

PROPOSED ORDINANCE CHANGE MEMORANDUM

To: Town of Raymond Planning Board

From: James R. Seymour, P.E. & Brett Wiemken

Planning Consultants, Sebago Technics, Inc.

Date: December 11, 2024

Subject: Proposed Ordinance Changes Public Hearing & Workshop Discussion

Members of the Board,

This memorandum has been prepared to document and offer discussion topics for proposed ordinance amendments of the 2025 calendar year.

This memorandum contains proposed ordinance amendments for public hearing, as displayed on the agenda. These items were discussed at the October 9th, 2024, Planning Board meeting, and were workshopped at the November 4th, 2024, Planning Board meeting.

This memorandum also contains additional discussion items, as discussed at the November 4th, 2024, Planning Board meeting. These discussion items, as displayed on the agenda, are appended to this memorandum, which contain external documents for the Board's review and discussion.

Items contained herein show the current verbiage within their respective ordinance sections. For certain topics, alterations to the ordinance are shown using red strikeout text for verbiage to be removed, and bolded and underlined in blue text for verbiage to be added. The information contained herein only contain suggestions and merely offer guidance.

We look forward to this thoughtful discussion with the Town.

Respectfully Submitted, SEBAGO TECHNICS, INC.

James R. Seymour, P.E.

Engineering & Planning Consultant

Brett Wiemken Assistant Planning Consultant



I. <u>LAND USE ORDINANCE, §300-10.3.10.a. – Extensions of Approvals and Permits</u> *Type: Administrative, Clarification on language pertaining to permit extensions.*

Current Ordinance:

Site plan and subdivision plan approvals shall expire and be void if the construction activity associated with the approval is not commenced within two years, and completed within four years, after the date of the site plan or subdivision plan approval unless the reviewing authority, at the time of approval, establishes a different completion schedule, but in no case shall the initial approval period exceed five years to commence and complete. A property owner/developer or their agent may request an extension of the period to commence and/or complete construction by submitting a request to the reviewing authority that issued the site plan or subdivision plan approval prior to the expiration of the initial term of approval. The reviewing authority may grant a one-time extension of up to two years to commence and/or complete construction. If construction is not commenced or completed within the approval time frame, the applicant must reapply for and receive approval prior to beginning or continuing construction.

Proposed Ordinance:

Site plan and subdivision plan approvals shall expire and be void if the construction activity associated with the approval is not commenced within two (2) years, and completed within four (4) years, after the date of the site plan or subdivision plan approval unless the reviewing authority, at the time of approval, establishes a different completion schedule, but in no case shall the initial approval period exceed five (5) years to commence and complete. A property owner/developer or their agent may request an extension of the period to commence and/or complete construction by submitting a request to the reviewing authority that issued the site plan or subdivision plan approval prior to the expiration of the initial term of approval. The reviewing authority may grant a one-time extension of up to two (2) years to commence and/or complete construction. Upon an extension being granted, the two (2) year extension shall begin upon the extension's approval date. If construction is not commenced or completed within the approval time frame, the applicant must reapply for and receive approval prior to beginning or continuing construction.



II. STREET ORDINANCE, §5.5. Footnote 3 – Reviewing Authority

Type: Administrative, Clarification on Reviewing Authority.

Current:

Footnote 3: Unless a right-of-way of lesser width is approved by the Reviewing Authority, pursuant to Article 9, Section T.1. of the Land Use Ordinance.

Proposed:

Footnote 3: Unless a right-of-way of lesser width is approved by the Reviewing Authority Planning Board, pursuant to Article 9, Section T.1. of the Land Use Ordinance.



III. LAND USE ORDINANCE §300-10.4.A.3.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

Fifteen copies of a site plan, to include eight full-sized scaled copies, seven half-sized/scaled copies or reduced plans to fit on an $11' \times 17'$, and an electronic file in both PDF and GIS formats, drawn at a scale of not more than 50 feet to the inch for that portion of the total tract of land subject to site plan review, and showing the following:

Proposed:

Fifteen Twelve (12) physical copies of a site plan the site plan application and all supplementary materials, to include eight full-sized scaled copies, seven half-sized/scaled copies or reduced plans to fit on an 11' x 17', including three (3) full sized (24" x 36") scaled plans, nine (9) reduced size (11" x 17") scaled plans, and an electronic file copy of all submitted materials in both-PDF and GIS-formats, drawn at a scale of not more than fifty [50] feet to the inch for that portion of the total tract of land subject to site plan review, and showing the following:



IV. LAND USE ORDINANCE §300-10.3.A.3.b.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

Fifteen copies of the completed application for site plan review, together with the documentation required in these regulations, shall be submitted at least 26 days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard. However, any application which is not complete shall be returned to the applicant with an indication of the additional information required.

Proposed:

Fifteen Twelve (12) physical copies and one digital PDF copy of the completed application for site plan review, together with the documentation required in these regulations, shall be submitted at least 26 calendar days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard. However, any application which is not complete shall be returned to the applicant with an indication of the additional information required.



V. SUBDIVISION ORDINANCE, ARTICLE 4, SECTION 2.B.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

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

Proposed:

B. Number of Copies: Fifteen (15) Twelve (12) paper copies and one (1) digital PDF copy of the Sketch Plan shall be submitted.



VI. SUBDIVISION ORDINANCE ARTICLE 5, SECTION 2.B.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

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:

Proposed:

B. Preliminary Plan. [Amended 12/02/08] The Preliminary Subdivision Plan shall be submitted, with fifteen (15) twelve (12) copies of each map or drawing, together with fifteen (15) twelve (12) physical copies and one (1) digital PDF copy 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:



VII. SUBDIVISION ORDINANCE, ARTICLE 6, SECTION 2.A.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

A. The Final Plan shall be submitted with the mylar original, two reproducible mylars and fifteen (15) copies, of each map or drawing, together with fifteen (15) copies of any attachments required for approval. All maps and drawings shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies.

Proposed:

A. The Final Plan shall be submitted with the mylar original, two reproducible mylars and fifteen (15) twelve (12) physical copies and one (1) digital PDF copy of each map or drawing, together with fifteen (15) twelve (12) physical copies and one (1) digital PDF copy of any attachments required for approval. All maps and drawings shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies.



VIII. SUBDIVISION ORDINANCE, ARTICLE 7, SECTION 2.B.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

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:

Proposed:

B. Minor Subdivision Plan. The Minor Subdivision Plan shall be submitted with fifteen (15) twelve (12) copies and one (1) digital PDF copy of each map or drawing, together with fifteen (15) twelve (12) physical 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:



IX. SHORELAND ZONING ORDINANCE §350-6.2.B.1.

Type: Administrative, Clarification on shore frontage.

Current:

- B. Shore and Road frontage.
- 1. A lot abutting a lake, pond, river, stream, road, water body or wetland shall meet or exceed the following minimum shore frontage requirements:
 - a. Residential, per dwelling unit: 225 feet;
 - b. Governmental, institutional, commercial or industrial, per principal structure: 300 feet; and,
 - c. Public and private recreational facilities: 225 feet.

Proposed:

- B. Shore and Road frontage.
- 1. A lot abutting a lake, pond, river, stream, road, water body or wetland shall meet or exceed the following minimum shore frontage requirements:
 - a. Residential, per dwelling unit: 225 feet;
 - b. Governmental, institutional, commercial or industrial, per principal structure: 300 feet; and,
 - c. Public and private recreational facilities: 225 feet.
 - d. Shore: 225 feet for each dock.



X. **SHORELAND ZONING ORDINANCE §350-8.2.**

Type: Administrative, Adding a Definition for "Dock".

Current:

None.

Proposed:

<u>DOCK – A platform used for access to a water body or to secure, protect, and provide</u> access to a boat or ship. The platform may extend from a shore over the water body. This <u>definition does not include floating platforms.</u>



APPENDIX A

Addressing Ordinance – Proposed Changes from Fire Department

ADDRESSING ORDINANCE

March 15, 1997

Amended June 4, 2013

Amended June 5, 2018

Amended June ___, 2025

Section 1. Purpose:

The purpose of this Ordinance is to enhance the effective and rapid location of properties by public safety personnel including: law enforcement, fire, rescue, and emergency medical services personnel in the Town of Raymond.

Section 2. Authority:

This Ordinance is adopted pursuant to and consistent with the Municipal Home Rule Powers as provided for in Article VIII, Part 2, Section 1 of the Constitution of the State of Maine and Title 30-A M.R.S.A. Section 3001.

Section 3. Administration:

This Ordinance shall be administered by the Board of Selectmen, Town Manager, and E911

Coordinator. The Board of Selectmen is authorized to and shall assign road names and numbers to all properties, both on existing and proposed roads, in accordance with the criteria in Section 4 and 5. The E911 Coordinator shall also be responsible for assigning the E-911 address for the building in compliance with State of Maine E-911 directives, and shall maintain the following records of this Ordinance:

- A. A Raymond map of official use showing road names and numbers;
- B. An alphabetical list of all property owners as identified by current assessment records, by last name, showing the assigned numbers;
- C. An alphabetical list of all roads with property owners listed in order of their assigned numbers.

Section 4. Naming System:

All roads that serve two or more properties shall be named regardless of whether the ownership of the road is public or private. A "road" refers to any highway, road, street, avenue, lane, private way, or similar paved, gravel or dirt thoroughfare. "Property" refers to any property on which more or less a permanent structure has been erected. A road name assigned by the Town of

Raymond shall not constitute or imply acceptance of the road as a public way.

The following criteria shall govern the naming system:

- A. No two roads shall be given the same name (e.g. no Pine Street and Pine Lane);
- B. No two roads shall have similar-sounding names (e.g. no Woodlawn Avenue and Woodland Street).
- C. Each road shall have the same name throughout its entire length, except, when authorized by the Board of Selectmen, the name may change at a significant landmark or intersection.

Section 5. Numbering System:

Numbers shall be assigned every fifty (50) to two hundred (200) feet, depending on density and geographic location (e.g. 50 feet in Village areas and up to 200 feet in rural areas), along both sides of the road, with even numbers appearing on the left side of the road and odd numbers appearing on the right side of the road, determined by the number origin.

The following criteria shall govern the numbering system:

- A. All number origins shall begin from Roosevelt Trail or that end of the road closest to Roosevelt Trail. For dead end roads, numbering shall originate at the intersection of the adjacent road and terminate at the dead end.
- B. The number assigned to each structure shall be that of the numbered interval falling closest to the front door. If the front door cannot be seen from the main road, the number shall be that of the interval falling closest to the driveway of said structure.
- C. Every structure with more than one principal use or occupancy shall have a separate number for each use or occupancy. (i.e. duplexes will have two separate numbers; apartments will have one road number with an apartment number, such as 235 Maple Street, Apt. 2).

Section 6. Compliance:

All owners of structures shall, by the date stipulated in Section 8, display and maintain in a conspicuous place on said structure, the assigned numbers in the following manner:

A. Number on the structure or residence: Where the residence or structure is located and clearly visible within 50 (fifty) feet of the edge of the road right-of-way, the assigned number shall be displayed on the front of the residence or structure near the front door or entry; The E-911 address shall be minimum of 4-inches, shall be visible from both approach directions on the street, and

located to be clearly visible from within the fire apparatus or emergency vehicle cab.

B. Number at the street line: Where the residence or structure is over fifty (50) feet from the edge of the road right-of-way, the assigned number shall be displayed on a post, fence, wall, the mail box (when such mailbox is located on the same side of the street where the principal structure is located), or on some structure at the property line next to the walk or access drive to the residence or structure. The E-911 address shall be visible from both approach directions on the street and located to be clearly visible from within the fire apparatus cab.

C. Size and color of number: Numbers shall be at least 4-inches 3" in height, contrasting color to the background, and shall be located to be visible from the road on a permanent structure, post or mailbox. The number should be high enough so that snow does not obstruct it in the winter months.

The street address shall be installed on each building or dwelling unit, it shall be visible from both approach directions on the street, and located to be clearly visible from within the fire apparatus or emergency vehicle cab. The street address lettering shall be no less than 4" in height, shall be of a contrasting color to the sign background, and preferably the numbers/letters should be reflective for night or reduced light conditions. Buildings with multiple units shall install unit numbers in accordance with Maine E911 requirements.

D. Every person whose duty is to display the assigned number shall remove any different number that might be mistaken for, or confused with, the number assigned in conformance with this Ordinance. (Note: Historic dates identifying when the property was established or the structure was built shall be exempt from the section. Careful consideration of clear distinction between a historical date and the physical address numbers shall be made by the property owner.)

E. Interior location: All residents and other occupants are requested to post the assigned number and road name next to their telephone for emergency reference.

F. The Fire/Rescue Department shall receive notification from the Code Enforcement Officer whenever a Certificate of Occupancy is issued in the Town of Raymond.

Section 7. New Construction and Subdivisions:

All new construction and subdivision shall be named and numbered in accordance with the

provisions of this Ordinance and as follows:

A. New Construction: Whenever any residence or other structure is constructed or developed, It shall be the duty of the new owner to obtain an assigned number from the Raymond E911 Coordinator. This shall be done at the time of the issuance of the building permit.

B. New Subdivisions: Any prospective sub-divider shall show a proposed road name and lot numbering system of the pre-application submission to the Planning Board. Approval by the Planning Board, after consultation with the Board of Selectmen, shall constitute the assignment of the road names and numbers to the lots in the subdivision. E-911 street name and addresses for each lot shall be noted on the Planning Board approved final plans as assigned by the Town of Raymond; E911 Coordinator. The street address shall be installed for each unit, to be visible from both approach directions on the proposed street, and located to be clearly visible from within the fire apparatus or emergency vehicle cab.

On the final plan showing proposed roads, the applicant shall mark on the plan, lines or dots, in the center of the streets every fifty (50) feet to aid in the assignment of numbers to structures subsequently constructed.

Section 8. Effective Date:

This Ordinance shall become effective as of January 1, 1998. It shall be the duty of the Board of Selectmen to notify by mail each property owner and the Post Office of a new address at least thirty (30) days before the effective date of its use. It shall be the duty of each property owner to comply with this Ordinance, including the posting of new property numbers, within thirty (30) days following notification. On new structures, numbering will be installed before final inspection or when the structure is first used or occupied, whichever comes first.

Section 9. Enforcement:

- a) PENALTY FOR VIOLATION: Any person who violates the provisions of this Ordinance after written notice of violation from the Code Enforcement Officer commits a civil violation punishable by a penalty of not less than \$50.00/day and not more than \$500.00 total to be recovered by the Town of Raymond. Each day such violation continues shall constitute a separate violation.
- b) ENFORCEMENT: This Ordinance shall be enforced by the Town of Raymond Code Enforcement
 Officer. Fire/Rescue Department or Law Enforcement personnel shall forward any known

Addressing Ordinance 4 Amended June 5, 2018 violation of the Ordinance to the Code Enforcement Officer for enforcement in accordance

c) CERTIFICATE OF OCCUPANCY: The Code Enforcement Officer shall not issue a Certificate of Occupancy until numbering is installed in accordance with the requirements set forth in this Ordinance.

Section 10. Severability:

with the requirements in this Ordinance.

In the event that any portion of this Ordinance is found by a court to be invalid, the remaining provisions shall continue in full force and effect

APPENDIX B

Draft Noise Oridnance

1. Findings and Purpose:

The Town of Raymond Board of Selectmen finds that controlling excessive noise as provided herein is necessary to promote the health, welfare, and safety of the Town of Raymond. It is the purpose of this Ordinance to prevent any person from making, continuing, or causing noise that unreasonably interferes with the comfort, health or safety of others within the Town of Raymond.

2. Prohibition:

- A. It shall be unlawful for any person in a public place to intentionally or recklessly cause annoyance to others by intentionally making loud and unreasonable noises after having been ordered by a law enforcement officer to cease the noise or similar such noises within the last six (6) months.
- B. It shall be unlawful for any person in a private place to make loud and unreasonable noise after having been ordered by a law enforcement officer to cease the noise or similar such noise within the last six (6) months that can be heard by another person who is in a public place or in another private place.
- C. For the purposes of this Section, the term "noise" shall include, but is not limited to:
 - Sound created by radios or other electronic or mechanical devices capable of amplifying or projecting ambient noise, including such devices operated within motor vehicles;
 - ii. Sound created in connection with loading and unloading commercial vehicles between the hours of 10:00 p.m. and 6:00 a.m.;
 - iii. Sound created from construction activities between the hours of 10:00 p.m. and 6:00 a.m.:
 - iv. Sound created from timber harvesting activities between the hours of 10:00 a.m. and 6:00 a.m.; and,
 - v. Sound created by recreational vehicles, including all-terrain vehicles, snowmobiles, motorbikes, watercraft, and other such vehicles between the hours of 10:00 p.m. and 6:00 p.m.
 - vi. As a guide, officers may use a sound meter that has a range of between 40dB to 130 dB as a guide to determine if the noise is above 90dB for more than thirty (30) minutes. This level was determined taken from the Center for Hearing Conservation and American Academy of Audiology.

3. Exceptions:

The following are exempt for the provisions of Section 2 – Prohibition.

A. Federal, state, and local governmental activities, whether conducted by the governmental agency or by a private contractor acting on the government agency's behalf, including, but not limited to, activities of police, fire, rescue, and public works.

- B. Activities of utility agencies, including, but not limited to, vehicles and activities for the provision of water, electricity, telephone service, and sewer service; and,
- C. Public assemblies, parades, performances or athletic events held between the hours of 8:00 a.m. and 10:00 p.m.

4. Violations & Penalties:

- A. Any member of the **[INSERT LAW ENFORCEMENT AGENCY]** is authorized to enforce this Ordinance upon complaint or upon the officer's own observation of a violation in progress.
- B. A person who is a registered owner of a vehicle at the time that vehicle is involved in a violation of this Ordinance commits a civil violation. The owner of a business which is involved in a violation of this Ordinance commits a civil violation.
- C. Any person who violates this Ordinance shall, upon conviction, be fined a civil penalty of not less than **[INSERT \$ AMOUNT]** and not more than **[INSERT \$ AMOUNT]** for each separate violation. If the Town is the prevailing party to an enforcement action, it shall be entitled to attorney's fees and costs unless extraordinary circumstances make such an award unjust.

5. Definitions:

As used in this Ordinance, unless the context otherwise indicates, the following terms have the following meanings:

- A. Public Place: means a place to which the public at large or a substantial group has access, including but not limited to:
 - i. Public ways: public way means any public highway or sidewalk, private way laid out under authority of statute, way dedicated to public use, way upon which the public has a right of access or has access to invitees or licenses, or way under the control of park commissioners or a body having like powers;
 - ii. Schools and government-owned custodial facilities;
 - iii. The lobbies, hallways, lavatories, toilets, and basement portions of apartment houses, hotels, public buildings, and transportation terminals.
- B. Private Place: Any place that is not a Public Place.

APPENDIX C

Citizen Petition for Land Use Ordinance Amendment – Commercial Solar Energy

To the Municipal Officers of the Town of Raymond

We, the undersigned, being registered voters of the Town of Raymond, request the municipal officers to place the following article before the voters for their consideration:

Article 1 – CITIZEN PETITION FOR LAND USE ORDINANCE AMENDMENT

Shall an ordinance dated July 1, 2023 and entitled "An amendment to the Town of Raymond's Land Use Ordinance Regulating Commercial Solar Energy Systems," be enacted?

Summary: This amendment, with a retroactive date of July 1, 2023, will prohibit the installation of commercial solar energy systems in the Rural Residential District and all of the Shoreland Districts.

An Amendment to the Town of Raymond's Land Use Ordinance Regulating Commercial Solar Energy Systems

The Town of Raymond hereby ordains that Chapter 300, Article 4 of the Land Use Ordinance and Chapter 350, Article 5 of the Shoreland Zoning Ordinance are amended as follows:

[Please Note: Old language is stricken. New language is underlined.]

§ 300-4.4. Rural Residential District (RR).

- A. Intent. The Town of Raymond recognizes that certain areas of Town will experience residential growth due to rapid population growth in the region. It is the intent of this section to allow these uses while maintaining the basic rural orientation of the community.
- B. Permitted uses.
 - (12) Solar energy systems. This provision has retroactive application to July 1, 2023.

§ 350-5.4. Table of Land Uses.

Table 1 Land Uses in the Shoreland Zone							
Land Uses		RP	SP	LRR1 LRR2			
35.	Solar energy systems	no	no	PB *no * this provision has retroactive application to July 1, 2023.			

Town of Raymond August 13, 2024 SPECIAL TOWN MEETING WARRANT

TO: Don McClellan, a resident of the Town of Raymond, in the County of Cumberland and State of Maine.

GREETINGS:

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Raymond, qualified by law to vote in Town affairs, to meet at the Broadcast Studio at 423 Webbs Mills Road in said town on Tuesday, August 13, 2024, at 6:00 P.M., then and there to act on Articles 1 through 2 as set out below.

ARTICLE 1: To elect a moderator to preside at said meeting.

ARTICLE 2: Shall an ordinance dated July 1, 2023, and entitled "An amendment to the Town of Raymond's Land Use Ordinance Regulating Commercial Solar Energy Systems," be enacted?

Select Board recommends Article 2

Summary: This amendment with a retroactive date of July 1, 2023, will prohibit the installation of commercial solar energy systems in the Rural Residential District and all of the Shoreland Districts.

Proposed Ordinance Change:

An Amendment to the Town of Raymond's Land Use Ordinance Regulating Commercial Solar Energy Systems

The Town of Raymond hereby ordains that Chapter 300, Article 4 of the Land Use Ordinance and Chapter 350, Article 5 of the Shoreland Zoning Ordinance are emended as follows:

[Please Note: Old language is stricken. New language is underlined.]

§ 300-4.4. Rural Residential District (RR).

A. Intent. The Town of Raymond recognizes that certain areas of Town will experience residential growth due to rapid population growth in the region. It is the intent of this

section to allow these uses while maintaining the basic rural orientation of the community.

B. Permitted uses.

12. Solar energy systems. This provision has retroactive application to July 1, 2023.

§ 350-5.4. Table of Land Uses

Table 1 Land Uses in the Shoreland Zone						
Land Uses		RP	SP	LRR1 LRR2		
35.	Solar energy systems	no	no	PB *no *this provision has retroactive application to July 1, 2023.		

Given unto our hands this 9th day of July 2024:

Rolf Olsen, Chair

Teresa Sagak, Vice-Chair

Samuel Gifford

Derek Ray

Denis Morse