



Town of Raymond Comprehensive Plan Committee ePacket November 1, 2023

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Agenda



Comprehensive Plan Committee Agenda

November 1, 2023

6:30pm – Meeting

At Broadcast Studio & via ZOOM

- 1) **Call to order**
- 2) **Minutes of Previous Meeting**
 - a) October 4, 2023
- 3) **Old Business**
 - a) Community Resilience Partnership
 - b) Legal Opinion Regarding Department Head Interview
- 4) **New Business**
 - a) CPC Article for Windham Eagle – Frank McDermott
 - b) Discussion of LD 2003 – Shawn McKillop
 - c) Discussion October 8 Sunday Telegram Article on Housing – John Rand
 - d) Vision Statement
 - Workgroup Report – John Clark
 - Workshop - Committee
 - e) Public Outreach
 - Public Outreach Check-in
 - New Business Card Distribution
 - Discuss Further Outreach: Listening Sessions/Focus Groups, New Video
- 5) **Next Meeting Date**
 - a) December 6, 2023 - tentative
- 6) **Public Comment**
- 7) **Comp Plan Committee's Comment**
- 8) **Adjournment**

Previous Meeting Minutes



Comprehensive Plan Committee Minutes

October 4, 2023

6:30pm – Meeting

At Broadcast Studio & via ZOOM

Committee Members Present: John Clark, Greg Foster, Kaela Gonzalez, Peter Leavitt, Frank McDermott, Shawn McKillop, Danelle Milone, John Rand, Jackie Sawyer

Committee Members Absent: none

NSP Staff Present:

Kate Burch, Planner

Town Staff Present:

Sue Look, Interim Town Manager & Town Clerk

Town Staff Absent:

Chris Hanson, Assistant Code Enforcement Officer

1) **Called to order at 6:30pm** by Chair Gonzalez with a quorum present

2) **Minutes of Previous Meeting**

a) September 6, 2023

Motion to approve as presented by Mr Foster. Seconded by Mr McDermott.

Unanimously approved

3) **Old Business**

a) First Draft Review of all Inventory Chapters & Map

Kate Burch has been responding to committee questions as she can. The number of seasonal houses is between the census number and the number of people who get their tax bill sent outside of Raymond. Short-term rentals are not tracked. Prices are becoming less affordable in Raymond and many houses are unoccupied most of the year. Possibly put back out the unanswered questions to the committee or the Town.

b) Public Outreach Event – Jan 2024

The gym is reserved for Jan 20 and Jan 27.

* Taken out of order

Comp Plan Committee Meeting Minutes

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October 4, 2023

c) Community Resilience Partnership

Will be discussed at a future meeting.

Mr McDermott brought up that the committee is missing an opportunity to gain knowledge by not interviewing Don Willard. There was discussion about the fact that Mr Willard is out on FMLA and cannot be contacted for any work-related issues/questions. Chair Leavitt asked that Interim Town Manager Look ask the Town Attorney if it is permissible for the committee to reach out to him as a citizen and interview him or ask him to come to a meeting.

4) New Business

- Initial Results of Vision Survey

Kate Burch reviewed a presentation of the results:

206 people responded

Most between 35-44 or 65-80, year-round residents, college educated, \$100,000+ income

Best thing is sense of community

Favorite outdoor space – Sebago Lake, known for - Lakes

Biggest threat to quality of life – Growth & development

- Vision Statement Preliminary Discussion

See Video for details at <https://www.raymondmaine.org/video-archives>

- * Update for Community – Continued outreach

Send a note to our email list and for the Road Runner about the survey and the January events.

Discussion about the lack of responses to the survey and ideas – putting a poster in each business with our business cards – to explain what the committee is doing and how much the committee is seeking the community involvement. We need to collect more email addresses. Mr McKillop and Mr McDermott and Chair Leavitt want to work on the posters to the businesses on either October 26 or 27.

The vision event and the future event are the 2 that the committee will want to put the most effort into community involvement.

List of businesses in a week and North Star will create posters and new business cards.

Mr McDermott will contact Ed Pierce at the Windham Eagle to see if they would consider interviewing the committee for an article.

5) Next Meeting Date

a) November 1, 2023

** Taken out of order*

Comp Plan Committee Meeting Minutes

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October 4, 2023

6) Public Comment

Taylor Winslow – 27 Baxter Road – she volunteered to interview Don for her podcast, she said the committee was wonderful. She was here on the side of the natural resources.

7) Comp Plan Committee’s Comment

Ms Sawyer watched a documentary, Live to 100, the Quality of the Blue Zone, about folks living into their hundreds and find the commonality to see if environmental changes and diet could change longevity and improve quality of life. Creating walking space, etc.

Chair Leavitt talked about the quality of life and the quality of place and how this relates to the Comp Plan.

Mr Rand read Nomad Century and found it very interesting.

Mrs Millone commented that we need to think about how we differ from Windham, not that Windham is bad.

8) Adjournment

Motion to adjourn at 8:16pm by Mrs Millone. Seconded by Mr McDermott.

Unanimously approved

Respectfully submitted,

*Sandy Fredricks
ZBA & Planning Board Admin*

* Taken out of order

Community Resilience Partnership

[Home](#) → [Community Resilience Partnership](#) → [Support for Communities](#)

Support for Communities

Participation in the Community Resilience Partnership is open to all municipalities, federally recognized tribes, and unorganized territories in Maine. The benefits of joining the Partnership include access to funding opportunities, help with project development and grant writing, trainings on important topics, and peer-to-peer learning events.

To join the Partnership and become eligible to apply for grant funding, a community only needs to take 3 simple steps, listed below under Enrolling in the Partnership.

Communities may complete the steps to join on their own or by working with a [service provider \(/future/climate/community-resilience-partnership/provider\)](#) and neighboring communities to join the Partnership as a group. For communities who are just starting on the road to climate action, working with a service provider during the enrollment process can bring expertise that helps identify new opportunities and priorities.

After joining the Partnership, communities are eligible for [Community Action Grants \(/future/climate/community-resilience-partnership/grants\)](#) to support climate action. The information below describes how to get started and apply for funding for climate action in your community.

Need ideas? Get inspired with [examples of climate projects by Partnership communities around Maine \(/future/climate/community-resilience-partnership/examples\)](#).

Benefits of Joining the Partnership (#BenefitsofJoiningthePartnership)

Tackling climate change is not easy. The Community Resilience Partnership offers many kinds of support for communities who are enrolled regardless of size, capacity, and previous experience with climate-related projects:

1. The enrollment process is designed to help communities take stock of their current activities and identify a few next steps based on their priorities. Two tools, the [Community Resilience Self-Evaluation \(/future/sites/maine.gov/future/files/inline-files/Community%20Resilience%20Self-Evaluation_2023-06-14.docx\)](#) and the [List of Community Actions \(https://www.maine.gov/future/sites/maine.gov/future/files/inline-files/List%20of%20Community%20Actions_2021-12-01_4.xlsx\)](#), help structure early conversations and can illuminate potential near-term projects.
2. Once enrolled, communities are eligible to apply for [Community Action Grants \(https://www.maine.gov/future/climate/community-resilience-partnership/grants\)](#) to undertake additional planning efforts or to implement the priorities identified during enrollment. These grants are offered twice a year.
3. In addition to grants, enrolled communities have access to a [Regional Coordinator \(/future/initiatives/climate/community-resilience-partnership/regional-coordinators\)](#) who can help with developing future project ideas and then aid researching and applying for grants, especially federal grants.
4. Enrolled communities may participate in training sessions hosted by the Regional Coordinators as well as peer-learning and networking opportunities regionally and statewide.

Enrolling in the Partnership (#EnrollinginthePartnership)

How to Get Help Applying (#HowtoGetHelpApplying)

Staying Enrolled (#StayingEnrolled)

Get Funding to Take Action (#GetFundingtoTakeAction)

Frequently Asked Questions (#FrequentlyAskedQuestions)

Credit

Information

Connect

APPROVED
APRIL 27, 2022
BY GOVERNOR

CHAPTER
672
PUBLIC LAW

STATE OF MAINE

—
IN THE YEAR OF OUR LORD

TWO THOUSAND TWENTY-TWO

—
H.P. 1489 - L.D. 2003

**An Act To Implement the Recommendations of the Commission To Increase
Housing Opportunities in Maine by Studying Zoning and Land Use
Restrictions**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 5 MRSA §13056, sub-§7, as amended by PL 2003, c. 159, §3, is further amended to read:

7. Contract for services. When contracting for services, to the maximum extent feasible, seek to use the State's private sector resources in conducting studies, providing services and preparing publications; ~~and~~

Sec. 2. 5 MRSA §13056, sub-§8, as enacted by PL 2003, c. 159, §4, is amended to read:

8. Lead agency for business assistance in response to certain events. Be the lead agency for the State to provide information and business assistance to employers and businesses as part of the State's response to an event that causes the Department of Labor to carry out rapid-response activities as described in 29 United States Code, Sections 2801 to 2872 (2002); ~~and~~

Sec. 3. 5 MRSA §13056, sub-§9 is enacted to read:

9. Establish statewide housing production goals. Establish, in coordination with the Maine State Housing Authority, a statewide housing production goal that increases the availability and affordability of all types of housing in all parts of the State. The department shall establish regional housing production goals based on the statewide housing production goal. In establishing these goals, the department shall:

A. Establish measurable standards and benchmarks for success of the goals;

B. Consider information submitted to the department from municipalities about current or prospective housing developments and permits issued for the construction of housing; and

C. Consider any other information as necessary to meet the goals pursuant to this subsection.

Sec. 4. 30-A MRSA §4364 is enacted to read:

§4364. Affordable housing density

For an affordable housing development approved on or after July 1, 2023, a municipality with density requirements shall apply density requirements in accordance with this section.

1. Definition. For the purposes of this section, "affordable housing development" means:

A. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs; and

B. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.

2. Density requirements. A municipality shall allow an affordable housing development where multifamily dwellings are allowed to have a dwelling unit density of at least 2 1/2 times the base density that is otherwise allowed in that location and may not require more than 2 off-street parking spaces for every 3 units. The development must be in a designated growth area of a municipality consistent with section 4349-A, subsection 1, paragraph A or B or the development must be served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system. The development must comply with minimum lot size requirements in accordance with Title 12, chapter 423- A, as applicable.

3. Long-term affordability. Before approving an affordable housing development, a municipality shall require that the owner of the affordable housing development have executed a restrictive covenant, recorded in the appropriate registry of deeds, for the benefit of and enforceable by a party acceptable to the municipality, to ensure that for at least 30 years after completion of construction:

A. For rental housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and

B. For owned housing, occupancy of all of the units designated affordable in the development will remain limited to households at or below 120% of the local area median income at the time of initial occupancy.

4. Shoreland zoning. An affordable housing development must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

5. Water and wastewater. The owner of an affordable housing development shall provide written verification to the municipality that each unit of the housing development is connected to adequate water and wastewater services before the municipality may certify the development for occupancy. Written verification under this subsection must include:

A. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;

B. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and

D. If a housing unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

6. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

7. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

8. Rules. The Department of Economic and Community Development shall adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. The rules must include criteria for a municipality to use in calculating housing costs. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 5. 30-A MRS §4364-A is enacted to read:

§4364-A. Residential areas, generally; up to 4 dwelling units allowed

1. Use allowed. Notwithstanding any provision of law to the contrary, except as provided in Title 12, chapter 423-A, for any area in which housing is allowed, a municipality shall allow structures with up to 2 dwelling units per lot if that lot does not contain an existing dwelling unit, except that a municipality shall allow up to 4 dwelling units per lot if that lot does not contain an existing dwelling unit and the lot is located in a designated growth area within a municipality consistent with section 4349-A, subsection 1, paragraph A or B or if the lot is served by a public, special district or other centrally managed water system and a public, special district or other comparable sewer system in a municipality without a comprehensive plan.

A municipality shall allow on a lot with one existing dwelling unit the addition of up to 2 dwelling units: one additional dwelling unit within or attached to an existing structure or one additional detached dwelling unit, or one of each.

A municipality may allow more units than the number required to be allowed by this subsection.

2. Zoning requirements. With respect to dwelling units allowed under this section, municipal zoning ordinances must comply with the following conditions.

A. If more than one dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-B, the lot is not eligible for any additional increases in density except as allowed by the municipality.

B. A municipal zoning ordinance may establish a prohibition or an allowance for lots where a dwelling unit in existence after July 1, 2023 is torn down and an empty lot results.

3. General requirements. A municipal ordinance may not establish dimensional requirements or setback requirements for dwelling units allowed under this section that are greater than dimensional requirements or setback requirements for single-family housing units, except that a municipal ordinance may establish requirements for a lot area per dwelling unit as long as the required lot area for subsequent units on a lot is not greater than the required lot area for the first unit.

4. Water and wastewater. The owner of a housing structure must provide written verification to the municipality that the structure is connected to adequate water and wastewater services before the municipality may certify the structure for occupancy. Written verification under this subsection must include:

A. If a housing structure is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the structure and proof of payment for the connection to the sewer system;

B. If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the structure, proof of payment for the connection and the volume and supply of water required for the structure; and

D. If a housing structure is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

5. Municipal implementation. In adopting an ordinance, a municipality may:

A. Establish an application and permitting process for housing structures;

B. Impose fines for violations of building, zoning and utility requirements for housing structures; and

C. Establish alternative criteria that are less restrictive than the requirements of subsection 4 for the approval of a housing structure only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B or 4-C.

6. Shoreland zoning. A housing structure must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

7. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

8. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

9. Rules. The Department of Economic and Community Development may adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

10. Implementation. A municipality is not required to implement the requirements of this section until July 1, 2023.

Sec. 6. 30-A MRS §4364-B is enacted to read:

§4364-B. Accessory dwelling units

1. Use permitted. Except as provided in Title 12, chapter 423-A, a municipality shall allow an accessory dwelling unit to be located on the same lot as a single-family dwelling unit in any area in which housing is permitted.

2. Restrictions. An accessory dwelling unit may be constructed only:

A. Within an existing dwelling unit on the lot;

B. Attached to or sharing a wall with a single-family dwelling unit; or

C. As a new structure on the lot for the primary purpose of creating an accessory dwelling unit.

This subsection does not restrict the construction or permitting of accessory dwelling units constructed and certified for occupancy prior to July 1, 2023.

3. Zoning requirements. With respect to accessory dwelling units, municipal zoning ordinances must comply with the following conditions:

A. At least one accessory dwelling unit must be allowed on any lot where a single-family dwelling unit is the principal structure; and

B. If more than one accessory dwelling unit has been constructed on a lot as a result of the allowance under this section or section 4364-A, the lot is not eligible for any additional increases in density except as allowed by the municipality.

4. General requirements. With respect to accessory dwelling units, municipalities shall comply with the following conditions.

A. A municipality shall exempt an accessory dwelling unit from any density requirements or calculations related to the area in which the accessory dwelling unit is constructed.

B. For an accessory dwelling unit located within the same structure as a single-family dwelling unit or attached to or sharing a wall with a single-family dwelling unit, the setback requirements and dimensional requirements must be the same as the setback requirements and dimensional requirements of the single-family dwelling unit, except for an accessory dwelling unit permitted in an existing accessory building or secondary building or garage as of July 1, 2023, in which case the requisite setback requirements for such a structure apply. A municipality may establish more permissive dimensional and set back requirements for an accessory dwelling unit.

C. An accessory dwelling unit may not be subject to any additional parking requirements beyond the parking requirements of the single-family dwelling unit on the lot where the accessory dwelling unit is located.

5. Shoreland zoning. An accessory dwelling unit must comply with shoreland zoning requirements established by the Department of Environmental Protection under Title 38, chapter 3 and municipal shoreland zoning ordinances.

6. Size requirements. An accessory dwelling unit must meet a minimum size of 190 square feet. If the Technical Building Codes and Standards Board under Title 10, section 9722 adopts a different minimum size, that standard applies. A municipality may impose a maximum size for an accessory dwelling unit.

7. Water and wastewater. The owner of an accessory dwelling unit must provide written verification to the municipality that the accessory dwelling unit is connected to adequate water and wastewater services before the municipality may certify the accessory dwelling unit for occupancy. Written verification under this subsection must include:

A. If an accessory dwelling unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the accessory dwelling unit and proof of payment for the connection to the sewer system;

B. If an accessory dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector under section 4221. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with subsurface wastewater disposal rules adopted under Title 22, section 42;

C. If an accessory dwelling unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the accessory dwelling unit, proof of payment for the connection and the volume and supply of water required for the accessory dwelling unit; and

D. If an accessory dwelling unit is connected to a well, proof of access to potable water. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

8. Municipal implementation. In adopting an ordinance under this section, a municipality may:

A. Establish an application and permitting process for accessory dwelling units;

B. Impose fines for violations of building, zoning and utility requirements for accessory dwelling units; and

C. Establish alternative criteria that are less restrictive than the requirements of subsections 4, 5, 6 and 7 for the approval of an accessory dwelling unit only in circumstances in which the municipality would be able to provide a variance under section 4353, subsection 4, 4-A, 4-B or 4-C.

9. Rate of growth ordinance. A permit issued by a municipality for an accessory dwelling unit does not count as a permit issued toward a municipality's rate of growth ordinance as described in section 4360.

10. Subdivision requirements. This section may not be construed to exempt a subdivider from the requirements for division of a tract or parcel of land in accordance with subchapter 4.

11. Restrictive covenants. This section may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid or enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of Maine.

12. Rules. The Department of Economic and Community Development may adopt rules to administer and enforce this section. The department shall consult with the Department of Agriculture, Conservation and Forestry in adopting rules pursuant to this subsection. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

13. Implementation. A municipality is not required to implement the requirements of this section until July 1, 2023.

Sec. 7. 30-A MRSA §4364-C is enacted to read:

§4364-C. Municipal role in statewide housing production goals

This section governs the responsibilities and roles of municipalities in achieving the statewide and regional housing production goals set by the Department of Economic and Community Development in Title 5, section 13056, subsection 9.

1. Fair housing and nondiscrimination. A municipality shall ensure that ordinances and regulations are designed to affirmatively further the purposes of the federal Fair Housing Act, 42 United States Code, Chapter 45, as amended, and the Maine Human Rights Act to achieve the statewide or regional housing production goal.

2. Municipalities may regulate short-term rentals. A municipality may establish and enforce regulations regarding short-term rental units in order to achieve the statewide or regional housing production goal. For the purposes of this subsection, "short-term rental unit" means living quarters offered for rental through a transient rental platform as defined by Title 36, section 1752, subsection 20-C.