

**TOWN OF RAYMOND
PLANNING BOARD MINUTES**

Wednesday, January 10, 2007

7:00 pm.

Jordan Small Middle School Broadcast Studio

Planning Board Attendance: Patrick Clark, Chairman; Robert O'Neill, Vice Chairman; Ginger Wallace; Patrick Smith; Allen Tait and Nelson Henry.

Absent: Sam Gifford.

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

1.Call to order: The meeting was called to order at 7: 03 pm. Roll was called and it was determined that there was a quorum present to do business.

2. Approval of Minutes:

MOTION: moved by O'Neill and seconded by Smith to approve the minutes dated December 13, 2006 with the change of the word " continued" to "tabled" on page 3, line 2. Vote 6/0 to approve.

MOTION: moved by O'Neill and seconded by Henry to approve the site walk minutes dated January 6, 2007 , submitted by Bob O'Neill, as corrected. Vote 2/4 abstained. Majority of those present voted in the affirmative.

3. Correspondence:

A letter from Archie Tripp dated December 16, 2006 re: Loon Run was received and placed on file to be read when the project is on the agenda.

4.Tabled Application:

Map 17, Lot 43, LRR1 and Rural – Inlet Point Road/Loon Run

Liastasa Management LLC

Requesting Preliminary Approval for 13 single family and 30 multi-family units on 63 acres.

This application was tabled by the Chairman due to lack of submission of materials previously requested.

7:14 pm

5. Public Hearings:

a. Map 13, Lot 7 B RR

Mamaw's Grove

Kevin Tibbitts

Amended subdivision plan to realign turnaround.

Planner Coxe reviewed the application via his memo which is on file.

Planning Board members led by Chairman Clark discussed the application requirements.

7:22 pm

7:27 Public Hearing Opened.

There was no public comment.

7:28 Public Hearing Closed.

MOTION: moved by O'Neill and seconded by Wallace to grant to Kevin Tibbbits the subdivision amendment requested for Mamaw's Grove , referenced by Raymond Tax Map 13, Lot 7 B, with the following conditions of approval:

- 1.All conditions from the Raymond Planning Board's approval of the Mamaw's Grove Subdivision on February 8, 2006 shall remain conditions of this amended subdivision approval.
- 2.The development shall be constructed and maintained in accordance with the plans, specifications, testimony, submissions, and supporting documents presented to the Planning Board in conjunction with the developer's application for amended subdivision approval.
- 3.Prior to release of the recording mylar, but not later than July 10, 2007, the applicant shall revise the plans pursuant to the testimony and proceedings of the January 10, 2007 Planning Board meeting. Those revisions shall include, but not be limited to:
 - a. Removal from the plans of an area labeled on the plan dated October 16, 2006 as "Wetlands Disturbance, 2000' +/-, by Paul Lawrence." This area is located in or along the Woods Road depicted on the plan.
 - b.Revisions which clearly indicate, either through drawings, notes or a combination, that line "L4" on the plan dated October 16, 2006, is the end of the right-of-way.
 - c.Modifications to the proposed road so that it is shown on the plan in such a way that meets the provisions of the Raymond Street Ordinance and the Raymond Subdivision Ordinance. Specifically, the plans should clearly show all edges of the proposed road, the proposed road should be shown so that the roadway is fully within the right-of-way, and the proposed constructed turnaround shall be shown.

Vote: 6/0 to approve.

7:30pm

**b. Map 4, Lot 31A, LRR2/ Fire Lane 12 off Cape Road
Dependable Builders Group Inc./ Daniel Franzone
Requesting Preliminary Approval for 4-lot subdivision.**

Chairman Clark recused himself because of his involvement with project. Vice Chairman O'Neill took over the Chair.

Planner Hugh Coxe reviewed his memo discussing the waivers requested and their rational. He noted his concerns.

Bill Thompson of BH2M spoke on behalf of the applicant. He pointed out the few changes that had been made from the earlier design. He stated that they felt the impact to wetlands would be less. He clarified that Turtle Cove Estates is now the project name. Spiral bound submission application was reviewed by Thompson. Among the comments made was that there would be passive use only of open space which would be controlled by homeowners association.

7:51

Andy Morrell of BH2M addressed the Board on the storm water and phosphorus requirements and how they intended to meet them. He also made comments on the the waivers they were requesting.

8:12 Public Hearing was opened.

Patrick Clark of 24 Kelly Lane commented favorably regarding the project.

8:17 Public Hearing was closed.

Board discussion followed with their comments and suggestions.

8:48pm

MOTION: moved by Smith and seconded Henry to grant a waiver of the requirement in **Article IX, Section 3.2.5 of the Subdivision Ordinance** that limits dead-end streets in subdivisions to 1,000 feet in length from its connection with an existing public street or an approved subdivision street. road access.

Vote: 6/0 to approve.

MOTION: moved by Smith and seconded by Tait to grant a waiver of the storm water quantity requirements of **Article V Section 2.2.12** that post-development runoff from the site does not exceed pre-development runoff rates for the 2, 10, and 25 year storm events. for storm water.

Vote: 6/0 to approve.

MOTION: moved by Smith and seconded by Wallace to grant a waiver a of the **Article V Section 2.2.20** requirement for a landscaping plan.

Vote : 6/0 to approve.

All waivers requested were granted.

MOTION: moved by Tait and seconded by Henry to grant preliminary approval to Daniel Franzone/Dependable Builders for Turtle Cove Estates , referenced by Raymond Tax Map 4, Lot 31 A, a 4-lot open space subdivision, with the following conditions of approval:

1. Prior to final approval, the applicant shall submit copies of any permits required by Maine DEP.
2. Prior to final approval, the applicant shall provide a final road agreement and documents for the homeowners association for review by the town attorney to ensure that the ownership and responsibility of open space and common elements of the subdivision is clear.
3. Prior to final approval, the applicant shall get the approval of appropriate town officials for a street name and make provisions for a street sign.
4. Prior to final approval, the applicant shall include a note on the plan, per **Article IX, section 3.2.10 of the Subdivision Ordinance** stating: *"All roads in this subdivision shall remain private roads to be maintained by the developer or the lot owners and shall not be accepted or maintained by the Town until they meet all municipal street design and construction standards and are approved as such by the Town Meeting."*
5. Prior to final approval, the applicant shall submit revised plans that include a vegetated buffer of 50 feet between the proposed lots 2 & 3 and the properties to the east and a note indicating that no cutting or clearing of vegetation shall be permitted except to remove storm-damaged, diseased, unsafe or dead trees.
6. Prior to final approval, the applicant shall submit revised plans that include a note on the plan indicating any waivers granted by the Raymond Planning Board.
7. Prior to final approval, the applicant shall revise the plans pursuant to the testimony and proceedings of the January 10, 2007 Planning Board meeting. Those revisions shall include, but not be limited to:
 - a. Provision of street lighting at the intersection with Cape Road pursuant to Public Safety input.
 - b. Relocation of portions of the road as presented and discussed at the January 10, 2007 Planning Board meeting.
 - c. Updated road design drawings that reflect the changes proposed at the January 10, 2007 Planning

- d. Board meeting.
 - e. Contour lines on the subdivision plan.
 - f. Metes and bounds on the subdivision plan to show the location of all easements and buffer areas.
 - g. Depictions on the subdivision plan that shows the areas of wetland impact.
 - h. Plans for permanent markings in the ground and/ or blazing on trees to delineate the common open space
8. Prior to final approval, the applicant shall submit revised plans that include a note on the plan indicating that wetlands on individual lots and wetlands within 250 feet of the high water mark of Sebago Lake shall not be disturbed unless permitted by DEP.
 9. Prior to final approval, the applicant shall submit additional proposals for treating storm water runoff from the road in the vicinity where the stream is located (approximately at station 14+00).
 10. Prior to final approval, the applicant shall submit revised plans that include a note on the plan stating: *“The property shown on this plan may be developed and used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.”*

Waivers

Based on its finding that there is no other means to access the applicant’s land and that the fire department is satisfied that the added road length as presented on the plans will not impact their ability to fight a fire as long as the houses meet the department’s sprinkler requirements, the board grants a waiver of the requirement in **Article IX, Section 3.2.5 of the Subdivision Ordinance** that limits dead-end streets in subdivisions to 1,000 feet in length from its connection with an existing public street or an approved subdivision street.

Based on its finding that the site drains directly into Sebago Lake and therefore storm water detention is not necessary and that the project will meet the DEP’s and town’s water quality standards, the board grants a waiver of the storm water quantity requirements of **Article V Section 2.2.12** that post-development runoff from the site does not exceed pre-development runoff rates for the 2, 10, and 25 year storm events.

Based on its finding that the site is already wooded, the first 1800 feet of roadway already exists (and therefore will not require much cutting or clearing to upgrade), and each lot will retain much of the existing vegetation, the board grants a waiver of the **Article V Section 2.2.20** requirement for a landscaping plan.

Vote : 6/0 to approve.

6. Applications:

There were no sketch plan applications presented.

9:02pm

7. Other Business:

a. CPIC Update: given by Planner Coxe. Coxe reported that CPIC Chairman Chris McClellan had asked for a figure for the funding for design guidelines for Commercial District which would be a joint budget request for next year for the CPIC & Planning Board.

b. Louise's memo: Chairman Clark read a memo regarding the new format for minutes now that the video is the official record.

c. DEP Reports: Clark brought up several questions regarding these reports. Would it be reasonable to request an applicant to come back to the Board after the report comes in? Hugh suggested administrative approval might be the way to deal with this.

Should the Board to be getting the report. ??? or a special form submitted with a report summary of changes? Or rather than a review at just staff level, the Board can act on these as administrative review items?

d. Ordinance work being done: Hugh reported that George Thebarg is helping with the work on the ordinances.

e. Resignation of Allen Tait was accepted. The Members praised him for his service and stated their appreciation of the time he had spent on the Board.

MOTION: moved by Wallace and seconded by Smith to accept the resignation of Allen Tait. 6/0.

8. Adjournment:

MOTION: moved by O'Neill and seconded by Clark to adjourn.

Meeting was adjourned at 9:40 pm.

Karen G. Strout

Recording Secretary