

**TOWN OF RAYMOND  
PLANNING BOARD MINUTES**

Wednesday, February 21, 2007

7:00 pm.

**Jordan Small Middle School Broadcast Studio**

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

**Absent:** Robert O'Neill, Vice Chairman.

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

**1.Call to order:** The meeting was called to order at 7 :02 pm. Roll was called and it was determined that there was a quorum present to do business.

**2. Approval of Minutes:**

**MOTION:** moved by Smith and seconded by Wallace to approve the minutes dated January 10, 2007 with the correction of the spelling of "Thebarge" on last page.

Vote : 4/1 abstention.

**MOTION:** moved by Clark and seconded by Henry to approve the workshop minutes dated January 17, 2007 as presented.

Vote: 2/ 3 abstentions.

**3. Correspondence:**

- a. Letter dated Jan. 30 from Craig Messinger, Town of Raymond Fire Inspector re: Speedy Gas
- b. Letter dated Feb. 9 from John Bennett re: Painted Ridge
- c. Letter dated Feb. 16 from John Bennett re: Painted Ridge
- d. Email dated Feb. 16 from Jim Hutchinson re: Pullen Subdivision
- e. Letter dated Feb.20 from Nathan White, Town of Raymond Public Works Director re: Loon Run

Chairman Clark acknowledged the correspondence and felt it more appropriate to read each letter when the application referenced was being discussed by the Board.

**4. Tabled Application:**

Map 17, Lot 43 LRR1 & R  
Inlet Point Road/ Loon Run  
Liastasa Management, LLC  
Continued from December 13, 2006, requesting Preliminary Approval for subdivision for 13 sf & 30 multifamily age restricted units on 70 acres.

Chairman Clark asked for Planner Hugh Coxe to summarize his memo. Coxe responded that he felt it would be best for the Board to address threshold issues first, specifically the density calculations. He added that the Town Attorney, Chris Vaniotis, was present to clarify legal questions for the Board.

Wallace asked for further clarification. Does this plan reflect the true existing conditions ?? Is the first phase based on the land as it is now? She was told that it was based on the existing conditions.

7:25 pm

Applicant ' s representative Pat Cayer of Land Services Inc , along with Attorney Chris Neagle, and Engineer Mark Gray reviewed the project's progress. The contractor is on site now. The haul road is being constructed to the site. Extraction is going on at a quite rapid pace at this time; they are aggressively moving along.

Cayer asked for a Board vote on conditions that were threshold issues.

**Proposed condition of approval two was discussed.**

At the time of approval of this plan, the Planning Board has determined that the portion of the development parcel that is situated within the shore land zone contains ±4.4 acres of land zoned Resource Protection as a result of having contiguous sustained slopes of 20% or greater. Such land has been deducted from the net residential acreage of the parcel, limiting allowable net residential density to 25 dwelling units. Pursuant to a mineral extraction permit and reclamation plan approved by the Planning Board on May 10, 2006, the subdivider proposes to re-grade portions of the site and anticipates that such re-grading will reduce the amount of land zoned Resource Protection by ±4.4 acres, thereby allowing 5 additional dwelling units within the subdivision.

This approval authorizes the construction only of units 1 through 24 as shown on the plan. Units 25 through 30, identified on the Plan as Phase 2, shall not be constructed unless the subdivider demonstrates to the Planning Board that, as a result of the mineral extraction and reclamation on the parcel, the area of the parcel zoned Resource Protection due to steep slopes has been reduced by ±4.4 acres, at which time the Planning Board's review shall be limited to condition compliance only. Such demonstration of compliance with this condition shall be in the form of an as-built post-mineral extraction topographic survey prepared by a professional land surveyor depicting contours at a minimum of two-foot intervals and drawn on the same scale as the previously approved reclamation plan. The Code Enforcement Officer shall not issue building permits for units 25 through 30 until the Planning Board has confirmed in writing that the subdivider has made such demonstration to the satisfaction of the Planning Board.

Attorney Chris Neagle suggested adding language to that condition of approval because the applicant does not want to come back and face another subdivision review. They want to show compliance, but are not sure where they will be with infrastructure at the end of phase one.

Attorney Chris Vaniotis added that when they come in for the additional five units, that the Board can look at the compliance of the project and the work that has been done. He also suggested language to be added to be condition number two.

**Proposed condition of approval one was discussed.**

No residential units or residential lots may be sold until the roadway and storm water infrastructure is completed in accordance with the approved development plans, except that application of the finish coat of pavement may be delayed (subject to a performance guaranty) until such time as \_\_\_\_% of the residential unit construction has been completed.

**MOTION:** Moved by Smith seconded by Gifford to accept condition of approval one as modified “ until such time as substantially complete- two years from the issuance of first building permit.”

Vote : 5/0 to accept.

**MOTION:** Moved by Gifford and seconded by Smith to accept condition number two as modified “review shall be limited to the existing site conditions and requirements of the subdivision.

Vote: 5/0 to accept.

Pat Cayer of LSI asked permission to give a quick review of the project with a power point presentation. He reviewed the progression of meetings they had before the Board and explained the modifications that had been made along with summarizing the changes. Mark Gray reviewed modifications that had been made to the engineered drawings. Chris Neagle went over changes in the declarations and tried to address all of Planner Coxe's comments.

Chairman Clark read abutter Archie Tripp's letter dated December 16, 2006, in which he stated his concerns about the proposed development. Another abutter, Gary Bucklin's email letter was also read into the record posing a question about the use of Inlet Point Road. Town of Raymond Public Works Director Nathan White's letter dated February 20, 2007 was read as well.

The Board requested that another condition be added that prior to building permits being issued on site septic sites would be reevaluated.

8:57 pm

Waiver requests- see hard copy for Loon Run- Page 3.

The applicant was instructed that Conditions of Approval 1 and 2 should go on the plan along with the waivers that were granted.

**MOTION:** Moved by Smith and seconded by Gifford to grant the waiver for two entrances.  
Vote 5/0 to approve.

**MOTION:** Moved by Gifford and seconded by Smith to grant the waiver for 10% grade for private streets. Vote 5/0 to approve.

**MOTION:** Moved by Smith and seconded Clark to grant the wavier for storm water management plan. Vote 5/0 to approve.

**MOTION:** Moved by Smith and seconded by Gifford to approve the waiver requirement for two septic sites.  
Vote 5/0 to approve.

**MOTION:**Moved by Smith and seconded by Gifford to grant preliminary approval with conditions as discussed.  
Vote 5/0 to grant approval.

9:15pm

## **5. Public Hearings:**

a. Map 55, Lot 30 C  
1239 Roosevelt Trail  
Anthony Accuosti  
Site Plan Review for 3000 sq ft building.

Jim Manzer represented Speedy Gas and provided an overview of the proposal which will include a convenience store, dunkin donuts, and sandwich shop.

Topics of discussion were:

- ◆ traffic
- ◆ what is the site??
- ◆ reconfigured exit
- ◆ signage
- ◆ performance guarantee
- ◆ storm water management

Public Hearing was opened at 9:39 pm

Marjorie Scott of Elizabeth Avenue spoke of her concerns about traffic and safety and requested that they eliminate the exit on Elizabeth Avenue. "Do not let them come out on Elizabeth Avenue . Make them exit on 302 and let the State deal with it."

Public Hearing closed at 9:41 pm.

Board discussion included the following:

- ◆ parking
- ◆ buffering -where does it start?
- ◆ Storm water permit
- ◆ wells on site
- ◆ private wells-evidence not within 100' of septic.
- ◆ parking spaces
- ◆ pavement in 302 row

10:30 pm

**MOTION:** moved by Smith and seconded by Henry to waive the 10:00 rule and to continue to 11 pm. Motion failed to receive unanimous support.

**7. Other Business:**

- a. CPIC Update: given by Planner Coxe.
- b. Announcements was made of upcoming meetings and MMA training
- c. Signing of mylar

**8. Adjournment:**

**MOTION:** moved by Smith and seconded by Gifford to adjourn.  
Meeting was adjourned at 11:15 pm.

Karen G. Strout

Recording Secretary