

York, Maine
Planning Board Meeting Minutes
Thursday, June 24, 2021; 7:00 P.M.
Remote Meeting via Zoom

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, Vice-Chair Wayne Boardman, Board Secretary Gerry Runte, Al Cotton, and Pete Smith. Alternates Kenny Churchill and Ian Shaw were present but did not vote. Originally, Ian Shaw was appointed in Al Cotton's place as a voting member, but Al arrived about fifteen minutes late and took his regular place. Planning Director Dylan Smith represented staff. Chris Di Matteo, principal of Longmeadow Planning and Landscape Architecture, served as peer reviewer, determined completion, and prepared each application for the Board's review. Patience Horton was the Recording Secretary. Votes were tallied via roll call.

Field Changes

York Beach Surf Club, 780 York Street

Tax Map 0038, Lots 0059-0069

Tim DeCoteau, Project Manager

- 1) Grass pavers are being replaced with $\frac{3}{4}$ " washed, crushed stone. According to project engineer Brian Nielson, the lot coverage and stormwater calculations stay the same at 75%. The washed gravel will keep the dust down. The neighbors have been informed of the change.
 - 2) The design for the mobile canteen was to have it parallel to York Street. The head-on wind was horrendous. They turned the unit sideways to a perpendicular orientation in the same part of the lot, which has proven to be better. The approved lot coverage of 663 square feet remains the same. The fencing will be the same.
 - 3) Chris Di Matteo recommended they move the two parallel parking spaces to the left of the six spaces, so they have eight in a row.
- Motion: Peter Smith moved to approve the field change for York Beach Surf Club, 780 York Street, Tax Map 0038, Lots 0059-0069, related to replacing the grass pavers with $\frac{3}{4}$ " loose gravel. Gerry Runte seconded. The motion passed 5-0.
 - Motion: Wayne Boardman moved to approve the field change for York Beach Surf Club, 780 York Street, Map 0038, Lots 0059-0069, for turning the mobile café ninety-degrees, as shown on the plan. Pete Smith seconded. The motion passed 5-0.

- Motion: Wayne Boardman moved to approve the field change for York Beach Surf Club, 780 York Street, Tax Map 0038, Lots 0059-0069, to relocate two parallel parking spots to the south side of the identified six-perpendicular parking spots. Seconded by Gerry Runte. The motion passed 5-0.

Public Forum

The Chair opened the public forum.

Janet Drew referred to the AT&T Small Cell applications that were approved May 27. Since then, she attended a webinar about microwave radiation and recommended that Board members view it, too.

Without objection, the Chair closed the public forum.

Application Reviews

~~AT&T Small Cell Facility, within the Public Right of Way near 265 Long Beach Avenue (Near) Map/Lot: 0036-0096 owned by Central Maine Power (Another potential owner: The ECP One or the ECP Two, LLC).~~

~~To install one small wireless cell facility on a replacement utility pole that is in the public right-of-way.~~

~~(Request by Applicant for continuance to July 22 PB meeting)~~

Cape Neddick AT&T Generator Project, 33 Seawalls Pasture Road

(Near) Map/Lot: 0096-0014 owned by SPRING SPECTRUM LP.

To install a diesel back-up generator and 4'x 10' concrete pad on an existing cell tower site.

Christine Conklin, Project Manager

Chris Di Matteo said this is a straightforward revision to an approved plan.

Christine Conklin described the backup, self-contained generator that is needed at this site.

- Motion: Pete Smith moved to accept the application from AT&T Mobility, 33 Seawalls Pasture Road, Tax Map 0096, Lot 0014, for an amendment to add a backup generator, as complete for review. Al Cotton seconded. The motion passed 5-0.
- Motion: Pete Smith moved to open the public hearing for the AT&T application for a backup generator at 33 Seawalls Pasture Road, Tax Map 0096, Lot 0014. Al Cotton seconded. The motion passed 5-0.

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

Christine Conklin: We are trying to get a lease for the Ground to the Crown.

Chris Di Matteo: The applicant has to follow up on the paperwork that shows the Ground to the Crown. The lease with the new entity is up at the end of the year.

- Motion: Pete Smith moved to approve the application from AT&T Mobility, 33 Seawalls Pasture Road, Tax Map 0096, Lot 0014, for amendment to the Wireless Communications facility to have a backup generator, with the following conditions.
 - 1) Before the Signing of the Findings of Fact, all outstanding fees shall be paid to the Town.
 - 2) Prior to signing the Finding of Fact, the applicant shall submit updated lease information to the Planning Office to ensure that Right Title and Interest is appropriately documented.
 - 3) Prior to the Planning Board's signing of the final plan, the plan shall be revised to reflect all comments.
 - 4) That the final plan specifically labeled "Site Plan" shall be revised to include the following:
 - a. A required signatory block for the Planning Board's signatures and a signatory block for the Chair to sign the remaining sheets; and
 - b. Plan notes that reference the previously-approved plan and identify the amendment; and
 - c. A revised property address to reflect the tax/map information, including 33 (not 29) Seawalls Pasture Road.
 - 5) Prior to the issuance of the building permit, the Code Enforcement Officer shall review the previously-approved plan to ensure that the proposed amendment is not in conflict with any prior planning submissions or requirements.

Wayne Boardman seconded. The motion passed 5-0.

**Weare Woods Subdivision Revision, 40 Clay Hill Road
Tax Map 0096, Lots 0093-B, -D, and -H,
Owned by Jefferson Homes, York Land Trust, and Kathleen and Casey Spencer.
The intent of this project is to remove a detention pond from the York Land Trust's
property and reconfigure Lots 2 & 4 of the original subdivision.
Isiah Plante, Kimbell Survey and Design**

Chris Di Matteo said the application is straight-forward.

There is open space that was donated to the York Land Trust. A retention pond was designed in that open space. The Land Trust would like to exclude that pond area from their holding. The HOA will maintain it. This means reconfiguring the lot line. Square footage calculations remain the same.

- Motion: Al Cotton moved to accept the application for Weare Woods Subdivision Revision, Tax Map 0096, Lots 0093-B, -D, and -H, Jefferson Homes, for revision to an approved plan, for review. Pete Smith seconded. The motion passed 5-0.
- Motion: Pete Smith moved to open the public hearing for Weare Homes Subdivision, Tax Map 0096, Lots 0093-B, -D, and -H. Al Cotton seconded. The motion passed 5-0.

Janet Drew asked if this is affordable housing and wanted to know how she can find out more about affordable housing in York.

Seeing no objection, the Chair closed the public hearing.

There were no waiver requests.

- Motion: Pete Smith moved to approve the amendments applied to the application for Weare Woods Subdivision, Jefferson Homes, Tax Map 0096, Lots 0093-B, -D, and -H, with the following conditions: 1) That payment of all outstanding fees prior to signing the plan is ensured, and 2) That the textural errors in the second amendment to the Declaration of Rights and Restriction Deed to the Covenants be corrected.

Wayne Boardman seconded. The motion passed 5-0.

Climate Action Plan Steering Committee Appointments and Comprehensive Plan Updates

Because of a letter of resignation from Co-chair Rozanna Patane, there is to be a new appointment of Co-chair, Gerry Runte, and an appointment of a new Committee member, Erin Farrell. Erin has already been working on communications for the CAP, but not as a member. Without objection from the Board, Erin's appointment to the CAP Steering Committee was approved.

Wayne Boardman gave an update on CAP activities. 1) Recently, there was a successful public meeting on the Zoom platform. 2) CivicMoxie has developed an action plan for the six CAP working groups to take on in the coming weeks.

On Thursday, July 29, Kenny Churchill will demonstrate his excellent event planning skills on behalf of the Comp Plan Steering Committee at Churchill Barn. The event will feature CivicMoxie's presentation of the background work they have been compiling since February. Planning Board members will help monitor the 13 categorized topic stations that will be identified with posters. The party atmosphere should create great comradery for the community.

Review Findings of Fact

There were no Findings of Fact to review.

Minutes

- Motion: Pete Smith moved to approve the Minutes of Thursday, June 10, 2021, as revised. Al Cotton seconded. The motion passed 5-0.

Other Business

- 1) Are we finished with the practice of holding application hearings during Workshop meetings? Yes, with possible exceptions.
- 2) Are some of the conditions of approval actually outstanding items that never got completed during the submission process? Perhaps Chris Di Matteo should be stricter.
- 3) Dylan is going before the BOS to request their appropriation of \$65,000 in contingency funds to hire a professional designer to create Charettes for the York Beach Corridor District.
- 4) There will be a PB workshop about changing a Site Plan Subdivision Regulation ordinance that will allow Planning Board application fees to go directly toward staffing the Planning Department.
- 5) The next meeting will be in person at the Library on July 8.

Adjourn

The time was 8:45.

Respectfully submitted,
Patience G. Horton
Recording Secretary