

York Planning Board
Thursday, May 9, 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 five people voting: Al Cotton, Vice Chairman Peter Smith, Wayne Boardman, Lew Stowe, and Kathleen Kluger. Alternate Kenny Churchill was not present. Planning Director Dylan Smith represented staff. Land Use Technician Heather Ross was not present. Patience Horton was the recording secretary. Harbor Board Chair Dave Webber addressed York River issues. The meeting lasted two hours.

Public Forum

- York resident **Jim Smith** encouraged the Board to reopen discussions about STRs (Short Term Rentals). He lives in the Post Office area of the Harbor where there about 10 STRs. He is not experiencing any disturbance from any STR, but thinking about the quality of life in York, he is trying to “get in front of the wave.” He suggested that accountability can be achieved through voluntary licensing. The neighbors would be able to police their own neighborhood instead of leaving it to the Town.

Discussion with Harbor Board on Potential Zoning Ordinance changes

Harbor Board Chair David Webber said a change in Zoning § 8.3.6.9.a., Float Size Limitation, is appropriate. The Harbor Board thinks “commercial fishing and marinas” should be added as exemptions to allow for bigger docks. That will make, with the proposed ordinance change, “all public institutions, commercial fishing, and marinas” exempt from the 200-foot float size limit. The four-word ordinance change is small enough that Dylan will add it into the Fall, 2019 amendments vote.

There is an issue of homeowner access to the York River. With post-1977 lots-of-record, when somebody subdivides a lot into 10 properties, for example, though the Harbor Board could receive 10 applications for docks, under the current lots-of-record rule, only one dock is allowed. The Harbor Board thinks it is a good solution to have one dock built with enough float space to satisfy all ten new subdivision lots. This change would apply to applications going forward, not retroactively. The requirement for ten boats at 20-feet-each translates into 200 feet of running float space, which mathematically pares down to 100-feet of float.

Lew Stowe recommended putting a five-year sunset clause on the amended ordinance. That would bring it back to the Planning Board to review what impact is created by the amendment. Opening it up for a long period of time would be a mistake, he said.

Dave Webber gave the board members another concept to consider factoring into the workings of the Comp Plan. When two or more abutting properties want a dock, can we somehow require or encourage the two property owners to have a community dock? “If it is not reinventing the wheel, maybe it is something.” Shared dock space would minimize the number of docks on the river. There is a lot of pressure by the public to increase the number of docks. That has to be averted. The Harbor Board is hopeful to have a study done over the summer that will tell whether the river can support more docks or shouldn’t. Dylan thought the ordinance might be developed for May, 2020.

Harbor Board meetings are held at 7:00 P.M. on the first Wednesday of each month in the Police Department conference room.

Continued Discussion/Review of Potential November, 2019 Ordinance Amendments

Dylan recommends tabling the definition of structure in the Shoreland zone until more committee work has been done. He is looking at May or November, 2020 to complete that.

Small changes had been made to Workforce Housing since the last meeting. The board members worked hard to make more small changes.

A person from energy services should not have to be the one to certify the Energy Star requirement. It can be done by the project architect or engineer. That will take away the cost of having an outside individual certify it.

A sketch plan for a medical marijuana dispensary is on the horizon. New definitions for the Town of York have been posted on the webpage. Has the Town “opted-in” by voting for the medical marijuana zoning change back in 2013 or 2014? Not sure. If we opted-in, our definitions for a registered dispensary no longer apply. If so, Dylan wants no changes made in any of the performance standards, but rather the definitions will be changed as necessitated by State law.

We are not very far with writing uses and definitions relating to the green enterprise district of the York Beach quarter, which will be one of the big ordinances for May or November of 2020. We will discuss personnel for that subcommittee at the next workshop meeting, said Dylan Smith.

- Motion: Peter Smith moved to schedule a public hearing for the ordinance amendments discussed tonight for our next workshop meeting on June 13, 2019. Kathleen Kluger seconded. The motion passed 5-0.

Minutes

- Motion: Peter Smith moved to accept the Minutes of April 25, 2019, as written. Wayne Boardman seconded. The motion passed 5-0.

Other Business

There was no other business.

Adjourn

The meeting adjourned at 9:00 P.M.

Respectfully submitted,
Patience G. Horton
PB Recording Secretary