consultants

There are two phases to this project. The first makes interior renovations to the existing hotel so that several two-bedroom and three-bedroom units will be turned into one-bedroom units.

In Phase 2, two buildings with a total of seven units will be added on the property. They will be built into the slope and have a grassy lawn roof. The buildings are poured concrete with cast-concrete decks. From above, it looks like a manicured, landscaped area.

The buildings in both phases will be sprinklered.

- Motion: Gerry Runte moved to accept the proposed site amendment for the Viewpoint Hotel, 229 Nubble Road as a sketch plan. Pete Smith seconded the motion. The motion passed 5-0.

Eventually, Joe Lipton wants to build a year-round innkeeper’s residence on the property.

There are three existing structures across the street, where the parking is. What was formerly Brown’s Ice Cream is being used as storage but might become a kitchen. The other two buildings are single-family houses that are used as transient dwelling units that are part of the hotel.

Handicap parking is next to the hotel. All other parking is in the gravel lot across the street. The crosswalk still has not been put in.

The Chair asked the record to show that a public hearing was not conducted. Communications that have been received with be carried over to the next meeting.

- Motion: Ian Shaw moved to continue the application for Viewpoint Hotel, 229 Nubble Road, Map/Lot 0025-0193-A, to the date certain of April 14. Seconded by Kenny Churchill, the motion passed 5-0.

**115 Josiah Norton Subdivision, 115 Josiah Norton Road
Map/Lot 0099-0052-A owned by Richard Moody and Sons Construction Co.
Application is a sketch plan to show the creation of two new lots designed as an Open
Space Conservation Development.**

Erik Saari, Altus Engineering
Isiah Plante, Kimbell Surveying and Design

The density calculation for this parcel shows a yield of five lots. The builder is proposing two building lots with 16 acres of vacant land that joins 16 acres already in preservation.

The theme letter from the York Land Trust designates the land for wildlife habitat. Per §7.6.1.f, the purpose shall include protection of significant natural and cultural resources, wetland and shoreland areas, significant habitat corridors, rare or endangered habitat, roads and buildings within 100 feet of the property, indication of overall stormwater flow directions, species and sizes of significant trees, copse of trees, historic and cultural resources such as existing barns, trails, cellar holes, and stonewalls, or other noteworthy features unique to the property.

The Land Trust does not wish to invite the general public onto the land. There will be no roads, parking, or trails to access the property.

The Board determined that this conceptual design review shows that the open space layout design and configuration are appropriate based on the purposes stated in §1.3.12. The applicant has identified a theme, and the Planning Board has agreed with the theme. The applicant can move ahead with the application with the yield plan as discussed.

Findings of Fact

1. Findings of Fact, Conclusions of Law, and Decisions
Planning Board, Town of York, Maine
Regarding an application for Long Sands Village
Map/Lot 0044-0038, owned by James Paolini
 - Motion: Peter Smith moved to authorize the Chair to sign the Findings of Fact for Long Sands Village Elderly Homes development, Tax Map 44, Lots 38, 38-A, and 38-B, with the recommended corrections. Gerry Runte seconded the motion, which passed 5-0.

2. Findings of Fact, Conclusions of Law, and Decisions
Planning Board, Town of York, Maine
Regarding an application for Pine Ledge Motel Seasonal Employee Housing
Tax Map 1, Lot 4
Applicant Michael Ramsey
 - Motion: Peter Smith moved to authorize the Chair to sign the Findings of Fact for Pine Ledge Motel Seasonal Employee Housing, Tax Map 1, Lot 4, as written. Seconded by Gerry Runte, the motion passed 5-0.

3. Findings of Fact, Conclusions of Law, and Decisions
Planning Board, Town of York, Maine
Regarding an application for Mount Agamenticus Parking & Restroom Facility Improvements
Tax Map 405, Lot 29-2 and Map 403, Lot 23-2
Applicant Town of York and York Water District
- Motion: Ian Shaw moved to authorize the Chair to sign the Findings of Fact with the recommended corrections for Mount Agamenticus Parking & Restroom Facility Improvements, Tax Map 405, Lot 29-2 and Map 403, Lot 23-2. Gerry Runte seconded the motion, which passed 5-0.

Minutes

- Motion: Peter Smith moved to approve the Minutes for Thursday, March 10, 2022, with the corrections noted this evening. Ian Shaw seconded. There was no discussion. The motion passed 5-0.

Other Business

Workforce Housing Development, 7 Hannaford Drive
Map/Lot 0053-0024

After waiting for a considerable amount of time, the applicant has finally received comments from DEP and needs additional time to address them.

- Motion: Peter Smith moved to approve the extension request for Findings of Fact from Seven Hannaford Drive, York, Maine, to June 5, 2022. Gerry Runte seconded. The motion passed 5-0.

Adjourn

10:00

Respectfully submitted,
Patience G. Horton