



## **Planning Board Workshop Minutes**

Wednesday, April 26, 2006

7:00 pm.

### **JSMS Portable Classroom**

**Planning Board Attendance:** Patrick Clark, Chairman; Ginger Wallace; Patrick Smith; Allen Tait; and Samuel Gifford.

**Members absent:** Robert O'Neill, Vice Chairman; Nelson Henry.

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

**Call to order:** Chairman Clark called the meeting to order at 7:00 pm. Chairman Clark asked for a roll call, and stated that there was a quorum in attendance to conduct business. Chairman Clark stated that the purpose of the workshop was to continue ordinance review which had been started at a workshop on September 21, 2005. Planner Hugh Coxe told the board that he would prepare a marked up copy of the items discussed and the the Board could meet and discuss the draft as a whole.

### **Discussion points:**

- ◆ Backlots and backlot driveways need a significant rewrite. Possibly a policy change. Septics and phosphorus requirements also need to be addressed with changes.
- ◆ Chairman Clark asked members to keep an on going list of definitions that need to be refined. Clark stressed their importance to the ordinance.
- ◆ Guidelines for undue hardship.
- ◆ Definitions:
  - condominium
  - houseominium
  - multifamily
  - condominium ownership
  - private way
  - buffer
  - vegetative buffers
  - landscape buffers
  - ROW
  - easement
- ◆ Add Allen Tait's list for future workshop discussion
- ◆ Add Ginger Wallace's list for future workshop discussion

The Chairman asked Hugh Coxe to continue with the list that had been prepared for the September 21, 2005 workshop.

### **Planning Board list for workshop ( created for 9/12/05 workshop)**

1. **Subdivisions in general:** Consider defining a **lifespan** for subdivision approvals. This could enable the board to apply current standards to subdivision plans that were approved in the past but not executed for this to-be-defined period. This might also allow us to apply current standards to amendments.

**Discussion:** Hugh commented that the two major issues that occur when there is no expiration date is 1) regulations change 2) the old subdivisions still remain on paper. Hugh will do some research on what other towns are doing. One suggestion was to have a two year limit with one extension being granted.

2. Article X, Section F, Subsection 12.a (of Land Use Ordinance): Consider requiring that the **road frontage**(in lieu of approved internal roads) be suitable for a driveway. I think this is the intent. It seems the language simply requires the frontage.

**Discussion:** This is no longer an issue.

3. **Increase subdivision and site plan submission copies from 12 to 15 copies.** Secretary asked that the numbers be increased because need. Seven copies are needed for Planning Board members and other copies are needed for Portland Water District, Raymond Fire Department, Public Works, Code Enforcement, Town Planner, and the Town Office File. It would be beneficial to have a copy for the Conservation Committee, and one available if peer review were requested. Chairman Haskell stated that he would put that on the list that he was compiling for changes. In the meantime the additional copies from the applicant will be asked for as a courtesy.

4. Requirements for **off site improvements** for subdivisions.

**Discussion:** Consensus was that it was a good idea, but should be proportional to the project. There would need to meet approvals from the Town and State guidelines. Specific projects would need to be determined for the money collected, and there is some bureaucracy involved. It was commented that this was a big policy change and this might not be good timing as the application fees were increased by 56% in March. Hugh also told the Board that the discussion of impact fees had been brought up at CPIC during the discussion of the Growth Management Ordinance.

5. **By-laws** need to be reviewed for errors, inconsistency, and relevance.

**Discussion:** These are primarily housekeeping issues. Changes need to be made to be current with the ordinance and office practices.

### **6. Plan Review Committee**

**Discussion:** This had been established, but never utilized. Time for an another meeting just does not seem to fit into the schedule. Hugh commented that he was able to connect with Code Enforcement Officer Jack Cooper, and the Fire Inspector Josh Stevens on Thursdays. Chairman Clark commented that he would like to see something in writing from the dept heads in reference to the projects before the Board on a regular basis.

Although all of the department heads get a complete packet of materials, the response is limited. The idea of having a quick email checklist was suggested, to at the least acknowledge that the packets had been received.

7. **Findings of fact-** need a more formal approach

**Discussion:** Consensus was that this would be particularly important for waivers and denials of projects. If a project were expected to be denied, the best practice would be to table the application and develop the findings and bring them to next meeting.

8. **Off site improvements by developers** (Same as 4)

9. **Open Space development policy**; how the open space land is to be managed, restrictions placed on the land, allowable uses for the open space land, etc.

**Discussion:** The members felt there really needed to be clarification of the right of public access to the open space vs. easements thru the open space. There is a case on both sides of the issue to allow public access to the open space vs. keeping the area private for the residents of the development.

**Land Use Ordinance**

The Board began by looking at the definitions section of the Land Use Ordinance.

**Discussion:**

Net Residential Area or Acreage definition needs to have language added regarding deductions for ROW, existing easements, and other encumbrances. The percentage for slopes in item 2. could be changed from 35% to 25% which is in line with most other ordinances. Item 5 should be changed to read wetlands with a clearly defined definition added. Add definition for resource protection.

**Additional edits:**

Page 10 of Subdivision Ordinance 2.17 update the references to BMP manual.

Page 11 item 2.18 strike out registered professional engineer.

Page 11 item 2.21 is totally subjective; make reference to IFW and a letter from IFW.

Page 12 item 2 generated quite a discussion. Consensus was that the Board would like to see the final DEP report. A comment was that the Board never sees what they have determined and would like to have the applicant come back for final approval after the report has been received. It was a consensus that the DEP waiver not be granted.

Hugh mentioned that presently it is not a submission requirement. Hugh agreed to draft language that the Board may require other agency applications as part of the application process before final approval. This type of item could be on an administrative action list and the application would be tabled until the DEP report is in.

Page 12 item 3.1 is not being enforced now. A better approach would be to have the applicant provide evidence from a well driller familiar to that area that a sufficient quantity of water could be obtained. Item 4- HHE200 or TP info should be sufficient to cover this.

Page 13 item 1 needs to be changed to 15 copies. Section 3. 1. add 3 paper copies after mylar.

Page 17 section 4.1. The 10% requirement is problematic. It would be better not to require a specific percentage, but require a meaningful open space.

Page 18 section 5- delete I & II from VR.

Page 19 item 5. It needs to be clarified as how to calculate the three to one ratio.

Page 20 Section 15. Phosphorus Control. This entire section needs to be rewritten.

Page 22 items 2.5, 2.6, and 2.9 needed revisions.

Page 23 Section 6. 2. change the water main to 8" from 6".

Chairman Clark scheduled the next workshop to work on the ordinances for Wednesday, June 28<sup>th</sup>, 2006. He stated that he would like to schedule them every two months to prepare for a possible Special Town Meeting in the Fall.

MOTION: moved by Tait and seconded by Gifford to adjourn at 9:40 pm.

Karen G. Strout  
Recording Secretary