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. Alternate Ken Churchill joined the meeting at 7:40 but did not vote. Land use technician Heather Ross represented staff. Planning Director Dylan Smith was also present. Chris Di Matteo, an independent planning consultant, served as third-party peer and compliance reviewer on behalf of the Town. Patience Horton took minutes. The meeting lasted 3 hours.

Public Forum
The motion to open the public forum was moved, seconded, and approved. No one came forward to speak.

Field Changes
There were no field changes.

Application Reviews

Ledgewood Park, 764 US Route 1
Map/Lot 0094-0016-V, owned by Ledgewood Park, LLC
Amendment to an approved plan to convert office units to apartments
Applicant Walter Woods not present

Chris Di Matteo on compliance:
- A waiver has been submitted for a hydrological survey. It is reasonable since the surrounding development is serviced by public water.
- The amended site plan review has nine items for which compliance reviewer Chris Di Matteo has comments. They were not reviewed this evening because the package was incomplete.

Pete Smith:
- Items 6, 7, and 8 on Chris’s 9-part review cannot be found anywhere.
- Agreements for the non-profit housing association and owners’ covenants are missing from the submission.
- Motion: Al Cotton moved to hold off this item to the next meeting, August 13. Pete Smith seconded. In the discussion, some board members had received documents. Others hadn’t. The motion to hold off passed unanimously.

York High School Concession Stand, 1 Robert Stevens Drive
Map/Lot 0038-0005 owned by Town of York
Amendment to an approved plan to replace a trailer with a new 14’x30’ building
David Latham, Eric Dube (Engineer), Zak Harding (for the School Department)

Heather: The trailer replacement is approximately 75’ away from the edge of the wetland. It is positioned no closer than what’s already existing to the wetland.

Chris Di Matteo:
- The size of the wetland should be clear, so the correct size of the setback is clear.
- Per 8.3.2, information regarding erosion and sedimentation is needed.

Eric Dube (Engineer):
The existing snack shack is being replaced with a modular building with no foundation. The new sewer line is the only thing impacted by sedimentation control. The water is going to connect to the existing water line. Impervious is not being increased.

- Motion: Al Cotton moved to accept the plan for York High School Concession Stand, 1 Robert Stevens Drive, Map/Lot 0038-0005 for review. Pete Smith seconded. The motion passed unanimously.

- Motion: The motion to open the public forum was moved, seconded, and approved.

- Annette Spencer is the President of the York Athletic Boosters. Concessions are the biggest fundraiser they have. Boosters contribute around $30 thousand a year to the school budget athletic department.

- Zak Harding Facilities Director: We have met with the sewer department over the preliminarily plan. We will work with Eric Dube to make sure we get approval for the sewer line. We are not predicting an increase or decrease in attendance, he said.

Approval
- Motion: Pete Smith moved to approve the application for the new concession building for the York High School Concession Stand, 1 Robert Stevens Drive, Map/Lot 0038-0005, with the condition that the York Sewer district confirms it has the capacity for the building. Al Cotton seconded. In the discussion, Heather Ross confirmed with Eric Dube that the gravel surface footprint would not change in size. Since it does not, the applicant will not have to receive permits from the code office. The motion passed unanimously.

Gulf Hill Subdivision, 1780 US Route 1
Map/Lot 0100-0027 owned by Karen Perkins-Audet
Open Space Conservation Subdivision application for 52 dwelling unit/lots
Tom Harmon presented the application

After discussion, the Board decided to treat this as a preliminary hearing, giving the applicant a period of time to come back and finalize all his documents for final approval. This application was first reviewed in September, October, and November 2018. At that time, the application was put on pause until DEP approval was made. Thomas Harmon said as of now, he is expecting to hear from DEP within the week.
Motion: Pete Smith moved to accept the application for Gulf Hill Subdivision, 1780 US Route 1, Map/Lot 0100-0027, for preliminary review. Gerry Runte seconded. In the discussion, Tom Harmon said he understood that primary approval would follow up with his coming in later for final when he has the DEP permit. The motion passed unanimously.

Chris Di Matteo reviewed notes from Gorrill Palmer.

- Fencing that should be installed adjacent to a 20-plus-foot rock-cut located at one of the stormwater ponds is not on the plan.
- Gorrill Palmer indicates that the results of the traffic study are fine.
- A waiver of the 24” trees is recommended in the preservation of some of the larger trees.
- Some of the open space might be used for some kind of recreation/playground. With 52 homes, there are potentially between 50 and 100 kids living in the development who will enjoy the play area.
- Monumentation should be durable to keep encroachment between the development and open space.
- The landscaping plan must be revised.
- Relocating and redesigning the entrances with regard to sightlines should be looked at.
- It is recommended that the stormwater pond located at the entrance to the development should not have a utilitarian look. Perhaps wildflower grasses might help it look different.
- Will ADA compliancy apply to the mailbox room or the pump station?

The Chair opened the public hearing.

- **Kevin Freeman** and his wife, **Sandra**, live at 14 In-the-Pines, and they also own 24 In-the-Pines. Both of those properties abut the Harmon property at 1780 US Route 1 on its westerly side. Because of an error in Freeman’s deed, there is a longstanding misinterpretation of the property lines between 24 In-the-Pines and 1780 US Route 1, he said. An attorney is preparing a new deed. Kevin Freeman said that about three acres are misaligned in the deed. He is letting the matter go and is forgoing his claim despite the misshapen deed, and he is glad the land is being conserved in the land trust.

Tom Harmon said he had submitted a registered boundary survey made by Bill Anderson. It states that the lines on the survey are correct. It is the survey the Planning Board has. We have not used any of the property they feel is in error as part of the density calculation, he said.

The Chair closed the public hearing.

Tom Harmon responded to Chris Di Matteo’s notes.

- The water supply system is being ironed out between the Water District and the Fire Department.
- The fencing is now on the plan.
- The DOT entrance permit has been recorded.
• It would take too much effort to determine the 24” trees on each lot. Asking to waive the chore, he is going to save as many trees as possible.

• Monumentation. The ordinance calls for granite monuments. They will not last. The best thing to do is to use reinforcing rods with caps on the tops for which a waiver is sought.

• Landscaping plans are being revised.

• There is a right-of-way that is going to the land trust property. There is an open space that, with landscaping, can be converted to a park with parking spaces for the land trust. Peter suggested putting in a small shelter in that area.

• There is a conservation agreement with the Great Works Land Trust. How the open space is going to be utilized will be clear before Planning Board approval. White Pines educational program is working directly with the Land Trust to decide how the open space will be utilized.

• There are no driveways coming out onto the collector streets.

Pete Smith asked how Harmon will assess his charges for the homeowners’ association. The bylaws do not say how fees are calculated.

• Motion: Al Cotton moved to give preliminary approval and waive five items. Gerry Runte seconded. In the discussion, the five waiver requests were named.

1. 6.3.3.A.4, that trees larger than 24” in diameter located outside the proposed development area must be documented.
2. 6.4.17.1, that a high-intensity soil survey meeting the standards of article 6.3.32 be provided.
3. 7.1.3.D, that new slopes established by re-grading shall not exceed 20%.
4. 7.18.6, that proper and complete monumentation, as certified by the engineer shall be installed prior to final approval of the application. Rather steel posts with caps set into drilled holes in stone shall be installed and certified by a surveyor prior to the release of the project’s road bond.
5. 9.5.8.A, that connection to at least two existing public streets shall be required for a development with more than 50 residential units.

The motion passed unanimously.

Requiring sprinkler systems in single-family homes is not in the building code. To be released from the Fire Chief’s sprinkler requirement, John Harmon will have to return with a letter from the Fire Chief, said Chris Di Matteo.

53 Rogers Road Subdivision, 53 Rogers Road
Map/lot 0094-0083 owned by Beach Side Cove LLC
Open Space Conservation Subdivision application for 12 Residential units and “Future Commercial Development.”

Represented by Norm Chamberlain of Walsh Engineering
Chris Di Matteo: It has to be decided if it is an open space conservation subdivision or not. Dylan Smith: Per 7.6.1, the Planning Board and the applicant have to work together to come up with whether or not the layout will be for conservation subdivision. The applicant should establish that with the Planning Board before designing stormwater and everything else involved in a full design before preliminary and final.

Norm Chamberlain said that they would return with their decision for the Board’s approval at the next meeting. The application hearing was moved ahead to date certain, August 27, with no further abutter notice. Kathleen told the individuals who were waiting in the Zoom waiting room that they will have the opportunity to speak at the next meeting.

**Minutes**

- Motion: Al Cotton moved to approve the minutes of July 9, 2020, as written. Pete Smith seconded. The motion passed unanimously.

**Other Business**

Kathleen Kluger: The Planning Board is required to participate (Zoom) in a joint hearing with the BOS on August 10 on the zoning amendments “for docks.” The planning board had tabled this to Spring, 2021, in order to include the Harbor Board and the York River Study Committee and to have ample public participation.

The BOS has required this go on the November ballot. The planning board had not forwarded the amendment to the selectmen, which is part of the process. Pete Smith said the planning board should be able to have a discussion amongst itself about the amendment process before meeting with the Selectmen. Perhaps the Harbor Board and the River Committee can come on the 10th.

The Charter will be reviewed to determine to what degree the Planning Board has a say in the Selectboard’s August 10 “joint meeting.” Perhaps we can reach a consensus, said Wayne Boardman. A strategy was suggested of having Kathleen Kluger, Todd Frederick, Steve Burns, and Dylan Smith meet prior to August 10.

**Findings of Fact**

- Motion: Pete Smith moved to authorize the Chair to sign the Findings of Fact for Stonewall Realty, LLC, Tax Map 0042 Lot 0009A, as written. Al Cotton seconded. The motion passed unanimously.

- Motion: Pete Smith moved to authorize the Chair to sign the Findings of Fact for the Ledges Golf Course Company, Tax Map 0089 Lot 0045A, as written. Al Cotton seconded. The motion passed unanimously.

Adjourn
The meeting adjourned at 10:00.
Respectfully submitted,
Patience G. Horton

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