



Raymond Planning Board
Raymond Broadcast Studio
423 Webbs Mills Road
AGENDA
Wednesday, February 13, 2019
7:00 pm

- **Call to order**
- **Ordinance Workshop**
- **Planner Communications**
 - Road connectivity research into requirements of other towns
 - Malibu DR - Signing of Revised Road design plans
- **Adjournment**

SHORELAND

**NET DENSITY for duplex – Legal, non-conforming lots:
Road frontage must be doubled for a duplex. There is nothing about
doubling the lot size.**

TOWN OF RAYMOND SHORELAND ZONING PROVISIONS SECTION 15 LAND USE STANDARDS

SECTION 15. LAND USE STANDARDS *(Page 16 Shoreland Zoning)*

A) Minimum Lot Standards and Setbacks

2. A lot abutting a lake, pond, river, stream, road, water body or wetland shall meet or exceed the following minimum shore and road 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.

Shore frontage shall be measured in a straight line between the points of intersection of the side lot lines with the shoreline at normal high water elevations.

Must bringing Shoreland Zoning ordinance into compliance with DEP regulations per the following:

Town of Raymond Land Use Ordinance As adopted May 21, 1994 amended through June 6, 2017 ARTICLE 7 - AMENDMENTS Page 29 of 140– as of June 6, 2017 ARTICLE 7 - AMENDMENTS

(page 27)

B. Shoreland Zoning Amendments The Maine Department of Environmental Protection shall be notified by Certified Mail, of amendments affecting the Shoreland District prior to the effective date of such amendments. A file of return receipts from such mailing shall be maintained as a permanent record.

TYPO CORRECTION:

**Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 6 – BOARD OF APPEALS**

Article 6 Board of Appeals

B. Powers and Duties *(Shoreland Zoning – Page 59)*

1. The Board of Appeals shall have the following authority: a. Subject to the provisions of this Ordinance, to hear and decide appeals, on a de novo basis, from orders, decisions, determinations or interpretations made by the Code Enforcement Officer or the Building Inspector. [Amended 8/7/07, and ~~6/7/26~~ **06/07/16**

Change definition of a dwelling unit
Add descriptions of manufactured housing, both types
Clarify permissible locations for Type 1 Manufactured Housing

LAND USE

Specify the number of events within a given time period to define a venue as a “special events”

Suggested addition: chickens must be confined to the resident’s property

Suggested addition: Enforcement action cannot be appealed

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017 ARTICLE 6
BOARD OF APPEALS

C. Appeals Procedure (Land Use Ordinance Page 25)

1. The Board of Appeals ~~once each month~~ meetings are held, as needed, at 7:00 pm the fourth Monday of the month (public invited) at the Raymond Broadcast Studio and at other times as called by the chairman. A quorum of the Board is necessary to conduct an official Board meeting shall consist of at least three (3) members. A majority vote of the quorum is required for the passage or denial of any appeal

Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN
THIS ORDINANCE

(Bottom of Page 114, Continued on Page 115)

Home Occupation - An occupation or profession that is customarily carried on in a dwelling unit and clearly incidental and secondary to the use of the dwelling unit for residential purposes. A home occupation must conform to the standards set forth in Article 9 of this Ordinance. The following are examples of permitted uses under this definition:

1. Beauty Shop; 2. Arts and Crafts studio or shop; 3. Professional Office; 4. Woodworking; 5. Day Care Center; 6. Seamstress/Tailor; 7. Small engine repair excluding motorized vehicles such as mopeds, motorcycles, ATV's and snowmobiles. No retail sales of repaired goods shall be permitted. allowed

SUB-DIVISION

Include this language in the Sub Division Ordinance

**Town of Raymond Land Use Ordinance
As adopted May 21, 1994 amended through June 6, 2017
ARTICLE 10 - SITE PLAN REVIEW**

(Land Use Ordinance Page 82)

j. Expiration of approval. 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 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.

Projects approved as Phased Developments shall only be approved by the Planning Board, and the above expiration of approval terms shall apply to any one phase of construction activity.

For the purposes of this Section, this section, “commencement of construction” shall be defined to include, but not be limited to, any land/site or vegetation clearing, site disturbance, stockpiling or excavation of soil on the site property, or building expansion or alterations in accordance with the approved plans. The determination of whether construction has commenced shall be in the sole discretion of the Code Enforcement Officer. [Amended 07/06/2017] 2.

Food truck license; peddler’s license

ZBA CHAIR JOANNE STINSON Commentary

1. Land Use Ordinance Article 5 D 1 regarding driveway permits and the lack of any such language under Article 16 B regarding permits.

2. I have mentioned this before but Variances Article 6, B, C requires proof of undue hardship. D allows for a reduction in minimum setbacks with much more relaxed standards. Section 16 G, 2 also covers variances with undue hardship requirements, and 2 F allows also for reduction from minimum setbacks. They are written differently so it is confusing if a setback reduction is a form of variance or not and due to the lesser standards it appears it is not. The Town of Raymond application to the board of appeals has several options and does have both variances and setback reductions also making it appear that they are two different options. The Maine revised Statutes for Land Use Regs Art 4353 has only variances and no setback reductions. They have one variance for dimensional standards (closest to setback reductions) and one has to meet a "practical difficulty" test which is more stringent than our setback reduction requirements. If our standards can be more restrictive than the state but not less restrictive, we need to look at both Variance ordinances and the appeal application.