



**Raymond Planning Board**  
Raymond Broadcast Studio  
423 Webbs Mills Road  
**MINUTES**  
**Wednesday, February 14, 2018**  
7:00 pm

**Call to order:** Vice-Chair Foster called the meeting to order at 07:00. Quorum was declared

**Present:** Patricia Beaton, Sheila Bourque, Vice-Chair Greg Foster, Edward Kranich, Danielle Stumper, Kyle Bancroft (7:12pm)

**Absent:** NONE

**Staff:** Code Enforcement Officer Scott Dvorak, Contract Town Planner James Seymour, Recording Secretary Mary Quirk; Fire Inspector Dave Mains

**Other:** Tom Greer, Engineer with Walsh Engineering on behalf of the applicant

**Approval of Minutes**

Greg Foster called for consideration of Minutes. The Board agreed to consider the minutes individually due to varied attendance.

**August 09, 2017**

**MOTION:** Ms. Bourque moved to approve the minutes as corrected; Patricia Beaton seconded

**DISCUSSION:** Sheila Bourque asked for removal of duplicate phrase and correction of title for Bruce Sanford

**VOTE:** Motion carried (05/0/0)

**September 13, 2017**

**MOTION:** Ms. Beaton moved to accept the minutes as corrected; Edward Kranich seconded

**DISCUSSION:** Mr. Fostered asked for correction of title for Bruce Sanford

**VOTE:** Motion carried (4/0/1) (Ms. Beaton abstained)

**October 11, 2017**

**MOTION:** Ms. Bourque moved to approve minutes as corrected; Mr. Kranich seconded

**DISCUSSION:** Ms. Beaton asked for a spelling correction

**VOTE:** Motioned carried (5/0/0)

**November 08, 2017**

**MOTION:** Ms. Bourque moved to approve minutes as corrected; Danielle Stumper seconded

**DISCUSSION:** Ms. Bourque asked for a preposition correction.

**VOTE:** Motion carried (4/0/1) (Patricia Beaton)

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## **December 13, 2017**

**MOTION:** Ms. Bourque moved to approve minutes as presented; Mr. Kranich seconded

**DISCUSSION:** None

**VOTE:** Motion carried (3/0/2) (Patricia Beaton, Danielle Stumper)

## **January 10, 2018**

**MOTION:** Ms. Bourque moved to approve the minutes as corrected; Mr. Kranich seconded

**DISCUSSION:** Ms. Beaton asked for a removal of duplicate phrase and reformat of paragraph

**VOTE:** Motion carried (04/0/1) (Danielle Stumper)

## **Special Election of Officers**

Mr. Foster called for nominations. Ms. Beaton nominated Sheila Bourque to service as Chair and Greg Foster to serve as Vice-Chair. Mr. Foster asked for any other nominations. There being none, Mr. Foster asked for a motion to close the nominations

Mr. Foster asked a vote on the nominations

**VOTE:** Slate approved unanimously (6/0/0)

## **New Business**

**APPLICANT:** Chase Custom Homes & Finance, Inc.

**LOCATION:** Valley View RD

Map: 016 Lots: 098/000 and 099/000 Zone R

**REASON:** Review of Valley View Subdivision, a previously approved subdivision, for compliance with current subdivision standards

Ms. Bourque asked the application's representative to make his presentation.

Tom Greer of Walsh Engineering representing Chase Custom Homes reviewed plot plan, unchanged from that which was approved in 2006. The applicant is awaiting a report from Scott Lindsay, State Biologist with Inland Fisheries and Wildlife (IF&W). Applicant has reapplied to the Maine Department of Environmental Protection (DEP), previous approvals having expired. DEP regulations regarding stormwater management and wetland fill have changed. The applicant has re-engineered the wet ponds and re-engineered the road to reduce the area wetland to be filled to meet current standards. DEP is reviewing the NRPA application for wetland fills, stormwater management, and site lot.

Ms. Bourque opened the meeting for public comment at 7:22pm.

Glen Steeves, an abutter, expressed concerns about: size restrictions on size/height of houses; what is to keep elderly housing tenants from having younger moving in; traffic and wastewater; open space to state involves an easement on his property to get to the open space.

Gary Wittner, an abutter, expressed concerns about : traffic limits'; car limits; impact on his well; wildlife habitat; roadkill

Dave Thompson, an abutter, expressed concerns about: water ponding; possible contamination from new septic systems.

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Deborah Baker, President of Valley Shore Association, expressed concerns about: water quality; what DEP is reviewing; why town did not attend October site walk; differences between October presentation and current presentation

There being no further comment, Ms. Bourque closed public hearing 7:36pm.

Ms. Bourque, James Seymour, and Tom Greer addressed concerns about the October site walk expressed in the public comment.

- The October site walk was a DEP requirement and did not involve the Town
- Planning board hadn't an application before it, therefore had not purview
- Tom Greer did not know in October that they had to come back to the town.
- Legal opinion informs that since the subdivision was approved and recorded in 2006, the Board cannot address lots; Can address anything the applicant has updated in the plans and any DEP updated performance standards and requirements

Ms. Bourque proposed the Board proceed to the Technical review, to be taken item by item.

- A. Will not result in undue water or air pollution.
- B. Has sufficient water available for the reasonably foreseeable needs of the subdivision;
  - Requirement was previously proved and there are no changes anticipated.
  - Sprinkler systems in houses
  - Dry hydrant to be added to plan
- C. Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
  - DEP extensive work done on septic systems; condition on original approval that the first 10 feet of all wells must be encased to avoid contamination
- D. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
  - Wetland square footage impact reduced from original plan
  - Wetlands remapping to be noted on plans, including when and by whom
  - Rock sandwich road construction not acceptable for town road status
- E. Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of highways or public roads existing or proposed;
  - Traffic estimates
  - Sight distances
- F. Will provide for adequate solid and sewage waste disposal;
  - Curbside resident trash pick-up
  - Construction solid waste disposal
  - Home owners' association responsible for septic systems and wells to be added to plans
- G. Will not cause an unreasonable burden on the ability of the Town of Raymond to dispose of solid waste and sewage with respect to the use of municipal facilities existing or proposed;
  - Town accepted burden at time of original approval

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- H. Will not place an unreasonable burden on the ability of the Town of Raymond to provide municipal or governmental services;
- Town accepted burden at time of original approval
- I. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the Town of Raymond or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;
- Requirement was previously proved and there are no changes anticipated.
- J. Is in conformance with the subdivision ordinance, comprehensive plan, zoning ordinance, floodplain management ordinance or other duly adopted town ordinance or regulation. In making this determination, the municipal review authority may interpret these ordinances and plans;
- If all conditions and notes to the plan can be worked out condition would be met
- K. The subdivider has adequate financial and technical capacity to meet the required standards;
- To be discussed
  - Currently in tree growth
- L. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in the Mandatory Shoreland Zoning, Act Title 38, chapter 3, subchapter 1, article 2-B, the proposed subdivision will not adversely affect the quality of water or unreasonably affect the shoreline of that body of water.
1. To avoid circumventing the intent of this provision, if a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted, the proposed subdivision shall be reviewed as if lot lines extend to the shore.
  2. The frontage and set-back provisions of this paragraph do not apply either within areas zoned as general development or its equivalent under shoreland zoning, Title 38, chapter 3, subchapter I, article 2-B, or within areas designated by ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development met the definitional requirements of section 4401, subsection 1, on September 23, 1983;
- Not applicable
- M. Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater and aquifers;
- Will require HHE200
  - Not in a defined aquifer
  - Information regarding any plume changes must be provided by developer/home owner to the Town
- N. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard

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boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;

- Not applicable
- O. All freshwater wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands;
- Wetlands remapping to be noted on plans, including when and by whom
- P. Any river, stream, or brook, as defined in the Natural Resources Protection Act, Title 38, Section 480-B, within or abutting the subdivision has been identified on any maps submitted as part of the application;
- Not applicable
- Q. The subdivision will provide for adequate storm water management;
- Substitution of DEP standards and review for Town standards requires a formal Waiver request which must be recorded.
- R. If any lots in the proposed subdivision have shore frontage on a river, stream, brook or great pond as defined in Title 38, section 480-B, none of the lots created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1;
- Not applicable
- S. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorous concentration during the construction phase and life of the proposed subdivision; and
- Not applicable with Conditions of Item Q met
- T. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.
- Not applicable

Ms. Bourque asked for a motion to accept the application as complete. Concerns were raised about updating drawings for re-recording and the DEP permitting process. Mr. Seymour reviewed the definition of a complete application: Do you have enough information to have a reasonable discussion on the topics?

Ms Bourque again asked for a motion to accept the application as completed.

**MOTION:** Gregg Foster moved that the Valley View Subdivision application is complete; Kyle Bancroft second

**DISCUSSION:** None

**VOTE:** The motion carried (6/0/0)

Ms. Bourque asked if the Board felt they had enough information to make a decision. Mr. Greer estimated that DEP approval was two or three months out. He suggested the application could be back on agenda in April with revised plans and an update from DEP to obtain approval pending the DEP permit with then Mylars signing in May.

CONDITIONS:

All prior waivers and conditions recorded on the plan  
DEP permit with permit number and date of approval on the final plans

1. Stormwater phosphorus export treatment will be deferred to the Maine DEP with proof of their approval of the revised Stormwater Management Permit for the Phosphorus Standard.
2. The applicant shall add a note on the plan of the requirement for all MDEP permits and add a note that prior to commencing construction on any house/unit a site specific grading plan for each lot showing preserved buffer for soil disturbance and erosion control measures shall be provided to the Code Enforcement Officer (CEO).
3. A note should be added confirming wetland filling impacts as well as confirmation of no vernal pool presence on the property as of 2016.
4. All drainage easements will be set with iron pins with caps, to define their limits.
5. The applicant shall add a note stating that each home unit will be constructed with a sprinkler system for fire suppression. (This was a condition from the original approval in 2006). Additionally, applicant shall supply location, easement, and details for dry hydrant to be reviewed by the Raymond Fire Department.
6. The applicant will have the road names approved by the Code Enforcement, Public Works/Services, and Fire Departments for acceptable names meeting E 911 requirements.
7. The applicant shall provide a note discussion how household and construction solid waste will be handled within the development during and post construction.
8. The Developer shall provide adequate proof of financial and technical capacity prior to any issuance of any construction permit, or prior to any construction activity or soil disturbance on the property. (This is distinct from the bond which will be required for infrastructure construction.)
9. The applicant shall add a note or provide evidence that the land considered for development will be taken out of Tree Growth status and that all fees for the conversion of taxes, will be paid in full prior to any construction work or clearing for the development being commenced on the lot.
10. Add that any revision to the proposed wells or septic locations for any unit, or alteration of the well exclusion zone as shown may require a revised nitrate plume study investigation to be submitted to the CEO prior to any issuance of a building permit. Such costs and responsibility for the study shall be at the developer or homeowner's burden.
11. A note shall be added per section Article 10; C Administration. J. Expiration of approval; Site 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. (Opportunities listed within the section of the ordinance allows for extension options which the applicant may apply.)

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12. Discussion: Future acceptance of the road—how will treatment ponds be attached with the road design and whom will be responsible if the road is to be accepted by the Town. Also, the inclusion of the rock sandwich is not a current Town standard, nor normal standard design practice within a typical street, and may also complicate future acceptance consideration due to its uniqueness and potential repair or maintenance considerations. (Treatment ponds will not be fenced. They are in plain view, a foot deep, and have 10' wide shelves all the way around.)

13. All plans should be stamped and marked with dates relevant to this approval period. It is acceptable to note the project was approved and recorded in 2006. All plans to be re-recorded with the new dates and notes as suggested above.

Ms. Bourque asked for a motion to table the application.

**MOTION:** Mr. Foster moved to table the application; Ms. Beaton seconded

**DISCUSSION:** None

**VOTE:** The Motion passed (6/0/0)

### **Planner Communications**

Shoreland zoning changes DEP would like to see. – review with attorney and bypass PB and go straight to select board

Discussion of design guidelines

### **Adjournment**

Ms. Bourque asked for a motion to adjourn

**MOTION:** Mr. Foster moved to adjourn;. Ms. Beaton seconded

**DISCUSSION:** None

**VOTE:** The Motion passed (6/0/0)

Ms. Bourque adjourned the meeting at 08:51pm.