



## **Planning Board Minutes**

Wednesday, March 8, 2006

7:00 pm.

### **Raymond Town Hall**

**Planning Board Attendance:** Patrick Clark, Chairman; Robert O'Neill, Vice Chairman; Allen Tait; and Samuel Gifford.

**Members absent:** Ginger Wallace, Nelson Henry, and Patrick Smith.

**Staff Attendance:** Hugh Coxe, Town Planner; and Karen Strout, Recording Secretary.

**Call to order:** Chairman Clark called the meeting to order at 7:08 pm. Clark introduced the Board and noted that there was a quorum in attendance to conduct business.

### **Consideration of minutes:**

**MOTION:** moved by Bob O'Neill and seconded by Sam Gifford to approve the minutes dated February 8, 2006 with minor edits. Vote 4/0.

**MOTION:** moved by Bob O'Neill and seconded by Allen Tait to approve the minutes of February 22, 2006 Public Hearing as presented. Vote 4/0.

**Correspondence:** There was no correspondence.

**Application:** An application was presented by Paul White, Code Enforcement Officer of the Town of Frye Island and Pat Cayer of Land Services Inc. The property is referenced by Raymond Tax map 2, lot 11 in the LR/RR zone. This Site Plan and Pre-application conference was requested for a 5000 sq. ft. staging area for Public Works for storing gravel and reclaim materials as needed to maintain Frye Island Town Roads. This 25.67 acre parcel is owned by the Town of Frye Island.

White gave a brief explanation of the proposal and added that until 1998 Frye Island was part of Standish and that activity at the proposed site had been halted in the spring of '05. The Town of Frye Island would like to start using the site in May of this year.

Cayer described the site referencing an aerial photo that had been superimposed over an

enlarged survey. He stated that he had added magenta contour lines at 10 foot intervals to further explain the topography of the site. Cayer reviewed what he felt were the drainage patterns and soils of the site and further stated that the applicant would be having a topographical study done to get a better feeling for the site. Cayer stated he would leave it up to the Board as to the level of detail needed for this study.

Chairman Clark asked Planner, Hugh Coxe to review his memo.

**Planner Hugh Coxe's memo:**

**Project Description**

This is a pre-application sketch review for a proposed staging area for the Town of Frye Island (“the applicant”). The applicant has purchased a 25.67 acre parcel which is mostly wooded and is located on the southern end of the Cape. The applicant wishes to develop an area of approximately 5000 square feet for storing gravel and reclaim materials needed for road maintenance on Frye Island. The site would be used exclusively by Frye Island. The applicant does not, at this time, have any further development plans for the parcel. The site would be accessed off Quarry Cove Road.

Though the project could be considered a “minor development” under **Article X, Section B.a of the Land Use Ordinance** which normally would not require planning board review, this project does require board review as the site is located in the LRR2 zone in which municipal uses must be reviewed by the planning board under the site plan review standards. See, Shore land **Zoning Provisions, Section 14.15.E.**

**Decisions/ Issues**

The applicant has requested a pre-application meeting with the board as permitted under **Article X, Section C.1.d. of the Land Use Ordinance** for the purpose of determining what submissions the board will require and what it would consider waiving given the small area of disturbance relative to the overall size of the parcel.

**Discussion**

**Site Plan Review Standards**

The relevant Site Plan Review standards are set out in **Article X, Sections D & E of the Land Use Ordinance**. These standards require applicants to provide adequate surface drainage, minimize erosion and stabilize disturbed soils. The standards also require the applicant to preserve the natural landscape or create buffering or screening to the extent necessary to “shield structures and uses from the view of noncompatible abutting properties.” Applicants must also mitigate adverse impacts to natural and cultural features of importance including trails.

**Submission Requirements**

**Article X, Section D of the Land Use Ordinance** sets out the submission requirements. These include a Site Plan that shows or includes:

- easements and rights-of-way
- surveyed topographic map of the site at 2 foot intervals
- location of watercourses, wetlands, surface water
- locations of culverts and drains

- existing soil conditions
- traffic circulation system - streets, parking lots, driveways
- public utility lines
- storm water management plan
- landscaping and screening
- disposal of solid waste
- perimeter boundaries of the site by bearings prepared by a registered land surveyor
- sewage disposal
- statement of the amount of area of land involved in the site
- statement re compliance with the performance guarantee
- trails
- erosion and sedimentation control plan

Several of these requirements are not applicable to this application such as proposed public utilities or proposed parking and traffic circulation. A number of the submissions might need to be provided depending on the extent a certain feature exists on or near the area proposed for development or will be part of the proposed development. These include locations of easements, rights-of-way, watercourses, wetlands, surface water, culverts, drains, streets, parking lots, driveways, and trails. It does not seem necessary to include any of these that are not in fairly close proximity to the site proposed for development and the applicant's sketch plan has provided a preliminary delineation of some features in that area.

The plan should probably also discuss any landscaping and screening (this will depend on whether there seems to be any need to screen the proposed site from neighboring properties or from the road), the disposal of any solid waste (if there will be any solid waste generated at the site) and should provide a statement about how the applicant will provide a performance guarantee.

The board will need to provide some feedback to the applicant about whether, and to what extent, it will require a storm water management plan and an erosion and sedimentation control plan. In conjunction with those plans the board may want to see some level of topographic mapping to help it understand the site. It will be important to balance the concern for water quality protection from a site that is about 750 feet from the Sebago Lake shoreline, with the relatively minor 5000 square feet of site disturbance proposed.

### **Waiver Standards**

**Article X, Section D.2 of the Land Use Ordinance** permits the Board, upon request, to “waive the necessity of providing any of the foregoing planning information that is not relevant to the proposed development.”

The ordinance does not provide further guidance for determining what information is “relevant” but the board should probably focus on what submissions will be necessary for the applicant to satisfy its burden of showing that the project complies with the site plan review standards. In doing so the board should consider the particular features of this project and this site such as the size of the proposed development area, the location of the proposed development area relative to neighbors and to water bodies, and the proposed activities and uses on the site.

The primary issue the applicant will need to address with its submittal will be demonstration that the site will be stabilized during and after site development so that disturbed soils, and materials stored on site, will not be transported off site and into the nearby lake during storm events.

### **Comments from the Board:**

Member **Allen Tait** inquired about the proximity of the site to the water. He was told that the site was approximately 700' away. Tait also asked about the wetlands and the surrounding low area. He was told that the low areas were forested wetlands. Tait stated that he felt that the Shore land Standards held important relevance to this project due to the site's proximity to the lake.

Board member **O'Neill** asked if Frye Island were planning to build a structure. White stated that they were not planning a structure at this time, but might be proposing one in the future. O'Neill asked for an explanation of how the phosphorous standards would apply to the runoff from the stockpiles. Cayer responded that it would be important to have permanent erosion control measures in place as well as proper grading at the site.

Member Sam **Gifford** inquired about the visual nature of the site and the natural screening in the area. He was told that the area was pretty thickly wooded and there was also a large boulder in the area that offered some visual buffer. White further stated that it was a quiet neighborhood and the visual impact of the staging area would have minimal to the neighbors; not a significant impact to the neighborhood. White said that the site would be shut down in October, operating only from May to October. He added there would be no salt on the site, only gravel and asphalt reclaim materials.

Cayer made a request that the Planning Board consider deferring this proposal to the Raymond Code Enforcement Office for review rather than coming before the Planning Board for review. Chairman Clark asked Planner Coxe, if this option was viable. Coxe commented that he was not prepared to answer that and would need to seek the opinion of the Town Attorney as to the legality of that route.

**Chairman Clark** asked whether or not the survey of the property had been recorded. Cayer did not know. Clark inquired about Quarry Road which runs thru the property, since it was not mentioned in the survey. Cayer commented that Quarry Road is a private road on private property. A ROW was not referenced.

Consensus of the board regarding the review of the proposal was that the environmental issues needed to be carefully addressed, but that many of the review standards could be granted waivers. Coxe cautioned that the requested waivers needed to be written with a point by point rationale. The Board agreed that the 50' around the site should be shown on the plan submitted, and the applicant did not have to show the entire 25 acre site.

It was agreed that Planner Coxe would check with the Town Attorney regarding the Frye Island staging project for a legal interpretation as to whether or not the Code Enforcement Officer could review the proposal in lieu of Planning Board Review.

**OTHER BUSINESS:**

Chairman Clark gave his CPIC update. He stated he felt there would be support from the proposed budget for Planning for resources and ordinance work.

Clark reminded the Board of upcoming dates and encouraged members to get their topics for the April workshop in to Karen.

**MOTION:** moved by O'Neill and seconded by Gifford to adjourn at 8:36 pm. Vote 4/0.

Meeting adjourned at 8:36 pm.

Karen Strout

Recording Secretary