

SELECTMEN'S MEETING e-Packet
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April 6, 2010

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BOARD OF SELECTMEN

AGENDA

Tuesday, April 6, 2010

7:00 p.m.

JSMS Broadcast Studio

SELECTMEN'S MEETING

- 1) Call to order.
- 2) Minutes of previous meeting dated March 9, 2010
- 3) New business.
 - a) Discussion of Public Safety services provided to Town of Gray – Board of Selectmen and Fire Chief Denis Morse
 - b) Discussion of Raymond funding for the Lake Region GreenPrint project – Conservation Commission Co-Chair John Rand and Conservation Commission Member Bill Fraser
 - c) Discuss bids and award Route 302 landscaping/clean-up work – Public Works Director Nathan White
 - d) Consideration of language for road construction advisory ballot question – Board of Selectmen
 - e) Consider request that the Town of Raymond hold the election of RSU #14 Windham Raymond School District Board of Directors during the November elections – Jeri Keane-Dreyer
 - f) Discuss bids and award Town report printing – Town Clerk Louise Lester
- 4) Old (unfinished) business.
 - a) Consideration of abatement request - Michael Ginty
 - b) Discuss the Planning Board's proposed ordinance amendments and request that the Selectmen place the proposed amendments on the Annual Town Meeting warrant – Contract Planner Hugh Coxe
- 5) Town Manager Report and Communications.
 - a) Confirm date for May Selectmen's Meeting -- Proposed Tuesday, May 11, 2010
- 6) **Selectmen Communications.** This agenda item is for the general discussion of non-agenda items by the Board of Selectmen, and for the purpose of introducing future topics for discussion. No action will be taken.
- 7) **Fiscal Warrants – Payroll and Appropriation Warrants – April 6, 2010.**
- 8) **Adjournment.**

The Selectmen may take items out of order at their discretion.



**BOARD OF SELECTMEN
AGENDA SUMMARY**
Tuesday, April 6, 2010
7:00 p.m.
JSMS Broadcast Studio

SELECTMEN'S MEETING

- 1) Call to order.
- 2) Minutes of previous meeting dated March 9, 2010
- 3) New business.
 - a) **Discussion of Public Safety services provided to Town of Gray – Board of Selectmen and Fire Chief Denis Morse**

Fire Chief Denis Morse will update the Board of Selectmen on service discussion meetings held between Public Safety and administrative officials of the towns of Raymond and Gray. The Raymond Board of Selectmen had directed the Fire Chief and Town Manager to meet with their counterparts in Gray to make arrangements for an equitable system under which remuneration could be received from Gray to compensate Raymond for direct public safety services provided to a portion of Gray assessable only by Brown and Gore Roads. Due to distance and geography, Gray is not able to serve this area of their town with a timely emergency response.

- b) **Discussion of Raymond funding for the Lake Region GreenPrint project – Conservation Commission Co-Chair John Rand and Conservation Commission Member Bill Fraser**

Conservation Commission Co-Chair John Rand will request that the Board of Selectmen fund Raymond's participation in the Lake Region GreenPrint project using a combination of funding sources, including existing Raymond Conservation Commission funds in the current year budget, and money already existing in the town's open space reserve account, thereby avoiding the need to put an appropriation in the FY 2010/2011 municipal budget for Raymond's \$1 per capita share of the project, which results in a total local share payment of \$4,200. Raymond's contribution helps to leverage up to 7 other towns at a similar \$1 per capita assessment, with a total project of \$250k (now 215k according to John Rand) that Trust for Public Land Program Coordinator Jim Gooch has already secured from foundations and private grants.

- c) **Discuss bids and award Route 302 landscaping/clean-up work – Public Works Director Nathan White**

Public Works Director Nathan White will provide an overview of the ten bids received (see attachment to e-packet) and a recommendation that low bidder Cummings Property Services be awarded the bid. Mr. White has checked Cummings Property Services' work references and found them to be favorable.

- d) **Consideration of language for road construction advisory ballot question – Board of Selectmen**

The Selectmen may take items out of order at their discretion.

Draft materials are attached to the e-packet for Selectmen consideration of an advisory-only ballot question on the possibility of a \$6 million road construction bond to be scheduled as a part of this years' secret ballot questions and/or open town meeting consideration.

e) Consider request that the Town of Raymond hold the election of RSU #14 Windham Raymond School District Board of Directors during the November elections – Jeri Keane-Dreyer

RSU #14 Board of Director Jeri Keane-Dreyer will attend the meeting and brief the Board of Selectmen on this school request which would align Windham and Raymond School Board of Directors elections in November, providing for improved internal coordination of committee appointments and standardize the date of election for both towns. A legal review of the proposed change is expected from the school's legal counsel and will be attached to the e-packet when received.

f) Discuss bids and award Town report printing – Town Clerk Louise Lester

Town Clerk Louise Lester is recommending that the town report be awarded to local bidder Xpress Copy. This is the same bidder that has successfully printed the town report for the last three years.

4) Old (unfinished) business.

a) Consideration of abatement request - Michael Ginty

Contract Assessor Michael O'Donnell has submitted an abatement request for Mr. Michael Ginty for Selectmen consideration. See supporting information attached in the e-packet.

b) Discuss the Planning Board's proposed ordinance amendments and request that the Selectmen place the proposed amendments on the Annual Town Meeting warrant – Contract Planner Hugh Coxe

This item was tabled at the March 9, 2010 Selectmen's Meeting as Mr. Coxe was out of town and unavailable. Attached to the e-packet are the documents relating to these ordinance amendments. Proposed amendments are also posted on the town's website on the Planning Board page.

5) Town Manager Report and Communications.

a) Confirm date for May Selectmen's Meeting -- Proposed Tuesday, May 11, 2010

6) Selectmen Communications. This agenda item is for the general discussion of non-agenda items by the Board of Selectmen, and for the purpose of introducing future topics for discussion. No action will be taken.

7) Fiscal Warrants – Payroll and Appropriation Warrants – April 6, 2010.

8) Adjournment.

The Selectmen may take items out of order at their discretion.

Lake Region Greenprint Project

Estimated Project Budget 10/23/2009

INCOME

Trust for Public Land Contribution (Grants & Other Sources) \$205,000

*\$100,000 secured from the Environmental Funders Network (EFN)**

*\$50,000 secured from the Elma B. Sewell Foundation**

*\$50,000 secured from the Open Space Institute**

Loon Echo Land Trust Contribution (Grants & Other Sources) \$25,000

\$5,000 secured from the Davis Conservation Foundation

Towns' Contributions (estimated, \$1 per capita) \$20,000

Town of Sebago committed \$1 per capita from an existing budget, pending other towns' buy-in.

Town of Harrison has voted to place \$1 per capita on the 2010 budget to be approved at town meeting.

Total Greenprint Project Income \$250,000

EXPENSE

Greenprint Project \$170,000

Collecting and analyzing town data, existing plans and ordinances; Conducting in person and phone interviews with members of the public; Organizing and facilitating stakeholder meetings; Consultation with resource professionals; Creating a regional vision and action plan; Developing the web-based GIS mapping software and data based on results.

Implementation \$80,000

Printing of plans and brochures; Presenting the Greenprint to the public; Assisting community in developing implementation goals; Maintaining the web-based GIS mapping software and data for one year.

Total Greenprint Project Expense \$250,000

**Grants secured by TPL require a match commitment from participating towns before funds are released. Funds raised in excess of funds needed for the Lake Region Greenprint will be applied to other Maine Greenprint projects, except for town contributions, which will only be applied to the Lake Region Greenprint project.*



Lake Region Greenprint Project



Frequently Asked Questions

What is a Greenprint? A Greenprint is a strategic planning, communication, and decision-making process based on local and regional priorities designed to meet community open space, park, recreation and environmental goals. A Greenprint results in a set of color-coded maps, interactive web-based tools, and action strategies related to the natural environment, open space protection and land use planning.

Who is promoting the Greenprint? The Trust for Public Land (TPL), through the Maine Community Scape Initiative, is looking to expand its "conservation visioning" services to interested communities in Maine. Loon Echo Land Trust (LELT) sought TPL's services and requested they select the Lake Region for their next Greenprint project.

What Lake Region towns are being engaged in the project? Bridgton, Casco, Denmark, Harrison, Naples, Sebago and Raymond, the towns in Loon Echo Land Trust's service area.

How long does the Greenprint process take? 12-16 months.

What are the municipalities being asked to commit to? \$1 per capita, based on the 2000 census data, which totals approximately \$20,000, and involvement in a stakeholder committee. Sebago has appropriated funding for the project pending other town buy-in. Harrison has voted to place \$1 per capita on the 2010 budget to be approved at town meeting.

What is the anticipated time frame for deciding town involvement in the Greenprint project? We ask that all participating towns determine the funding mechanism by January 1, 2010 and sign on to a brief Memorandum of Understanding pledging their intent to fund \$1 per capita. If funding is available through an existing town budget and/or fund, it would help the project start in early 2010.

What are the benefits of being involved in the Greenprint? A regional vision for the future of the Lake Region will be developed, and the community's most important qualities will be identified. Regional collaboration with like-minded neighboring towns may result in better planning, open space and economic development decision making.

What other organizations are going to be involved in the Greenprint? Potential project partners include the Greater Bridgton Lake Region Chamber of Commerce, Lakes Environmental Association, Portland Water District, Greater Portland Council of Governments, snowmobile clubs, and other interested groups.

What happens when the Greenprint is finished? The municipalities may use the plan and tools as they see fit. TPL will hold several follow up sessions, trainings for web-based tools, one year of service for web-based tool maintenance, and is available for an array of other open space protection needs. LELT, as the local land trust, is committed to being a leader in implementing the Greenprint once completed.

How can I find out more? Contact Carrie Walia, Executive Director, Loon Echo Land Trust at (207) 647-4352 or INFO@LELT.ORG.

TOWN OF RAYMOND
401 Webbs Mills Road
Raymond, Maine 04071

ROUTE 302 CLEAN UP BID OPENING
MINUTES
Tuesday, March 26, 2010

ATTENDANCE: Don Willard, Town Manager, and Nathan White, Public Works Director

OTHERS: None.

1. Call to order. Don Willard called the meeting to order at 2:00 pm at the Raymond Town Office.
2. Ten bids were opened and read. Listed in order of 3 year price.

Cummings Property Services	Windham, Me 04062	\$6,300.00	\$6,300.00	\$6,300.00	\$18,900.00
Penney's Lawncare, Inc	Raymond, Me 04071	\$6,400.00	\$6,400.00	\$6,400.00	\$19,200.00
Coastal Lawn Care, Inc.	Portland, Me 04102	\$6,989.00	\$6,989.00	\$6,989.00	\$20,967.00
LCE Landscaping	Raymond, Me 04071	\$7,300.00	\$7,300.00	\$7,300.00	\$21,900.00
Dick Sanborn	Raymond, Me 04071	\$7,300.00	\$7,300.00	\$7,300.00	\$21,900.00
Coombs Property Mgmt	West Paris, Me	\$7,950.00	\$7,950.00	\$7,950.00	\$23,850.00
Five Star Landscaping & Property	Naples, Me 04055	\$8,320.00	\$8,560.00	\$8,817.00	\$25,697.00
Arrowhead Landscape Co.	Raymond, Me 04071	\$9,000.00	\$9,000.00	\$9,000.00	\$27,000.00
A & H Property Mgmt Services	Auburn, Me 04210	\$14,225.00	\$14,652.00	\$15,091.00	\$43,968.00
DCS Construction Company	Chocorua, NH 03817	\$32,500.00	\$32,500.00	\$34,000.00	\$99,000.00

Mr. White will be researching the references of the low bidders.

The meeting was adjourned at 2:20 pm.

Louise H. Lester
Town Clerk

Town of Raymond
Ballot for Municipal Budget Validation
June 8, 2010

Mark a cross X in the square to the left of the choice for which you wish to vote.

NON-BINDING ADVISORY BALLOT QUESTION:

Are you in favor of the town issuing a \$6 million bond for the repair and reconstruction of some of the roads in Raymond?

Yes

No

Fiscal impact statement:

Annual debt retirement on a \$6 million, 15-year bond would be within a range of \$686,535 to \$420,000, decreasing from high to low with each successive payment year, based on approximate interest rates ranging from 4.15% to 5.15%.

The additional tax on an average Raymond property valued at \$300,000 would be \$210 in year one, based upon the FY09/10 total valuation and tax rate computation.

A \$6 million bond would add approximately 70 cents to the municipal tax rate and would represent 42.8% of the town's total local, school, and overlapping debt, which would amount to \$14,034,844 after adding the bond. Debt currently totals \$8,034,844 and consists of the following:

BONDS	Final Payment	Principal Balance
ROAD CONST BOND	Nov. 2014	570,000
F.D. EQUIP BOND	Nov. 2014	330,000
PUB. SAFETY BLDG BOND	Nov. 2017	957,209
MID-MAINE WASTE BOND	Nov. 2014	788,276
RTE 302 BOND	Nov. 2017	363,600
WATERLINE BOND	Nov. 2017	531,277
SCHOOL BOND	Nov. 2019	4,287,332
OVERLAPPING DEBT		
ECOMAINE		64,245
CUMBERLAND COUNTY		142,905
Total		8,034,844

Debt service on this bond would be \$6,000,000 in principal and \$2,342,335 in interest, totaling \$8,342,335 over the life of the bond. All computations are estimates.

The amount of debt that can be incurred by a municipality is limited by state statute. Total outstanding term obligations during a year can be no greater than 15% of the assessed value of taxable property as of the beginning of the fiscal year. The Town's assessed value for FY2009/2010 is \$980,917,698, which limits debt to \$147,137,655.

MEMORANDUM

TO: BWS
FROM: MTT
RE: R.S.U. No. 14 – election in Raymond of directors to the R.S.U. Board
DATE: April 2, 2010

Factual Background

The Towns of Raymond and Windham comprise the member municipalities of R.S.U. No. 14. The Town of Raymond has no charter. The Town of Windham holds municipal elections pursuant to its charter on the first Tuesday following the first Monday of November and will elect directors to the R.S.U. Board on that date this year. The Town of Raymond wishes to elect directors to the R.S.U. Board on the same date. Presently, Raymond's annual town meeting is scheduled for June 1, 2010 and the town election is scheduled for June 8, 2010. The Reorganization Plan for R.S.U. No. 14 provides that each director will serve a three-year term except that the terms of the initial Board will be staggered. The one-year initial term is due to expire in June, 2010.

Question Presented

In 2010, can Raymond properly elect directors to the R.S.U. Board on the first Tuesday following the first Monday of November, which is the same election date on which Windham will elect directors to the R.S.U. Board but is not the same date as Raymond's annual meeting? If yes, what procedures must be followed in this regard?

Brief Answer

The lack of sufficient clarity in the relevant statutes prevents us from opining that the Town of Raymond may elect directors to the R.S.U. Board on a date other than the annual meeting in any year. Under current law, such an election would be possible only if either the Town of Raymond enacted a municipal charter, or the state legislature enacted a private and special bill, providing for such an election in Raymond.

However, LD 570, which recently passed both houses of the Maine legislature with significant votes and is expected to be signed into law by the Governor, may provide a solution. If approved, the bill will allow an R.S.U. Board to set a common date for the commencement of terms of office for R.S.U. Board directors that are elected in different municipalities on different dates. This "common date" would apply to directors elected at the upcoming annual meeting for Raymond only if that meeting occurs after the R.S.U. referendum. Otherwise, the "common date" will apply prospectively to subsequently elected directors.

Discussion

The election and nomination of directors to an R.S.U. Board in a municipality without a charter must comply with Chapter 121 of Title 30-A M.R.S.A.. Section 2525 therein provides that town officials "shall be elected at the annual meeting." 30-A M.R.S.A. § 2525. Absent a municipal charter, section 2525 controls R.S.U. Board elections because the directors are considered municipal officers under the school reorganization statute. 20-A M.R.S.A. § 1473 (For the purpose of nominations, regional school unit board directors are considered municipal officials and must be nominated in accordance with Title 30-A, chapter 121 or with a municipal charter, whichever is applicable.).

Moreover, in order to elect municipal officials other than the moderator, selectmen or school committee members at the annual meeting, a town meeting must be held at least ninety days before the annual meeting to designate the other town officials to be elected at the annual meeting. 30-A M.R.S.A. § 2525. Thus, the statute contemplates the election of all municipal officials, which includes directors of an R.S.U. Board, at the Town's annual meeting. In the Town of Raymond, which has no municipal charter, the election and nomination of directors to the R.S.U. Board must comply with this statute.

The Board of Selectmen for the Town of Raymond has approved June 1, 2010 as the date of the annual meeting with the election to be held on June 8. Provided that the annual meeting and election meet the requirements of Chapter 121 of Title 30-A M.R.S.A., a director from Raymond will properly be elected to the R.S.U. Board on that date. This raises a question about the commencement of the term of that office. Generally, the term of newly elected school board members start immediately upon being elected and sworn in; or on a fixed date between the municipal election and July 1st. 20-A M.R.S.A. § 1003.

More specifically, a R.S.U. Board director "serves until a successor is elected and qualified." 20-A M.R.S.A. § 1471 (2). This also raises the question of when a director's term ends. Under 20-A M.R.S.A. § 1474 (1) (A), a "vacancy on a regional school unit board occurs when the term of office of a regional school unit board director expires." Thus the term of an R.S.U. No. 14 Board director elected in June may begin on that date, but not later than July 1, 2010. The incumbent director would serve until the election date, but it is not clear how the fixing of a commencement date later than the election date would affect the service of the directors. The apparent vacancy that would exist in the gap period between the election date,

which is the likely expiration of the incumbent's term, and the fixed commencement date further complicates the situation.

Nonetheless, LD 570, which is emergency legislation that will take effect when approved by the Governor, provides the following addition to the school reorganization sections of Title 20-A:

§ 1472-C. Term of office for elected directors

Notwithstanding any other provision of this subchapter, a regional school unit board may place an article before the voters in the member municipalities of the regional school unit that would permit the regional school unit board to establish a single common date for beginning the term of office for duly elected directors when the board members are elected at the regular municipal election of the member municipalities and these municipal elections are held at different times.

In order to have this solution implemented in the current year, R.S.U. No. 14 must place the article before the voters of the Towns of Raymond and Windham before the Raymond annual election occurs on June 8. Although the gap period between the election date and the commencement date of the newly elected director's term may create some uncertainty, the above section would expressly operate notwithstanding the source of such uncertainty; sections 1471 and 1474. Furthermore, the above section applies specifically to *R.S.U. Board directors* and would presumably operate in spite of the limitation at section 1003, which applies more generally to *school board members*.



401 Webbs Mills Road
Raymond, Maine 04071
207.655.4742
655-3024 (Fax)

INTEROFFICE MEMO

To: Board of Selectmen
Don Willard, Town Manager

Date: March 3, 2010

From: Louise Lester, Town Clerk

Subject: Town Report Printing

On January 7, 2010 I sent out RFPs to 10 printers. The deadline was March 1, 2010 by which time I received three (3) replies with bids. Our budget for this year is \$4,200 to produce the town report.

I have emailed with John Hanley, who will be formulating our 2009 Town Report, about the candidates. He has worked with Xpress Copy, Portland, for a number of years and they have produced our last 3 editions with success. Their bid \$2,550. Last year they did us a great service by producing our town reports in very a short time frame because of our delay. They also will provide additional copies in any number at the bid per copy price.

The lowest bidder is T.Pine from Connecticut which provided a sample copy of a yearly report for Everett, Massachusetts High School. The bid is \$1,850. It looks fine but not Xpress Copy's quality. Mr. Hanley tried to locate the company on the Internet and found a residence to be at its address. I expect they could be printing in a house, but besides that I would like to keep the printer instate if possible.

The third bidder is Professional Printing Consultants from Windham \$3,075. I don't know anything about them.

I recommend that you award the 2009 Town Report printing to Xpress Copy in the amount of \$2,550.

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

ABATEMENT GRANTED

Michael Ginty
106 Valley Road
Raymond, ME 04071

Map-Lot 013-039-A00-000 Acct# G4012R

Dear Michael,

This letter is to inform you that the Raymond Assessors have reduced your property value by 65500 and granted an abatement of **\$727.71** for the **2009** tax year. If you have paid your taxes in full, a refund will be mailed to you, if you have outstanding taxes, this amount will be removed from your total.

	2009	2009 Revised	Change
Land	48700	48700	
Bldg	270800	205300	-65500
Total	319500	254000	
Exempt	0	0	
Taxable Total	319500	254000	
Mil Rate	0.01111	0.01111	0.01111
Tax	\$3,549.65	\$2,821.94	\$727.71

The abatement was granted on the following grounds:

There were errors in both the square foot measurement of the house and the story height. These were originated in the 2005 Vision field work and went unnoticed in a subsequent visit by the current agent in 2006.

If you are dissatisfied with the decision of the assessors and wish to appeal, you have 60 days from the date of this letter to appeal to the Raymond Board of Assessment Review, 401 Webbs Mills Road, Raymond, ME 04071.

Voted by the Raymond Assessors on: _____

TOWN OF RAYMOND Assessing Office

401 Webbs Mills Road Raymond, Maine 04071
Phone 207.655.4742 x51 Fax 207.655.3024
assessor@raymondmaine.org

ABATEMENT GRANTED

Michael Ginty
106 Valley Road
Raymond, ME 04071

Map-Lot 013-039-A00-000 Acct# G4012R

Dear Michael,

This letter is to inform you that the Raymond Assessors have reduced your property value by 65500 and granted an abatement of **\$2,103.21** for the **2007, 2008, 2009** tax year. If you have paid your taxes in full, a refund will be mailed to you, if you have outstanding taxes, this amount will be removed from your total.

	Original	Revised	Change
Land	48700	48700	
Bldg	270800	205300	-65,500.00
Total	319500	254000	
Exempt	0	0	
Taxable Total	319500	254000	
Mil Rate 2009		0.01111	\$727.71
Mil Rate 2008		0.01080	\$707.40
Mil Rate 2007		0.01020	\$668.10
Total Tax			\$2,103.21

The abatement was granted on the following grounds:

There were errors in both the square foot measurement of the house and the story height. These were originated in the 2005 Vision field work and went unnoticed in a subsequent visit by the current agent in 2006. The over valuation occurred in 2006, 2007, 2008 and 2009.

If you are dissatisfied with the decision of the assessors and wish to appeal, you have 60 days from the date of this letter to appeal to the Raymond Board of Assessment Review, 401 Webbs Mills Road, Raymond, ME 04071.

Voted by the Raymond Assessors on: _____

Proposed Raymond Planning Board Warrant Articles

To be voted on at Raymond Town Meeting – June 1, 2010

At Town Meeting to be held this June 1, 2010, the citizens of Raymond will be asked to vote on four (4) warrant articles pertaining to proposed amendments to the Land Use and Shoreland Zoning ordinances as well as the Land Use map. Set out below is the text of the question for each article, followed by a brief description of the proposed amendment. The questions include a reference to the ordinance provision proposed for amendment.

The proposed amendment language is not included here but is available at the town office and on the town website.

(http://www.raymondmaine.org/government/planning_board/ord_changes.htm)

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Stream Protection District

ARTICLE __: Shall Article 2, Section A and Article 8, Section B of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 2, 2009, and Section 9.A, Section 13, Section 14, Section 15, and Section 17 of the Town of Raymond Shoreland Zoning Provisions, as adopted May 21, 1994 and amended through June 2, 2009, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below and shall the Land Use Map adopted December 2, 2008 as part of the Land Use Ordinance of the Town of Raymond, Maine be superseded and replaced by a new Land Use Regulation Map being that map entitled *Town of Raymond, Maine Official Land Use Map* prepared by New England Planning Concepts and filed in the office of the Town Clerk on _____, 2010 and being that map that includes Stream Protection (SP) districts?

Description: The proposed amendments would establish a Stream Protection District in the Land Use Ordinance and the Shoreland Zoning Ordinance. The proposed Stream Protection District would replace the LRR1 (Limited Residential/ Recreation) Districts currently surrounding streams that are subject to Shoreland Zoning. The proposed revisions to the Land Use Map would depict 100 ft. Stream Protection districts around mapped perennial streams and would replace the current 600 ft. Limited Residential Recreational 1 (LRR1) district around those streams. The revised map would also provide the most current information about the location of streams based on the most current mapping from the state.

The Stream Protection District would consist of land areas within 100 feet of the normal high water line of a stream – defined as a perennial free flowing body of water. Land Uses similar to those in the existing Resource Protection District would be permitted in the Stream Protection District. The minimum lot size standards of the underlying zoning district in which the Stream Protection are located would apply to land within the Stream Protection Districts, except that Net Residential Density for land located in a Rural district, which was within a LRR1 district as of the date of adoption, would be calculated based on the LRR1 minimum lot size.

Key changes:

- Establishes a Stream Protection (SP) District on land within 100 feet of the normal high water line of a perennial free flowing stream
- SP would replace the Limited Residential/ Recreation (LRR1) Districts currently surrounding streams subject to Shoreland Zoning
- The minimum lot size of the underlying zoning district in which the SP districts are located would apply to land within the SP districts.
- Land Use Map would depict most current information about the location of streams and show a 100 ft. SP district
- Calculates the Net Residential Density for land located in a Rural district, which was within a LRR1 district as of the date of adoption, based on the LRR1 minimum lot size.

Timber Harvesting Regulations

ARTICLE ___: Shall Article 9, Sections N and Y, and Article 12, of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 2, 2009, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below?

Description: The proposed amendments would repeal much of the existing Timber Harvesting ordinance while bringing the town's definitions for forestry terms into line with the state definitions, as required by the Maine Forest Practices Act (12 M.R.S.A. § 8866, et seq.). It also alerts anyone looking at the ordinance that state law may govern any timber harvesting. It removes a prohibition on the height of accumulated slash but prohibits accumulation of slash within 50 feet of a developed lot. The amendment

also relocates a provision pertaining to “clearing of vegetation for development” to a separate subsection of the Land Use Ordinance since it has nothing to do with timber harvesting.

Key changes:

- Alerts citizens that state law may govern any timber harvesting in town.
- Removes provisions that are poorly defined, impractical to enforce at the municipal level, or may have an adverse impact on good forest management.
- Removes prohibition on height of accumulated slash but prohibits slash within 50 feet of a developed lot.

Residential Growth Management

ARTICLE __: Shall Article 5, Section E of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 2, 2009, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below?

Description: The proposed amendments would revise the Residential Growth Management ordinance, adopted in 2006, to clarify the meaning of the “applicability” section. The existing language created some confusion as to how to count the annual average permits issued because it was read to mean that both the limit on building permits, and the count of permits issued, applied only within the Rural area. The new language clarifies that only the limit on building permits is applied to the Rural area.

Key changes:

- Clarifies that the “applicability” section of the Residential Growth Management ordinance means that only the limit on building permits is applied to the Rural area.

Minor Subdivision

ARTICLE __: Shall Articles 3, 4, 5, 6, 8 and 9 of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through December 8, 2008, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below, and shall Article 7 be inserted in the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through December 8, 2008 by adding

the underscored language, as shown below, and all following Articles be amended accordingly for renumbering?

Description: The proposed amendments would create a “minor subdivision” classification for any subdivision containing less than five lots and no new public street or public water service. The proposed amendment would make some alterations to the pre-application process – setting out that the Planning Board would classify the subdivision and identify information and studies it would require. It also sets out a two step process for minor subdivisions (rather than the three step process for regular subdivisions) and reduced submission requirements for minor subdivisions.

Key changes:

- Creates a second subdivision classification – minor subdivision - based on number of lots and whether a public street or public water is proposed.
- Provides for a streamlined process for minor subdivisions.
- Requires fewer submissions for minor subdivisions.

The full text of the warrant articles including the text of the proposed ordinance amendments, and a copy of the proposed new Land Use Map, is available at the town office and on the town website.

Decisions from Planning Board Public Hearing
March 24, 2010

Timber Harvesting

PB voted 4 – 1 (Foster opp.) to revise paragraph 1 of the proposed amendment to strike the prohibition on accumulation of slash over 6 feet in height but to add a prohibition of accumulation of slash within 50 feet of a developed lot.

PB voted 5 – 0 to send the warrant article to the BOS for inclusion in the Town Meeting warrant and to recommend it be approved at Town Meeting.

Stream Protection

PB voted 5 – 0 to send the warrant article to the BOS for inclusion in the Town Meeting warrant and to recommend it be approved at Town Meeting.

Growth Management

PB voted 5 – 0 to send the warrant article to the BOS for inclusion in the Town Meeting warrant and to recommend it be approved at Town Meeting.

Subdivision

PB voted 5 – 0 to send the warrant article to the BOS for inclusion in the Town Meeting warrant and to recommend it be approved at Town Meeting.

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ARTICLE __: Shall Article 5, Section E of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 2, 2009, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Raymond Land Use Ordinance

ARTICLE 5 – ADMINISTRATION

E. Residential Growth Management *[Adopted 8/20/06]*

1. Purpose – The purpose of this section is to establish a Residential Growth Management Program in order to provide for orderly and reasonable growth in the town, to direct the majority of residential growth to the designated growth areas of town, to slow the rate of growth in the rural areas, and to maximize the efficient use of town services, infrastructure and facilities.
2. Legal authority - This section is adopted pursuant to Home Rule Powers as provided for in Article VIII-A of the Maine Constitution and 30-A M.R.S.A. §3001 et seq., and as provided for in 30-A M.R.S.A. §4323 and §4360.
3. Definitions – The following definitions apply to this section.
 - a. Annual average permits issued – The average number of building permits issued in the Town of Raymond per year for new dwelling units, the winterization of seasonal dwelling units, or the conversion of any commercial use to one or more dwelling unit(s) over the previous ten year period. The previous ten year period shall run from December 1st of the tenth year previous to the current year, to November 30th of the current year.¹
 - b. Growth Area – Those areas of town contained within the Village Residential District (VR), the Commercial District (C) and the Industrial District (I) as depicted on the Town of Raymond Zoning Map.
 - c. Rural Area – Those areas of town contained within the Rural Residential District (RR), the Rural District (R), the Limited Residential - Recreation District I (LRR1), the Limited Residential - Recreation District II (LRR2)

¹ As an example, the annual average calculated on or before December 31st 2006, would be calculated from the building permits issued from December 1, 1996 to November 30, 2006.

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and the Resource Protection Districts (RP) as depicted on the Town of Raymond Zoning Map.

- d. Person related to the applicant - A spouse, parent, grandparent, sibling, child, or grandchild related to the applicant for a building permit by blood, marriage or adoption.
 - e. Lot of record – A lot shown on a deed or subdivision plan recorded in the Cumberland County Registry of Deeds.
- ~~4. Applicability— This section applies to building permits in the Rural Area for the construction of new dwelling units, the winterization of seasonal dwelling units, or the conversion of any commercial use to one or more dwelling unit(s). This section does not apply in the Growth Area.~~
4. 5-Exemptions - The following are exempt from the provisions of this section.
- a. The repair, replacement, reconstruction or alteration of any existing building or structure, so long as no additional dwelling units are created thereby and no seasonal dwelling units are winterized.
 - b. The construction or alteration of a nonresidential building or structure, so long as no additional dwelling units are created thereby.
 - c. A single-family dwelling to be built on a lot created by a conveyance to the applicant from a person related to the applicant unless the intent of the conveyance was to avoid the objectives of this section.
 - d. A single-family dwelling to be built upon a lot of record if:
 - 1) the applicant has owned the lot of record continuously for at least 10 years prior to the application for the building permit; and
 - 2) the applicant is currently a Raymond resident and has been a Raymond resident for at least 10 years prior to the application for the building permit.
- This exemption does not apply to any lot that is split off or subdivided from a larger lot that meets the requirements of this exemption unless, and until, the lot which has been spilt off or subdivided separately meets the requirements of the exemption.
- e. Affordable Housing, as defined in Article 12 of the Land Use Ordinance.
 - f. Elderly Housing, as defined in Article 12 of the Land Use Ordinance.

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- g. Apartments in a Residential zone that do not contain more than 700 square feet of living space, excluding stairways.
- h. Open Space Subdivision Lot. Within any calendar year the first building permit application submitted for a lot in an open space subdivision, approved pursuant to Article 13 of this ordinance, is exempt.

5. ~~6~~-Determination of annual average permit issued - The Building Inspector shall track the number of building permits issued for new dwelling units, the winterization of seasonal dwelling units, or the conversion of any commercial use to one or more dwelling unit(s) in the Town of Raymond and shall use that data to determine, no later than December 31st of each year, the annual average permits issued. The Building Inspector shall submit the annual building permit report to the Planning Board on or before January 1, 2007 and each January 1 thereafter.

6. Applicability – The limit on building permits set out in subsection 7 below applies to building permits in the Rural Area for the construction of new dwelling units, the winterization of seasonal dwelling units, or the conversion of any commercial use to one or more dwelling unit(s). The limit on building permits set out in subsection 7 below does not apply in the Growth Area.

7. Limit on building permits – Building permits subject to this section shall be limited on an annual basis, as follows:

- a. For January 1, 2007 to December 31, 2007, building permits subject to this section shall not exceed 100% of the annual average permits issued. No person or entity, may apply for more than 5 of those building permits in that time period.
- b. For January 1, 2008 to December 31, 2008 building permits subject to this section shall not exceed 85%, of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.
- c. For January 1, 2009 to December 31, 2009, building permits subject to this section shall not exceed 70% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.
- d. For January 1, 2010 to December 31, 2010, building permits subject to this section shall not exceed 55% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.

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- e. For January 1, 2011 to December 31, 2011, building permits subject to this section shall not exceed 40% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.
- f. For January 1, 2012 and beyond building permits subject to this section shall not exceed 30% of the annual average permits issued. No person or entity may apply for more than 5 of those building permits in that time period.
- 8. Order for processing applications - Applications for building permits subject to this section shall be processed in the order that the Building Inspector receives complete applications. In the event two or more applications are received simultaneously, the Building Inspector shall determine their order by random selection. Any building permit application filed in any given year that is not issued as a result of this ordinance may be carried over to the following year and shall be considered in the date order in which it was received.
- 9. Transferability - Building permits subject to this section are site-specific, and shall be valid for construction only on the lot specified in the application. However, those building permits shall be transferable to new owners of the lot, if the property is sold or otherwise legally transferred.
- 10. No carry over - If the allowed number of building permits subject to this section are not issued within the calendar year, they shall not be carried over to the next year.
- 11. Periodic review - The Planning Board shall review the building permit report submitted by the Building Inspector under Paragraph 6 of this ordinance at least every three years to determine if the ordinance continues to be needed to control the pace, timing, and location of development in accordance with the purposes of this section and to determine if it needs to be adjusted to meet current conditions. The Board shall hold a public hearing pursuant to Article 8 of the Planning Board Bylaws and Article 7 of the Land Use Ordinance and submit a report of their findings to the Board of Selectmen on or before March 1 of each year it conducts a review. If conditions warrant, the Board may review the ordinance more frequently.
- 12. Conflict with other provisions - This section shall not repeal, annul or in way impair or remove the necessity of compliance with any other rule, regulation, bylaw, permit or provision of law.
- 13. Appeals - Any person or entity aggrieved by an action or decision of the Building Inspector to approve or deny a building permit based on the

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provisions of this section may appeal the action or decision to the Board of Appeals in accordance with the process outlined in Article 6, Section C of the Land Use Ordinance. *[Adopted 8/20/06]*

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ARTICLE __: Shall Articles 3, 4, 5, 6, 8 and 9 of the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through December 8, 2008, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below, and shall Article 7 be inserted in the Town of Raymond Subdivision Ordinance, as adopted May 21, 1994 and amended through December 8, 2008 by adding the underscored language, as shown below, and all following Articles be amended accordingly for renumbering?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Raymond Subdivision Ordinance

ARTICLE 3 - DEFINITIONS

Minor Subdivision – A subdivision, as defined in Title 30-A § 4401 et. seq., as amended, containing fewer than five (5) lots, and which does not propose construction of a public street or extension of public water service. For purposes of this definition, common land within a subdivision, or land within a subdivision dedicated to open space, shall not be considered a lot.

ARTICLE 4 - PREAPPLICATION

1. Procedure

~~A. The subdivider shall submit for informal discussion a Sketch Plan and other data relative to the proposed subdivision, which may be of assistance to the Board in making its determination.~~

~~The subdivider may apply for either a conventional subdivision or an open space subdivision in accordance with the provisions of Article 13 of the Land Use Ordinance. If the subdivider applies for a conventional subdivision, the sketch plan shall show a proposed subdivision designed to meet the minimum requirements of the Land Use Ordinance and Subdivision Regulations.~~

~~If the subdivider applies for an open space subdivision, in addition to submitting a sketch plan for a conventional subdivision, the subdivider shall submit a sketch plan of an open space subdivision designed to meet the requirements of Article 13 of the Land Use Ordinance. The submission shall include a narrative that addresses the applicability of each of the purposes in Article 13, Section A.2 of the Land Use Ordinance to the proposed subdivision.~~

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~~The maximum number of lots allowed in an open space subdivision shall be calculated as described in Article 13, Section C.2 of the Land Use Ordinance.~~

~~After review of the pre-application, if the Planning Board determines that an open space subdivision will achieve the purposes set forth in Article 13, Section A.2 that are applicable to the proposed subdivision as well as other applicable provisions of the Land Use Ordinance, Subdivision Regulations, and the Comprehensive Plan, the Board may authorize the applicant to proceed with an application for an open space subdivision.~~

~~If a complete build-out plan for the parcel has been submitted, the Planning Board shall encourage, if appropriate, consideration of long-range planning to make the most effective use of the design standards and timing mechanisms available to accomplish the purposes set forth in Article 13, Section A.2 of the Land Use Ordinance and to maximize the economic benefits to the applicant and the Town over time.~~

- ~~B. The Sketch Plan shall be submitted to the Board at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the subdivider wishes to be heard. Fifteen (15) copies of the sketch plan shall be submitted. [Amended 12/02/08]~~
- ~~C. At said meeting, the Planning Board and the subdivider shall arrange for a joint inspection of the site with the Board.~~

~~Within fifteen (15) days after the preliminary inspection, the Board shall inform the subdivider in writing that the plans and data as submitted or as modified do or do not meet the objectives of these standards. Specific suggestions, in writing to be incorporated by the applicant in the applicant's subsequent submissions, shall be made where deemed necessary.~~

- A. Generally, subdivision review is broken into three stages (Preapplication, Preliminary Plan, and Final Plan). This section sets forth the purpose and requirements for the first stage known as Preapplication review.

The Preapplication stage is a time for the applicant and Planning Board to discuss various options for the development of the site and the information that will be needed to address specific site circumstances and ordinance requirements. The plans may be very general and need not include specific engineering details.

- B. The following steps of Preapplication Sketch Plan review shall be administered so that projects brought before the Planning Board for

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formal plan review will be in order for consideration and in position to meet the requirements of the Subdivision Ordinance:

STEP 1: Advance Request To Be Placed On Agenda Required

The applicant shall request, through the Town Planner, to be placed on the Planning Board's agenda, for a pre-application conference, at least twenty-six (26) days prior to the regularly scheduled meeting at which the applicant wishes to be heard.

STEP 2: Planner Review of Submission Packet for Completeness

The Town Planner shall not place an applicant on the agenda until determining that the applicant has presented the submission packet as specified in section 2 of this Article.

STEP 3: Planning Board Reviews Sketch Plan and Exhibits

At the pre-application meeting, the Planning Board will review the Sketch Plan and accompanying exhibits with the applicant, answer the applicant's questions, and make specific suggestions for the applicant to consider incorporating in subsequent subdivision application submissions.

STEP 4: Classification of Subdivision

At the pre-application meeting, the Planning Board shall classify the proposed subdivision as a minor subdivision if the Board determines the proposed subdivision meets the definition of a minor subdivision. The Board shall also determine whether a conventional or open space design should be pursued. The Board shall notify the applicant of its determinations in writing.

If the proposed subdivision is classified as a minor subdivision, the application shall follow the procedures for minor subdivisions set out in Article 7 Minor Subdivisions.

STEP 5: Contour Interval Established

At the pre-application meeting, the Planning Board shall determine whether 2- or 5-foot contour intervals are required for subsequent submissions and shall notify the applicant in writing what contour intervals are required for what portions of the property.

STEP 6: Identification of Needed Studies

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At the pre-application meeting, the Planning Board shall discuss with the applicant field studies that will be required to address site conditions and issues for the project.

Minor Subdivisions as defined by this Ordinance are generally expected to require less documentation to verify compliance than major subdivisions. However, the Board may require detailed studies or reports for any subdivisions based on particular project site development constraints or issues. In such cases, the Board will require applicants to include such documentation in the subdivision plan submissions to determine compliance with the ordinance criteria and standards.

Failure of the Board to identify a study or report at the pre-application stage shall not release the applicant from responsibility for providing that study or report where the Board determines that particular site conditions or project issues warrant the study or report.

STEP 7: On-Site Inspection Date Set

At the pre-application meeting, the Planning Board shall schedule an on-site inspection of the tract or parcel to be subdivided and shall notify the applicant of the time and date in writing.

The on-site inspection shall be jointly attended by the applicant or a duly authorized agent and by at least two members of the Planning Board. The site inspection shall not be intended to discuss the merits of the project but to verify the site conditions and to help the Board members relate to field conditions when the project undergoes formal subdivision review.

2. Submissions

~~A. The Sketch Plan shall show, in simple sketch form, neatly done the proposed layout of streets, lots and other features in relation to existing conditions. The Sketch Plan shall include the existing data listed below.~~

- ~~1) Boundary lines~~
- ~~2) Easements—location, width and purpose.~~
- ~~3) Streets on and adjacent to the tract name and right-of-way width and location.~~
- ~~4) Existing utilities on and adjacent to the tract.~~
- ~~5) Type of land use on and adjacent to the tract.~~

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~~6) Proposed name of the subdivision or identifying title. This name shall not duplicate or closely resemble the name of a subdivision already existing or proposed in the Town.~~

~~7) The date, north point, graphic map scale, name and address of record owner and subdivider, and the names of adjoining property owners.~~

~~B. General subdivision information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawing required above. This information shall include:~~

~~1) Data on existing covenants.~~

~~2) SCS medium intensity soil boundaries and a description of the suitability of soils for the proposed development.~~

~~3) Available community facilities and utilities.~~

~~4) Information describing the subdivision proposal such as:~~

~~a) Number of residential lots;~~

~~b) Lot width and depth shown on the plan;~~

~~c) Playgrounds, park areas and other public areas;~~

~~d) Proposed protective covenant; and~~

~~e) Proposed utilities and street improvements.~~

A. A Sketch Plan, showing the information specified in E. below, shall be submitted to the Planning Board.

B. Number Of Copies: Fifteen (15) paper copies of the Sketch Plan shall be submitted.

C. Sheet Size: The Sketch Plan shall be at least 11 x 17 inches, but no larger than 24 x 36 inches in size.

D. Plan Scale: The Sketch Plan shall be drawn to scale.

E. Information To Be Shown On The Plan:

1) Location map shown on a 7.5 minute USGS quadrangle of the area (separate sheet);

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- 2) The tax map and lot numbers from Tax Assessor's Office describing the parcel(s) proposed to be subdivided;
 - 3) Documentation of the right, title, or interest of the applicant to pursue development of the property such as a deed showing ownership or a purchase and sale agreement, including any easements required for access or utilities. Any restrictions on the property such as covenants and/or easements should be noted.
 - 4) The outline of the tract or parcel to be subdivided, with known acreage of parcel and perimeter dimensions;
 - 5) True north arrow;
 - 6) The scale to which the plan is drawn;
 - 7) The present zoning classification of the parcel.
 - 8) A description of current use(s) of the site and abutting parcels that may affect development (e.g., farming, cut over forest, residential subdivisions).
 - 9) Identification of areas of significant topography, generally indicated by slopes exceeding fifteen percent (15%) grade and topographic features such as gullies, borrow pits, large rock outcrops, or knolls that may present constraints for development design;
-
- 10) Preliminary wetlands, prepared by a qualified professional based on an on-site investigation, drainage courses, potential vernal pools, streams or ponds located in whole or in part on the parcel proposed to be subdivided and any State or locally required setbacks and/or buffers;
 - 11) SCS medium intensity soil boundaries and a description of the suitability of soils for the proposed development, with notations of areas that will not pass State plumbing requirements for on-site wastewater disposal or will generally pose hazards due to poor drainage conditions;
 - 12) Location of public utilities proposed to be utilized;
 - 13) The conceptual layout and locations of lots, roads, driveways, buildings and septic systems;
 - 14) An assessment of the safety of proposed road and driveway entrances with respect to sight line limitations of road curves and vegetative

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obstructions.

3. Open Space Subdivisions

- A. The subdivider may apply for either a conventional subdivision or an open space subdivision in accordance with the provisions of Article 13 of the Land Use Ordinance. If the subdivider applies for a conventional subdivision, the Sketch Plan shall show a proposed subdivision designed to meet the minimum requirements of the Land Use Ordinance and Subdivision Regulations.
- B. If the subdivider applies for an open space subdivision, in addition to submitting a Sketch Plan for a conventional subdivision, the subdivider shall submit a sketch plan of an open space subdivision designed to meet the requirements of Article 13 of the Land Use Ordinance. The submission shall include a narrative that addresses the applicability of each of the purposes in Section 13.A.2 of the Land Use Ordinance to the proposed subdivision.
- C. The maximum number of lots allowed in an open space subdivision shall be calculated as described in Section 13.C.2 of the Land Use Ordinance (this may require more detailed studies to identify the extent of constrained land that must be deducted from the parcel(s)' gross acreage.
- D. After review of the pre-application, if the Planning Board determines that an open space subdivision will achieve the purposes set forth in Section 13.A.2. that are applicable to the proposed subdivision as well as other applicable provisions of the Land Use Ordinance, Subdivision Regulations, and the Comprehensive Plan, the Board may advise the applicant to proceed with an application for an open space subdivision.
- E. If a complete build-out plan for the parcel has not been submitted, the Planning Board shall encourage, if appropriate, consideration of long-range planning to make the most effective use of the design standards and timing mechanisms available to accomplish the purposes set forth in section 13.A.2 of the Land Use Ordinance and to maximize the economic benefits to the applicant and the Town over time.

ARTICLE 5 - PRELIMINARY PLAN

1. Procedure

- A. Within six (6 months) after Sketch Plan acceptance by the Board, the
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subdivider shall submit an application for the consideration of a Preliminary Plan for the Subdivision. Failure to do so shall require re-submission of the Sketch Plan to the Board for review. The application and all required preliminary plan documentation shall be submitted to the Town at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the subdivider wishes to be heard. ~~Failure to do so shall require re-submission of the Sketch Plan to the Board for review.~~ The Preliminary Plan shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Board.
[Amended 12/02/08]

- E. Within forty-five (45) days of ~~receipt of a completed~~ its first meeting for consideration of the Preliminary Plan Application (as described in Article 5, Section 2 below) (or such longer time as may be agreed upon between the Planning Board and the applicant), the Board shall take action to give preliminary approval, with or without conditions or modifications, or disapproval of such Preliminary Plan. The reason ~~of~~ for any conditions or modifications required or the ground for disapproval shall be stated upon the records of the Board and a copy provided to the subdivider.

2. Submissions

- B. Preliminary Plan. *[Amended 12/02/08]* The Preliminary Subdivision Plan shall be submitted, with fifteen (15) copies of each map or drawing, together with fifteen (15) copies of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch). The Preliminary Plan and accompanying materials shall show:

- 12) A storm water management plan, prepared by a registered professional engineer, which meets the applicable requirements and standards of Article 89, section ~~1514~~, shall be submitted for review. The Board may require review and endorsement of the stormwater plan and calculations by the Cumberland County Soil and Water Conservation District. *[Amended 12/02/08]*
- 25) An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours and the sight distances for each driveway that intersects an existing or proposed public or private road in accordance with the provisions of Article 89, Section 65.
- 27) A phosphorous control plan prepared by a registered professional engineer which meets the applicable requirements and standards of Article 89, section ~~1514~~, shall be submitted for review. The Board may

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require review and endorsement of the stormwater plan and calculations by the Cumberland County Soil and Water Conservation District. *[Amended 12/02/08]*

ARTICLE 6 - FINAL PLAN

3. Final Approval and Filing

D. After the Final Plans have had the mylar approval entered upon them, a copy of the plans shall be returned to the subdivider. One (1) signed copy, ~~including the sepia copy,~~ shall be retained by the Town to be maintained in the Subdivision Plan File. The Plan shall be filed by the applicant with the Cumberland County Registry of Deeds. Any Subdivision Plan not so filed or recorded within sixty (60) days of the date upon which such Plan is approved, signed by the Planning Board shall become null and void, unless the particular circumstances of said applicant warrant the Board to grant an extension which shall not exceed two additional periods of sixty (60) days. ~~This 60-day period shall begin the day the plan is signed by the Planning Board.~~

Any extension of ~~this~~ the 60-day period must be requested of the Planning Board before the ~~first~~ previous 60-day period expires. *[Adopted 5/16/87]* The applicant shall provide the Code Enforcement Officer (CEO) with a receipt from the Registry of Deeds within that time limit stating that the Plan has been filed and giving the Book and Page numbers. No building permits for an approved plan will be issued until the plan has been registered with the Registry of Deeds and a letter from the subdivider has been submitted to the Town stating that all permanent monuments as required by Article 10 ~~9~~, Section 1 of this Ordinance have been placed.

4. Amendments to Previously Approved Subdivision Plan

Prior to making any change, erasure, modification or revision to a final Subdivision Plan which has been approved by the Board and endorsed in writing on the plan, the plan must be resubmitted to the Board for their review and approval of the proposed modifications. A public hearing may be held concerning a subdivision amendment as prescribed in Article 5, Section 1. ~~5~~ of this Ordinance. All amended plans must be signed by the Board and recorded in the Registry of Deeds within sixty (60) days of the date ~~of approval~~ the plan is signed. Any amended plan not so filed or recorded within sixty (60) days of the date ~~upon which such the plan is approved~~ signed by the Planning Board shall become null and void, unless the particular circumstances of said applicant warrant the Board to grant an extension

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which shall not exceed two additional periods of sixty (60) days. Any extension of the 60-day period must be requested of the Planning Board before the previous 60-day period expires. The applicant shall provide the Code Enforcement Officer (CEO) with a receipt from the Registry of Deeds within that time limit stating that the plan has been filed and giving the book and page numbers.

ARTICLE 7 - MINOR SUBDIVISION

If the proposed subdivision is classified as a minor subdivision, the application shall follow the procedures for minor subdivisions set out in this Article.

1. Procedure

- A. Within six (6 months) after Sketch Plan acceptance by the Board, the subdivider shall submit an application for the consideration of a Minor Subdivision Plan. Failure to do so shall require re-submission of the Sketch Plan to the Board for review. The application and all required documentation shall be submitted to the Town at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the subdivider wishes to be heard. The Minor Subdivision Plan shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Board.
- B. The application for approval of the Minor Subdivision Plan shall be accompanied by a fee as established in a Town Fee Schedule revised from time to time by the Board of Selectmen and payable by check to the Town of Raymond, Maine with a note indicating the specific purpose of the fee.
- C. In addition, the Board shall require the owner or the owner's authorized agent to deposit in escrow an amount of money sufficient to cover the costs of any professional review of the subdivision application which the board may feel is reasonably necessary to protect the general welfare of the Town. Amounts for this escrow payment are established in the Town Fee Schedule. This escrow payment shall be made before the Board engages any outside party to undertake this review and to make recommendations to the Board. Any part of this escrow payment in excess of the final costs for review shall be returned to the owner or the owner's agent.
- D. The subdivider, or the subdivider's duly authorized representative, shall attend the meeting of the Board to discuss the Minor Subdivision Plan.
- E. Within forty-five (45) days of its first meeting for consideration of the Minor Subdivision Plan Application (or such longer time as may be agreed

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upon between the Planning Board and the applicant), the Board shall take action to give Minor Subdivision approval, with or without conditions or modifications, or disapproval of such Minor Subdivision Plan. The reason for any conditions or modifications required or the ground for disapproval shall be stated upon the records of the Board and a copy provided to the subdivider.

- F. No Minor Subdivision Plan shall be acted on by the Board until the Board has scheduled and conducted a public hearing thereon. Notice of the time, place and date of such hearing shall be sent not less than seven (7) days before the hearing to the subdivider and to owners of property within 250 feet of the properties involved. Property owners shall be those listed in the most recent tax records of the Town of Raymond. Notice shall also be published in a newspaper of general circulation in the Town of Raymond at least two times, and the first date of the publication shall be at least seven (7) days prior to the public hearing. Failure to receive notice shall not invalidate the public hearing held.

2. Submissions

- A. Location Map. The Minor Subdivision Plan shall be accompanied by a Location Map drawn at a scale of not over four hundred feet (400') to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The Location Map shall show:

- 1) All the area within 500 feet of any property line of the proposed subdivision showing:
 - a) All existing subdivisions and approximate tract lines of acreage parcels.
 - b) Location, widths and names of existing, filed or proposed streets, easements, building lines and alleys pertaining to the proposed subdivision and to the properties as designated in Section 1 above.
 - c) The boundaries and designations of parks and other public spaces.

- B. Minor Subdivision Plan. The Minor Subdivision Plan shall be submitted, with fifteen (15) copies of each map or drawing, together with fifteen (15) copies of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch). The Minor Subdivision Plan and accompanying materials shall show:

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- 1) All existing information provided as part of the Sketch Plan.
- 2) Number of acres within the proposed subdivision and zone boundaries.
- 3) Proposed lot lines with approximate dimensions, lot numbers, areas in square feet and suggested locations of buildings.
- 4) Proposed easements, forested areas, perennial and intermittent watercourses, and wetlands. The boundaries of any wetlands depicted on the plans shall be delineated by a wetlands scientist.
- 5) Contour lines at intervals of not more than five (5) for all portions of the property proposed to be developed.
- 6) Connection with existing or proposed water supply or alternative means of providing water supply to the proposed subdivision.
- 7) Connection with existing or proposed sanitary sewerage system or alternative means of treatment and disposal proposed.
- 8) A medium-intensity soils map that encompasses the area to be subdivided. The Planning Board may require submission of a high-intensity soils map in certain instances.
- 9) If private sewage disposal systems are proposed, location and results of tests to ascertain subsurface soil ground water conditions and depths to maximum ground water level.
- 10) A standard boundary survey plan of the property to be developed prepared by a licensed land surveyor and the location of temporary markers adequate to enable the Board to locate readily and appraise the basic layout in the field.
- 11) Certification by a registered land surveyor that all survey, deed and supporting information accurately reflects the true conditions existing on the proposed subdivision.
- 12) Base Flood Elevation Data.
- 13) An owner or his authorized agent shall submit information on the location of the development to the following address:

State Historic Preservation Officer
Maine Historic Preservation Commission
55 Capitol Street

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State House Station 55
Augusta, Maine 04333

Include a request that the Raymond Planning Board be notified of any comments. The applicant shall submit to the Planning Board proof of such notification, including a copy of the letter to the State Historic Preservation Officer.

- 14) A phosphorous control plan for any portion of the subdivision within the watershed of a great pond prepared in conformance with the provisions of Article 9, Section 14.
- 15) Right, title or interest of the applicant in the property to be subdivided.
- 16) Additional plans, studies, or submissions identified by the Planning Board at Sketch Plan review as needed to address issues to be addressed by the applicant.

3. Filing

After the Minor Subdivision Plan has had the mylar approval entered upon it, a copy of the plan shall be returned to the subdivider. One (1) signed copy shall be retained by the Town to be maintained in the Subdivision Plan File. The Plan shall be filed by the applicant with the Cumberland County Registry of Deeds. Any Subdivision Plan not so filed or recorded within sixty (60) days of the date upon which such Plan is signed by the Planning Board shall become null and void, unless the particular circumstances of said applicant warrant the Board to grant an extension which shall not exceed two additional periods of sixty (60) days. Any extension of the 60-day period must be requested of the Planning Board before the previous 60-day period expires.

The applicant shall provide the Code Enforcement Officer (CEO) with a receipt from the Registry of Deeds within that time limit stating that the Plan has been filed and giving the Book and Page numbers. No building permits for an approved plan will be issued until the plan has been registered with the Registry of Deeds and a letter from the subdivider has been submitted to the Town stating that all permanent monuments as required by Article 11, Section 1 of this Ordinance have been placed.

4. Amendments to Previously Approved Subdivision Plan

Prior to making any change, erasure, modification or revision to a Minor Subdivision Plan which has been approved by the Board and endorsed in writing on the plan, the plan must be resubmitted to the Board for their review and approval of the proposed modifications. A public hearing may be

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held concerning a subdivision amendment as prescribed in Section 1.F above. All amended plans must be signed by the Board and recorded in the Registry of Deeds within sixty (60) days of the date the plan is signed. Any amended plan not so filed or recorded within sixty (60) days of the date the plan is signed by the Planning Board shall become null and void, unless the particular circumstances of said applicant warrant the Board to grant an extension which shall not exceed two additional periods of sixty (60) days. Any extension of the 60-day period must be requested of the Planning Board before the previous 60-day period expires. The applicant shall provide the Code Enforcement Officer (CEO) with a receipt from the Registry of Deeds within that time limit stating that the plan has been filed and giving the book and page numbers.

5. Plan Revisions after Approval

No changes, erasures, modifications, or revisions shall be made in any Minor Subdivision Plan after approval has been given by the Board and endorsed in writing on the Plan, unless the Plan is first resubmitted and the Board approves any modification as outlined in Section 4 of this Article. In the event that a Minor Subdivision Plan is recorded without complying with this requirement, the Board shall file an affidavit with the Cumberland County Registry of Deeds stating that the plan is null and void.

ARTICLE 8 - GENERAL REQUIREMENTS

14. Phosphorous Control [Adopted 12/02/08]

- C. For all subdivisions that are not required to obtain a permit pursuant to the Stormwater Management Law, 38 M.R.S.A. § 420-D, or that are required only to obtain a stormwater permit by rule (PBR), the applicant shall demonstrate that:
1. each lot in the subdivision will comply with the provisions of Article 9 Section U.4 5(Stormwater) of the Town of Raymond Land Use Ordinance prior to start of any construction activity on that lot and prior to issuance of a building permit for that lot, and

ARTICLE 9 - DESIGN STANDARDS

3. Streets

- B. Layout

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- 5) Single family subdivisions, including single family open space subdivisions, containing a maximum of fourteen (14) lots may have one dead-end cul-de-sac street, up to 1,000 feet in length, connecting with existing public streets or streets on an approved subdivision plan for which a bond has been filed.

Multi-family subdivisions containing more than four (4) units but less than twenty-five (25) dwelling units may have one dead-end cul-de-sac street, up to 1,000 feet in length, connecting with existing public streets or streets on an approved subdivision plan for which a bond has been filed. If two entrances into a multi-family subdivision with twenty-four (24) units or less is planned, such entrances shall meet the spacing requirements set forth in Article 910, Section 3.B.6 of this Ordinance.

- 7) Commercial subdivisions may have one dead-end street up to 1,000 feet in length. Such street shall be constructed with a cul-de-sac or turnaround at its terminal end. If two entrances to a commercial subdivision are proposed, such entrances shall meet the spacing requirements set forth in Article 910, Section 3.B.6 of this Ordinance.

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ARTICLE __: Shall Article 2, Section A and Article 8, Section B of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 2, 2009, and Section 9.A, Section 13, Section 14, Section 15, and Section 17 of the Town of Raymond Shoreland Zoning Provisions, as adopted May 21, 1994 and amended through June 2, 2009, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below and shall the Land Use Map adopted December 2, 2008 as part of the Land Use Ordinance of the Town of Raymond, Maine be superseded and replaced by a new Land Use Regulation Map being that map entitled *Town of Raymond, Maine Official Land Use Map* prepared by New England Planning Concepts and filed in the office of the Town Clerk on May -, 2010 and being that map that includes Stream Protection (SP) districts?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Raymond Land Use Ordinance

ARTICLE 2 - ESTABLISHMENT OF DISTRICTS

A. Districts

To implement the provisions of this Ordinance, the Town of Raymond is hereby divided into the following districts:

Established Districts

1. Village Residential District (VR)
2. Manufactured Housing Overlay District (MHOD) *[Adopted 5/21/05]*
3. Rural District (R)
4. Rural Residential District (RR)
5. Shorelands - This district is hereby divided into the following sub-districts.
 - a. Resource Protection District (RP)
 - b. Stream Protection District (SP)
 - c. Limited Residential - Recreation District I (LRR1)
 - d. Limited Residential - Recreation District II (LRR2)
6. General Commercial (C)
7. Industrial (I)

ARTICLE 8 – MODIFICATIONS

B. Net Residential Density Calculation

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The total number of lots or dwelling units allowed on a tract or parcel of land shall be determined by dividing the area remaining after Net Residential Area deductions are made by the minimum lot size for the zoning district where the parcel or tract of land is located. The number shall be rounded down to the nearest whole number. *[Amended 8/7/07]*.

Notwithstanding the above, the total number of lots or dwelling units allowed on a tract or parcel of land or a portion of a tract or parcel of land that was rezoned from the Limited Residential/Recreation District LRR1 to the Rural District R on June __, 2010 shall be determined by dividing the area remaining after Net Residential Area deductions are made by two. The number shall be rounded down to the nearest whole number. A determination that land was within the Limited Residential/Recreation District LRR1 prior to June __, 2010 shall be made by the Planning Board based on a survey plan provided by the property owner or development applicant prepared by a licensed surveyor which demonstrates that the land in question was within the Limited Residential/Recreation District LRR1 prior to being rezoned on June __, 2010. At a minimum, the survey plan shall show 1) all streams, as defined in the Raymond Shoreland Zoning Ordinance prior to June __, 2010 (“A perennial free-flowing body of water, other than a river, as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15 minute series topographic map”) on the tract or parcel; and 2) all land areas within 100 feet, horizontal distance, of the normal high-water line of a stream.

Raymond Shoreland Zoning Provisions

SECTION 9. DISTRICTS AND ZONING MAP

A. Official Raymond Land Use Map

The areas to which these ordinance provisions are applicable are hereby divided into the following districts as shown on the Official Raymond Land Use Map, which is made a part of these ordinance provisions:

1. Resource Protection (RP)
2. Stream Protection (SP)
3. Limited Residential/Recreation (LRR1)
4. Limited Residential/Recreation II (LRR2)

Note: Article 4 of the Raymond Land Use Ordinance contains a description of Raymond's other zoning districts.

SECTION 13. ESTABLISHMENT OF SHORELAND DISTRICTS

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A. Resource Protection District (RP).

The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone:

1. Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) as of January 1, 1973.
2. Flood plains along rivers and flood plains along artificially formed great ponds along rivers, defined by the 100 year flood plain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent flood plain soils.
3. Areas of two or more contiguous acres with sustained slopes of 20% or greater.
4. Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during normal spring high water.
5. Land areas along rivers subject to severe bank erosion and undercutting.
6. Other land areas designated as Resource Protection on the Official Raymond Land Use Map.

B. Stream Protection District (SP).

The Stream Protection District includes all land areas within one hundred (100) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, or river, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a wetland. Where a stream and its associated shoreland area are located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

C. Limited Residential/Recreational I District (LRR1).

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The Limited Residential/Recreational I District include those areas suitable for moderate residential and recreational development as designated on the Official Raymond Land Use Map. It includes areas other than those in the Resource Protection or Stream Protection Districts.

D. Limited Residential/Recreational II District (LRR2).

The Limited Residential/Recreational II District includes those areas suitable for low-density residential and recreational development as designated on the Official Raymond Land Use Map. It includes areas other than those in the Resource Protection or Stream Protection Districts.

SECTION 14. TABLE OF LAND USES

All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. If a specific land use activity is not included in Table 1, the Board of Appeals shall make a determination about the applicability of these shoreland zoning provisions to said activity when so requested by a landowner or municipal official. The district designation for a particular site shall be determined from the Official Raymond Land Use Map.

Key to Table 1:

- Yes - Allowed (no permit required but the use must comply with all applicable State and local standards and ordinances.
- No - Prohibited
- PB - Requires permit issued by the Planning Board
- CEO - Requires permit issued by the Code Enforcement Officer

Abbreviations:

- RP - Resource Protection
- SP – Stream Protection
- LR/R-I - Limited Residential/Recreational I
- LR/R-II - Limited Residential/Recreational II

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TABLE 1 “LAND USES IN THE SHORELAND ZONE”

LAND USES	RP	SP	LRR1 LRR2
1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	<u>yes</u>	yes
2. Motorized vehicular traffic on existing roads and trails	yes	<u>yes</u>	yes
3. Forest management activities except for timber harvesting	yes	<u>yes</u>	yes
4. Timber harvesting*	CEO1	<u>yes</u>	yes
5. Clearing of vegetation for approved construction and other allowed uses	CEO1	<u>CEO</u>	yes
6. Fire prevention activities	yes	<u>yes</u>	yes
7. Wildlife management practices	yes	<u>yes</u>	yes
8. Soil and water conservation practices	yes	<u>yes</u>	yes
9. Mineral exploration*	yes2	<u>no</u>	yes2
10. Mineral extraction including sand and gravel	CEO3	<u>no</u>	CEO
11. Surveying and resource analysis	yes	<u>yes</u>	yes
12. Emergency operations	yes	<u>yes</u>	yes
13. Agriculture*	PB	<u>yes</u>	yes
14. Aquaculture	PB	<u>PB</u>	PB
15. Principal structures and uses	.	.	.
15. A. Single family residential	no	<u>no</u>	CEO
15. B. Two family residential	no	<u>no</u>	CEO
15. C. Multi-family residential	no	<u>no</u>	no
15. D. Small non-residential facilities for education, scientific, or nature interpretation purposes	PB	<u>PB</u>	CEO
15. E. Municipal [Adopted 3/18/00]	no	<u>no</u>	PB
15 F. Elderly Housing [added May 21, 2005]	no	<u>no</u>	yes
16. Structure accessory to allowed uses	PB	<u>PB</u>	CEO
17. Piers, docks, wharves, bridges and other structures and uses extending over or below the normal high water line or within a wetland	.	.	.
17. A. Temporary	CEO	<u>CEO</u>	CEO
17. B. Permanent	PB	<u>PB</u>	PB
18. Conversions of seasonal residences to year-round residences	no	<u>no</u>	CEO
19. Home occupations**	no	<u>no</u>	yes
20. Private sewage disposal systems for allowed uses	no	<u>no</u>	CEO
21. Essential services	PB4	<u>PB4</u>	PB
22. Service drops, as defined, to allowed uses	yes	<u>yes</u>	yes
23. Public and private recreational areas involving minimal	PB	<u>PB</u>	PB

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structural development			
24. Personal campsites	CEO	CEO	CEO
25. Campgrounds	no5	no	PB
26. Road and driveway construction*	no6	PB	CEO
27. Parking facilities	no5	no	PB
28. Marinas	no	PB	PB
29. Filling and earthmoving of less than 10 cubic yards	CEO	CEO	yes
30. Filling and earthmoving of more than 10 cubic yards	PB	PB	CEO
31. Signs*	yes	yes	yes
32. Uses similar to allowed uses	CEO	CEO	CEO
33. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO
34. Uses similar to uses requiring a PB permit	PB	PB	PB

* There may be additional performance standards in Article 9 of the Raymond Land Use Ordinance beyond those in Section 15 of these shoreland zoning provisions.

** Home occupations are those land uses that conform with the requirements of Article 9. A home occupation that conforms to Article 9 and that is specifically permitted by Article 11 of the Raymond Land Use Ordinance shall be considered a permitted use in the Limited Residential/Recreation I and II Districts. All other home occupations not specifically listed in the definitions of home occupations in Article 12 of the Raymond Land Use Ordinance shall be considered conditional uses that must conform to the standards set forth in Article 9, Section B of the Raymond Land Use Ordinance and that must be reviewed and approved by the Appeals Board.

1. In RP not permitted within 100 feet of the normal high water line of great ponds, except to remove safety hazards.
2. Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
3. In RP not permitted in areas so designated because of wildlife value.
4. See further restrictions in Section 15.M.2.
5. Except for Panther Run's floodplain, in which case a permit is required from the Planning Board.
6. Except to provide for permitted uses within the district, or where no reasonable alternative route or location is available outside the RP area, in which case a permit is required from the Planning Board.

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SECTION 15. LAND USE STANDARDS

All land use activities within the shoreland zone shall conform to the following provisions, if applicable. An asterisk (*) found next to the section headings listed below indicates that there may be additional performance standards in Article IX of the Raymond Land Use Ordinance.

A. Minimum Lot Standards and Setbacks

1. Lots shall meet or exceed the following minimum lot size requirements:
 - a. Limited Residential/Recreational I - two (2) acres; ~~and~~
 - b. Limited Residential Recreational II - three (3) acres;
 - c. Resource Protection and Stream Protection – For purposes of determining minimum lot size requirements for land within the RP and SP districts, those districts shall be treated as overlay districts and the minimum lot size shall be the minimum required under Article 4 of the Town of Raymond Land Use Ordinance.

B. Principal and Accessory Structures

2. Principal or accessory structures and expansions of existing structures that are permitted in the Resource Protection, Stream Protection, Limited Residential/Recreational I, and Limited Residential/Recreational II Districts, shall not exceed thirty-five (35) feet in height. This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.

I. Signs*

The following provisions shall govern the use of signs in the Resource Protection, Stream Protection, Limited Residential/Recreation I and Limited Residential/Recreation II Districts:

1. Signs and billboards relating to goods and services sold on the premises shall be permitted, provided that such signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. Billboards and signs relating to goods or services not sold or rendered on the premises shall be prohibited.
2. Name signs shall be permitted, provided such signs shall not exceed two (2) signs per premises.

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3. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
4. Signs relating to trespassing and hunting shall be permitted without restriction as to number provided that no such sign shall exceed two (2) square feet in area.
5. Signs relating to public safety shall be permitted without restriction.
6. No sign shall extend higher than twenty (20) feet above the ground.
7. Signs may be illuminated only by shielded, non-flashing lights.

K. Septic Waste Disposal*

1. All plumbing shall be connected to public collection and treatment facilities when such facilities are available.
2. All subsurface sewage disposal systems shall be installed in conformance with the "State of Maine Subsurface Wastewater Disposal Rules" (Rules) and Town regulations. The State's Rules, among other standards, require that:
 - a. The minimum setback for new subsurface sewage disposal systems, shall be no less than one hundred (100) horizontal feet from the normal high-water line of a perennial water body.
 - b. Replacement systems shall meet the standards for replacement systems as contained in the Rules.
3. Where daily sewage flow exceeds 2,000 gallons, the minimum setback for new subsurface sewage disposal systems shall be 300 feet from the normal high-water line of a perennial water body.
4. The minimum setback distances from water bodies for all new subsurface sewage disposal systems shall not be reduced by variance.
5. Privies shall not be permitted in the Resource Protection, Stream Protection, Limited Residential/Recreation I and Limited Residential/Recreation II Districts.
6. All development or construction within 250 horizontal feet of normal high water line of a perennial water body shall meet the requirements of the regulations adopted by the Portland Water District on June 3, 1988; these regulations are to be enforced by the Town of Raymond.

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L. Essential Services

1. Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.
2. The installation of essential services is not permitted in the Resource Protection or Stream Protection District, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where permitted, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.

SECTION 17. DEFINITIONS

Shoreland zone - the land area located within six hundred (600) feet, horizontal distance, of the normal high water line of any great pond or river; within 250 feet, horizontal distance, of the upland edge of freshwater wetland; within one hundred (100) feet, horizontal distance, of the normal high water line of a stream; or within an area designated on the Official Raymond Land Use Map as a Resource Protection, Stream Protection, Limited Residential/Recreation I, or Limited Residential/Recreation II district.

Stream - a ~~perennial~~ free-flowing body of water, ~~other than a river,~~ from the outlet of a great pond or the confluence of two (2) perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland within the shoreland area.

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ARTICLE __: Shall Article 9, Sections N and Y, and Article 12, of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 2, 2009, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Raymond Land Use Ordinance

ARTICLE 9 - MINIMUM STANDARDS

N. Timber Harvesting

All timber harvesting shall be governed by the provisions of Maine Revised Statute Title 12, Chapters 805 and 807, to the extent applicable, as well as the following regulations. Landowners may be required to provide notification of a timber harvest to the Maine Bureau of Forestry and to the municipal clerk prior to commencing timber harvesting operations. Timber harvesting in Shoreland Districts shall also be in accordance with the regulations of the Shoreland Zoning Provisions of the Town Article 4, Section D.

1. No accumulation of slash shall be left within fifty (50) feet of a road or street. At distances greater than fifty (50) feet from the road or street to the limits of the area covered by this Ordinance, all slash shall be disposed of in such a manner that it lies on the ground and no accumulation of slash shall be left within fifty (50) feet of a property line of a lot containing a building part thereof extends more than six (6) feet above the ground.
- ~~2. Skid trails, log yards, and other sites where the operation of logging machinery results in the exposure of mineral soil shall be left in condition suitable for natural reforestation and in a condition that will not promote soil erosion.~~
- ~~2. 3. Timber harvesting activities~~ Harvesting operations shall be conducted in such a manner and at such a time that minimal soil disturbance results. Adequate provision shall be made to prevent soil erosion and sedimentation of surface waters.
- ~~4. Harvesting operations shall be conducted in such a manner that a well-distributed stand of trees is retained.~~
- ~~5. Harvesting activities shall not create single openings greater than fifteen thousand (15,000) square feet in the forest canopy.~~

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6. ~~In any stand, harvesting shall remove not more than seventy (70) percent of the volume of trees in any ten (10) year period. For the purpose of these standards, a stand means a contiguous group of trees, sufficiently uniform in species, arrangement of age classes, and conditions, to be identifiable as a homogeneous and distinguishable unit.~~

7. ~~Timber harvesting operations not in conformance with Subsections 2, 4, 5, and 6 above shall be allowed by the Appeals Board upon approval of a permit granted in accordance with the provisions of Article 5, Section E upon a clear showing by the applicant that such an exception is necessary for proper timber management.~~

8. ~~Clearing of vegetation for development. In no event shall cleared openings for development, including but not limited to, principal and accessory structures, driveways and sewage disposal areas, exceed in the aggregate, 25% of the lot area or fifteen thousand (15,000) square feet, whichever is greater, including land previously developed. [Adopted 3/21/98]~~

Y. Clearing of Vegetation for Development

In no event shall cleared openings for development, including but not limited to, principal and accessory structures, driveways and sewage disposal areas, exceed in the aggregate, 25% of the lot area or fifteen thousand (15,000) square feet, whichever is greater, including land previously developed. [Adopted 3/21/98]

ARTICLE 12 - APPLICABILITY AND DEFINITIONS OF TERMS USED IN THIS ORDINANCE

Timber Harvesting - ~~The cutting or removal of timber for the primary purpose of selling or processing forest products, and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery but not the construction or creation of roads. Timber harvesting does not include the clearing of land for approved construction.~~

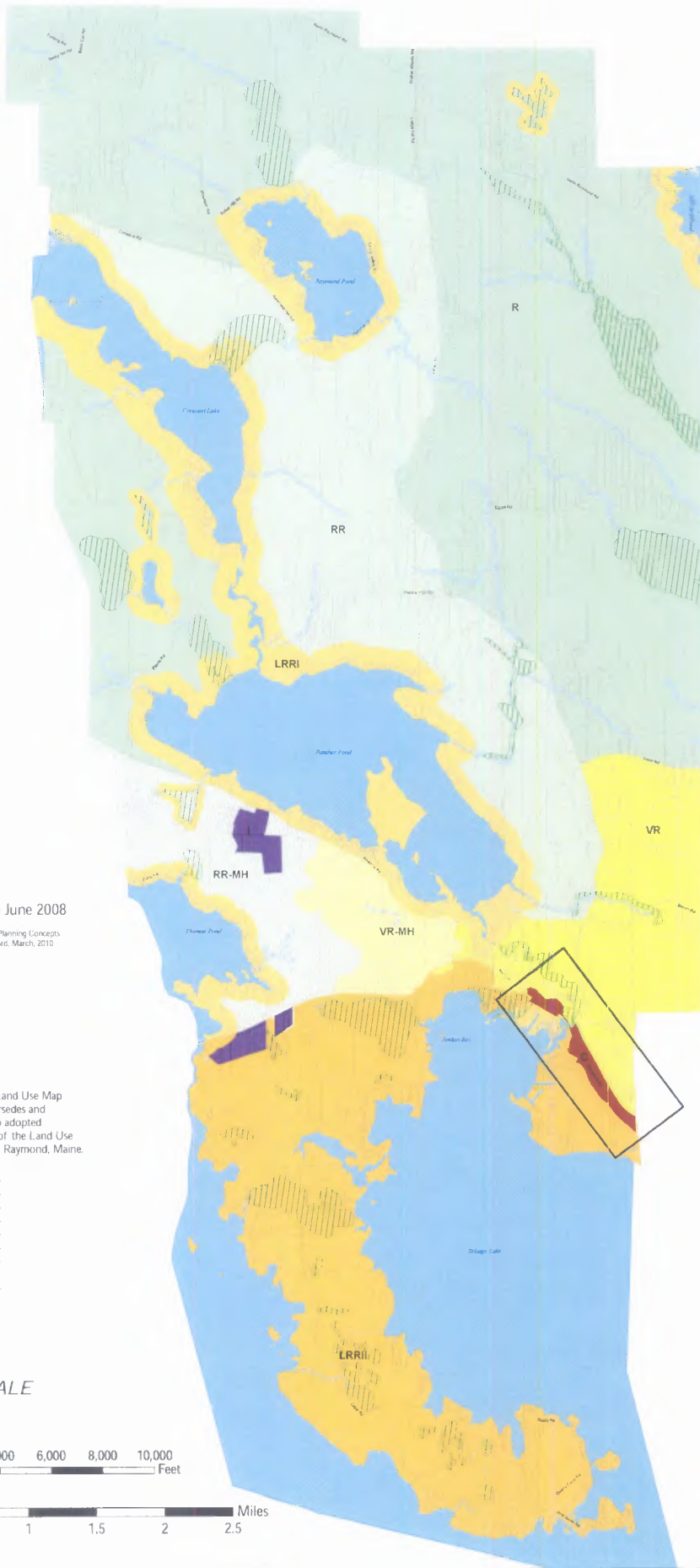
Timber Harvesting Activities - Timber harvesting, the construction and maintenance of roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting.

Town of
RAYMOND, Maine

*Official
Land Use Map*

Zoning Districts	
	RP
	SP
	Commercial
	Industrial
	LRR I (2 Acres)
	LRR II (3 Acres)
	RR (2 Acres)
	RR-MH
	R (3 Acres)
	VR (40,000 sq ft)
	VR-MH

The depictions of the Shoreland Districts on the Land Use Map of the Town of Raymond are illustrative of their general location. The boundaries of these districts shall be determined by measurement of the distance indicated on the map from the normal high-water mark of the water body or upland edge of wetland vegetation, regardless of the boundary shown on the map.



Base map effective June 2008

Map produced by New England Planning Concepts for the Raymond Planning Board, March, 2010

This is to certify that this Land Use Map adopted June 1, 2010 supersedes and replaces the Land Use Map adopted December 2, 2008 as part of the Land Use Ordinance of the Town of Raymond, Maine.

Attested to by Town Clerk

SCALE

1:18,000

0 2,000 4,000 6,000 8,000 10,000 Feet

0 0.5 1 1.5 2 2.5 Miles



Commercial District