

York Planning Board
Thursday, April 11, 2019, 7:00 P.M.
York Public Library

Call to Order; Determination of Quorum; Appointment of Alternates

Chairman Al Cotton called this Planning Board Workshop Meeting to order at 7:00. A quorum was determined with five people voting: Al Cotton, Vice Chairman Peter Smith, Wayne Boardman, Lew Stowe, and alternate Kathleen Kluger, who was appointed as a voting member. Alternate Kenny Churchill was present but did not vote. Planning Director Dylan Smith represented staff. Land Use Technician Heather Ross was not present. Patience Horton was the recording secretary. Her occasional comments are written in [brackets]. The meeting lasted 2.25 hours.

Chairman Al Cotton made two announcements.

- 1) The proposed York Planning Board legislation was passed and signed into law by Governor Janet Mills. Selectman Chair Todd Frederick and Planning Chair Al Cotton attended the event in Augusta. As a result, the Planning Board can post openings for Board members without having to reach for the York Beach residency qualification. Currently two new Planning Board members are sought.
- 2) The Planning Board and the Selectboard are to share the leadership of the development of Workforce Housing by nature of placing Workforce Housing on the Agenda for joint meetings, which are held every three months.

Public Forum

No one came forward to speak.

Continued Discussion/Review-November 2019 Ordinance Amendments

A Public Hearing for the November amendments will be held in June, 2019.

Requested by the Code Office

The Code office has asked the Planning Board for clarification of certain ordinance amendments.

On Shoreland Setbacks and Cul-de-Sacs

The Shoreland ordinance must show ordinance compliance to the plan upon completion of the expansion of nonconforming structures in the Shoreland setback. For approval, the Code Officer will compare the work with the approved plan. That will also be true for cul-de-sacs, with which the builder currently often goes astray. Code will make sure that is in order for the builder to get the 50-foot street expansion, the cul-de-sacs must build as specified to be approved.

On Cupolas

Cupolas as appurtenances was discussed.

On Driveways

Dylan Smith said that the plural of “driveway” is “road.” A typo in the draft amendment did not reflect that point.

Defining Structure is Pandora’s Box

To Dylan, “structure” is one of the most important definitions in the zoning book. Defining “structures” is like opening Pandora’s Box, he said. He wishes he could make the definition of a structure in black-and-white, as simple as this: “Anything constructed in or on the ground.” [The current ordinance definition has 91+ words.]

On Changing Shoreland Setbacks

A septic system qualifies as a structure in the Shoreland Overlay. York’s ordinance and the State both allow 75-foot setbacks. Dylan would like to see the revised setback requirement stricter than York’s and the State’s. Lew Stowe feels 125-feet is appropriate.

On Workforce Housing

Dylan has developed a draft map of the sewer priority service area, which should be expanded to meet Article 10, Workforce Housing. The 10% requirement for workforce housing in conservation subdivisions comes from State statute.

Kathleen Kluger noted that we have to make sure a building that is being converted by permit for workforce housing doesn’t turn into a building for short-term rentals.

On Energy Efficiency

Dylan Smith and Wayne Boardman believe that a stricter energy efficiency standard should be applied in the construction of workforce housing and that it could be specified in the plan by an engineer without excessive cost. Energy Star will be researched as a possible standard.

Minutes

- Motion: Peter Smith moved to accept the Minutes of March 28, 2019, with the minor corrections noted. Kathleen Kluger seconded. The Motion passed 4-0-1, with Al Cotton, absent from the meeting, abstaining.

Other Business

- Per 6.4 of the Site/Sub regulations, Draft Preliminary Findings of Facts will be submitted. They will state the conditions of the Preliminary Approval in the following three terms:
 - 1) They will state the specific changes that will be required in the Final Approval.
 - 2) They will state the character or extent of the required improvements for which waivers can be requested. The Board must agree that those improvements can be waived without jeopardy to the public health, safety, and general welfare.
 - 3) They will state the specific items for which cost estimates for the performance guarantee will be required as a prerequisite to approval of the final plan.

Much of this information can be drawn from the Minutes. Preliminary Draft Findings will not be cc'd to other board members, but go to Heather Ross directly.

- Dylan will be “out” for the next two weeks, initiated by participation in a Planners’ Convention in San Francisco.
- [Patience Horton learned that by nature of the workshop format, crosstalk and overlapping banter can be expected.]
- Additional signatures were put on Mylars for Clay Hill Subdivision, 40 Clay Hill Road, Map/Lot: 0096-0093. The March 28, 2019, attempt had not had enough signatures.

Adjourn

The meeting adjourned at 9:15.

Respectfully submitted,
Patience G. Horton
PB Recording Secretary