



**Village Study
Committee**

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Stephen Burns

TO: Members of the Town of York Board of Selectmen
FROM: Ron McAllister, Chair of the York Village Study Committee
VIA: Steve Burns, Interim Town Manager
DATE: 24 March 2016
RE: York Village Progress Report

On March 14, 2016 the Board of Selectmen received an oral and PowerPoint presentation from Regina Leonard, Dean Lessard and me updating the BOS of progress made since the Village Study Committee's previous report.

We had hoped to be able to provide a written report to the Board at the same time but we were unable to complete the written report in time. Attached you will find that written version of the report. It is dated March 17, 2016.

If you have any questions about the written version or concerning the presentations made on March 14, please do not hesitate to let us know. We would happily appear before the Board again at your convenience. Thank you for your interest and support.

cc: Regina Leonard
Dean Lessard
Village Study Committee

York Village Study Committee
Periodic Report to the Board of Selectmen
17 March 2016

Introduction

It has been several months since the Village Study Committee (VSC) formally reported on its progress. We are happy to report again and to update the Board of Selectmen (BOS) on what has transpired since our last report. The fifth year of the committee's work (2015) has been a big year for York Village revitalization and 2016 is set to be more so.

The Master Plan

The signature event of 2015 was the submission of the York Village Master Plan to the Board. This three volume document was developed by the consultants of *The Downtown Revitalization Collaborative* (TDRC) led by architect Dennis Lachman. The plan was completed, delivered and distributed to the BOS in April 2015. The Master Plan provided the conceptual basis for everything that has happened since its delivery.

Schematic Design/Design Development Phase

In the two months following completion of the Master Plan, the BOS considered a proposal to build upon the plan by authorizing the schematic design phase of the project. In July 2015, the Board offered a contract to the consulting team led by one of TDRC's principals, landscape architect Regina Leonard now with Milone and MacBroom. The full team of associated consultants includes specialists in survey and civil engineering, traffic engineering, geo-technical services and others from a variety of associated disciplines. On March 14, the BOS heard about progress we have made on design development as well as on project management and funding.

The proposal to fund this phase of the work passed the BOS with a 3-2 vote which was later rescinded following the VSC's submission of "A White Paper on the Scope of Services." The chair of the BOS recused himself prior to the re-vote because of concern about a possible conflict of interest. The revised motion (minus a signage element¹) was passed unanimously (4-0) by the BOS which committed \$272,660 to fund the work. This design development phase has been underway since last summer.

The Kittery Area Comprehensive Transportation System (KACTS)

A variety of ways to fund the project have been considered; both in the development of the Master Plan and since its completion. The VSC entertained the idea of engaging an external consultant from TDRC to research funding agencies on behalf of the Town. Given the financial implications of this approach, we have not pursued this option. Instead, members of the committee have been looking at possible funding mechanisms on their own.

¹Signage remains one of the future issues that will need to be addressed at some point. See **Remaining Issues** section below.

York Village Study Committee
Periodic Report to the Board of Selectmen
17 March 2016

It was decided that the leading sources of external money to support implementation of the project are federal and state governments through the Kittery Area Comprehensive Transportation System (KACTS). KACTS is the Metropolitan Planning Organization (MPO) for the Maine portion of the Portsmouth and Dover-Rochester, New Hampshire urbanized areas. As such, KACTS is responsible for distributing federal and state funds for projects like this one.

KACTS has made York Village revitalization a top priority and for FY18 has allocated \$545,107 to the effort – with the understanding that 10% of that amount will be contributed by the Town of York. It is our expectation that funding for FY19 and beyond also will be made available through KACTS in an amount which will total approximately \$3.6 million (including a 10% match from the Town).

Maine Department of Transportation (MDOT)

Because of the decision to pursue federal funding, the Maine Department of Transportation will have an essential role to play. Had it been determined that the Town of York could successfully self-fund the project, management of the project by MDOT would not have been necessary. But because there are federal funds involved, close oversight of the expenditure of these funds must be provided by the State. This necessitated drafting a cooperative agreement between the MDOT and the Town of York. In January 2016, the Town Manager signed the cooperative agreement which will pay MDOT an estimated \$38,000 for oversight and liaison work. As of this writing, however, we note that MDOT has yet to sign the contract.

There is great advantage in having the MDOT run interference for the project with State and Federal regulators. Federal issues, e.g., historic preservation, rights-of-way, environmental regulation, etc. will be handled by MDOT. At the same time, there are some downside considerations. One such factor is an anticipated delay in project implementation. MDOT has estimated that the liaison process could take as much as 18 months or more to complete. On the upside, we now have a team of experience MDOT professionals to assure that all the t's are crossed and all the i's dotted.

Public Support for the Project

As the Master Plan was being developed, we became aware of a strong support for the project on the part of many citizens who attended one or more public workshops held during the Master Planning process. At the same time, we had no clear way of knowing how supportive the majority of voters might be. In November, an amendment to the Town's Comprehensive Plan, incorporating the York Village Master Plan into it was approved by a vote of 1,751 to 978. The committee was encouraged by this strong show of support. The real test, of course, will come in May 2016 when voters are asked to authorize municipal bonding to finance the local portion of the construction expenses.

York Village Study Committee
Periodic Report to the Board of Selectmen
17 March 2016

May Referendum

On May 21, voters will be asked to bond the Town's share for Village revitalization. Originally, we had anticipated two separate articles – one supporting the road realignment and associated changes to infrastructure and another making it possible to remove poles and to bury overhead wires in the Village center. As these items wended their way through Town government, by a 5 to 1 vote the Budget Committee supported the roadwork but subsequently zeroed out funding for what would have been the second article. The funding for removing some of the above-ground poles and wires has effectively been deferred until 2017².

Article #60 on the May warrant asks the voters to issue bonds in an amount not to exceed \$400,000 as the local share of the \$3.6 million needed for roadway realignment, parking, sidewalk and other improvements. Approximately 90% of the roadway cost is expected to be funded by state and federal governments. Acceptance of this article will allow most of the Master Plan to be implemented beginning in FY18.

Friends of York Village

Having been established by the BOS, the VSC is a creature of Town government. The Town Manager felt that while it may be appropriate to educate voters at Town expense, it is not appropriate to lobby voters at Town expense; the line between these two activities not always being clear. Therefore, an auxiliary group was formed to raise funds for outreach and voter education. A number of individuals have stepped up to support the effort financially.

The York Village Association (formerly known as the York Village Business Association) has contributed \$1,000 to this campaign – something for which the VSC is very appreciative. Fund-raising is on-going so that signs, advertising and other promotional materials can be produced and distributed in the run-up to the referendum. As of mid-March, more than \$2,000 had been raised.

Looking Back and Looking Ahead

The Village Study Committee was created by the BOS in January 2011. The Town Manager (TM) at the time recommended that the Board appoint the committee in order “to start a dialogue within the village about traffic, parking, zoning and signage.” These and other concerns had surfaced during a November 2010 meeting between the TM and members of the York Village Business Association.

The Board debated the TM's recommendation and determined that the membership of the committee should include: representatives from the York Village Business Association (2), York Hospital (1), Museums of Old York (1),

² See **Remaining Issues** section below.

York Village Study Committee
Periodic Report to the Board of Selectmen
17 March 2016

Selectman (1), Planning Board (1), town residents (2-3) and a town staff person. Subsequently, one seat on the VSC was designated to represent the York Public Library. Citizens were invited publicly and repeatedly to apply for slots on the committee.

The VSC has worked hard to respond to its original charge. The five years invested in this project since its creation have resulted in an empirically-based conceptual plan, a design for completion of the project, and a proposal for funding it. Once voters approve funding the project, the work of the committee will be essentially complete.

We have spoken with the Town Manager about what happens after the funding is lined up. His view is that the project should be moved to the Department of Public Works for execution. At that point, the VSC could be dissolved, its original charge having been accomplished.

Alternatively, the BOS could decide to appoint either a Municipal Building Committee to oversee the work authorized by voters or else a Village Revitalization Committee to advise and encourage the DPW as it executes the project. The year ahead will need some sort of continuing citizen engagement if work on the issues still unresolved is to be completed. Most members of the VSC are willing to continue to be involved in this effort – although perhaps on less frequent or “as needed” schedule. Their expertise and experience could prove useful to finishing the work proposed. The way forward might also require different talents from those necessary for the first five years, so adding different people could prove useful.

Remaining Issues

While the VSC might well be dissolved after May 2016, there are some lingering issues which have not been resolved and which the VSC believe should not be ignored. Among them are these:

- **Relocation of above-ground utility wires.** The VSC considers the removal of utility lines and poles in the central area of the Village an essential feature of the Master Plan. Nonetheless, as noted above, the Budget Committee removed this item from consideration. We now expect that in May 2017, voters will be asked to issue an estimated \$1,000,000 in bonds to pay for relocating existing wires and poles. Hopefully, separating roadway and sidewalk improvements from the relocation of wires and poles will not unduly complicate things. Regardless of any consequent delays, our consultants have little choice but to proceed with designing the horizontal alignment assuming the utility changes proposed in the Master Plan. Delays in decisions about the relocation of poles and wires must not be allowed to jeopardize design development. It would be unfortunate (not to mention costly) if existing schematic designs had to be redrawn or major elements of infrastructure had to be torn up and redone.

York Village Study Committee
Periodic Report to the Board of Selectmen
17 March 2016

- **Additional external funding.** Someone should pursue additional funds for supplementary tree planting, landscaping, lighting, street furnishings, etc. The KACTS matching funds may make possible some of this work but local, state and national grants and private funds should be pursued as well. Since the date of construction is uncertain at this time, it is not practical to begin seeking grants for these items yet. It is our understanding that funding sources generally want a defined work plan and a firm start date.
- **Signage.** The Master Plan did not specify the style, size or design of any elements of public signage. The consulting team did suggest that a comprehensive program of informational, directional and regulatory signs be developed. The committee believes this should be done in order to assure the preservation of the village's historic character while also being mindful of the benefits of coherent signage to businesses, public safety and convenience.
- **Economic development.** The Master Plan includes discussion and recommendations by the consulting team with regard to the potential for developing a program to encourage and support Village businesses. While the VSC felt that this was outside its charge, we believe such an effort is vitally important. Many people believe that an Economic Development Commission should be established by the BOS; perhaps charged to promote business development in all parts of the Town and not just York Village. We hope the Town Manager and BOS will look to the information in the Village Master Plan should an effort to move this idea forward takes place.

Conclusion

In all likelihood, this is effectively the final annual report of the Village Study Committee as originally constituted. We would like to take the opportunity to thank all members of the Board of Selectmen (past and present) who supported this effort. We also want to thank the Town Managers – one of whom charged the group in 2011 and his successor who has supported our efforts and never failed to make himself or his office available to us.

Current Members of the Village Study Committee: Stuart Dawson, Antonia DeSoto, Gloria Gustafson, Chris Hartwell, Joel Lefever, Dean Lessard, Ron McAllister, Robert Palmer, Steve Pelletier, Dylan Smith, Peter Smith, Scott Stevens and Lew Stowe.

Former Members of the Village Study Committee: Mary Andrews, Dawn Fernald, Christine Grimando, Jody Merrill, Ron Nowell and Jennifer Smith.