

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.]

Al Cotton closed the public hearing.

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

Zoning Definitions

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

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

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

As-built Plan Requirement for Nonconforming Structure Expansions

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

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

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

Cul-de-sac Specifications

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

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

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

Workforce Housing

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

Al Cotton opened the public hearing.

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

The Chair closed the public hearing.

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

Medical Marijuana

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

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

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

Minutes

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

Other Business

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

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

Adjourn

The meeting adjourned at 8:00 P.M.

Respectfully submitted,
Patience G. Horton
PB Recording Secretary