



## TOWN OF RAYMOND

### PLANNING BOARD MINUTES

Wednesday June 13, 2007

7:00 pm.

Jordan Small Middle School Broadcast Studio

**Planning Board Attendance:** Patrick Clark, Chairman; Robert O'Neill, Vice Chairman; Ginger Wallace; Sam Gifford; Patrick Smith and Greg Foster.

**Absent:** Nelson Henry.

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

#### **1. Call to order:**

The meeting was called to order at 7:07 pm. Roll was called and Chairman Clark determined that there was a quorum present to do business. Clark welcomed everyone and read this evening's agenda.

#### **2. Election of Officers:**

**MOTION:** Moved by Gifford and seconded by O'Neill to re-elect Patrick Clark to serve as Chairman for the next year.

Vote: 6/0.

**MOTION:** Moved by Wallace and seconded by Smith to re-elect Bob O'Neill to serve as Vice-Chairman for the next year.

Vote: 6/0.

#### **3. Approval of Minutes**

**MOTION:** Moved by Wallace and seconded by Gifford to approve minutes dated May 9, 2007 as distributed.

Vote: 6/0.

**MOTION:** Moved by O'Neill and seconded by Gifford to approve minutes dated May 16, 2007 as presented.

Vote: 6/0.

7:13 pm

#### **4. Correspondence:**

There was no correspondence.

#### **5. Application:**

Map 4, Lot 31A, LRR2

Fire Lane 12

Turtle Cove Estates

Daniel Franzone/ Dependable Builders

Requesting final approval for a four lot subdivision on Turtle Cove.

Chairman Clark recused himself from this project due to his relationship as an abutter. Vice Chairman Bob O'Neill took over the meeting at this point. He asked for the Planner to review his memo to the Board.

#### **Planner Coxe summarized the project:**

This is a final application review for this 4-lot subdivision on 29.3 acres on Turtle Cove, an inlet of Sebago Lake. The property is located off of the Raymond Cape Road and is accessed by an existing private gravel road with a 50-foot right of way. The lots are to be served by on-site subsurface wastewater disposal systems and individual drilled wells. The applicant proposes to upgrade the existing road to the boundary of the property and then build a new road to serve the four lots and provide the necessary road frontage.

The plan shows four lots ranging in size from just over 3 acres, the minimum allowed in this zoning district, to a little over 7 acres. The plan also calls for almost 9 acres of open space at the back of lots # 1 & 2 and along the water front, as well as 50-foot wide areas of common open space around much of the perimeter of the subdivision linking the open space.

The preliminary approval included ten conditions to be satisfied in order to receive final approval. The applicant has submitted a memo explaining how each of those conditions has been addressed along with revised plans.

#### **Comments by the applicant's agent:**

Bill Thompson of BH2M spoke on behalf of the applicant and reviewed how they had addressed the outstanding issues. The following documents have been provided to the Board: a copy of the DEP permit, the final road agreement and homeowners' association documents. They submitted a proposed road name to Code Enforcement Officer, Jack Cooper and received approval for the name "Eastern Painted Turtle Cove Road." They have included a note on the plan (note #23), stating that roads in the subdivision shall remain private and shall not be accepted unless they meet street standards. They have revised plans showing a vegetated 50 foot buffer between lots 2 & 3 and the properties to the east and a note limiting cutting or clearing (note #17). They have submitted revised plans that show buffers between lots 2 & 3 and the properties to the east along with a note (#17) limiting cutting or clearing in those buffers. Notes have been put on the plan to show waivers granted (#20). Revised plans have been submitted to include the revised plans for including a street light on an existing power pole on the Raymond Cape Road. The revised plans reflect the relocation of portions of the road per the January 10, 2007 Planning Board meeting. The section of road from about station 19 +00 on has been shifted to the north. This serves to site the road on less steep terrain from station 20 +00 to 23 +00 and reduces wetland impacts by placing the road turnaround outside of the wetland. The revised roadway design plans reflect the changes proposed at the January 10, 2007 Planning Board meeting. All portions of the proposed road now meet the design standards in Section 5.5 (A) of the Street Ordinance, which requires a maximum grade of 10% for a private street. The revised plans show contour lines, metes and bounds on all easements and buffers, areas of wetland impact. Open Space areas are shown on the revised plans to be marked by blazed trees. Note (#18) was added on plan indicating that wetlands within 250 feet of Sebago Lake shall not be disturbed unless permitted

by DEP. The applicant further commented that he has proposed two additional measures to prevent erosion from storm water runoff in the area of the road where the stream is located. The first is to construct a 3-foot wide gravel shoulder in accordance with the town's specifications but to loam and seed the area in order to reduce the potential for gravel eroding into the stream. The second measure is to plant low spreading yews at the top of the slope on both sides of the road to create a more stable side slope and thus reducing the potential for erosion. Previous plans submitted as part of the application for preliminary subdivision approval showed a 50-foot wide right of way along the boundary of lot 1 extending from the proposed road to the parcel to the north as a potential future connection. Thompson clarified that they did not plan to make a connection and added that a note that it is open space would be on the plan.

**MOTION:** moved by Smith, seconded by Gifford to grant final approval to Daniel Franzone/ Dependable Builders for Turtle Cove Estates, a four lot open space subdivision referenced by Raymond Tax Map 4, Lot 31 A LRR 2 with the following conditions of approval:

1. 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 subdivision approval.
2. Prior to the release of the recording mylar, but not later than December 13, 2007, the applicant shall provide a final road agreement and a Declaration of Protective Covenants, Reservations, Restrictions and Easements for the homeowners association in a form that is satisfactory to the town attorney.
3. Prior to the release of the recording mylar, but not later than December 13, 2007, the applicant shall provide revised plans that indicate that the 50-foot wide area delineated along the boundary of lot 1 extending from the proposed road to the parcel to the north is open space.
4. Prior to issuance of a building permit, the applicant shall enter into an agreement for a third party review of the implementation and maintenance of soil and erosion control best management practices (BMPs) during the construction phase. This shall include on-site monitoring of the use of soil and erosion control best management practices (BMPs) during the construction phase. In order to satisfy this condition the applicant shall submit a copy of an executed contract with the Cumberland County Soil and Water Conservation District (CCSWCD) or some other entity approved by Maine DEP for such third party review.

Vote: 5/0.  
7:43 pm

## **6. Other business:**

**A Special Town Meeting** is scheduled to be held on Tuesday, August 7, 2007. Hugh will find out if George Theborge is available to attend in his absence. Clark also commented that the Selectmen had agreed to allow a roll over the unused funds from for ordinance update to the next fiscal year.

Chairman Clark handed out some **reference materials** on phosphorous and the new State Shoreland Zoning Requirements.

Planner Cox led a discussion on a **memo from Town Attorney Chris Vaniotis** regarding the writing of warrant items. Consensus of the Board was to have the whole document with the exiting text (2006 ordinance) available for the Special Town Meeting showing the proposed changes and the floor amendments.

**Hugh gave his summer schedule** to the Board. He will be absent at the July and August meetings, but will provide his memo and the assistance of another Planner, if needed.

**CPIC Update** was given by Hugh. The group is down three members. He made a plea for a member to fill one of the two Planning Board Rep vacancies. Presently they are working on Design Guidelines for the Commercial district. Consensus was that the PB needs to participate. Rotating member ship was discussed and Hugh offered to bring this up at their next meeting on June 21st.

**7.Adjournment:**

Meeting adjourned at 8:21.

Karen G. Strout  
Planning Board Secretary