

Town of Raymond
401 Webbs Mills Rd
Raymond, Maine 04071

Planning Board
Wednesday, December 12, 2007

MINUTES

ATTENDANCE: Pat Clark, Chairman; Bob O'Neill; Sam Gifford; Pat Smith; Kathryn Wallace; Greg Foster; and Hugh Coxe, Town Planner.

OTHERS: Pat Cayer, Land Services Inc; Craig Gerry; Joe Bruno; Michael Meyer; Kim Gass; James Gass; James Bernier; Donald Crockett; Gene Crockett; Mark Gray; Jim Cummings; Bruce Podhauser; and Glen Albee

1. Call to order. Pat Clark called the meeting to order at 7:00 pm at the Broadcast Studio.
2. Approval of Minutes dated November 14, 2007

MOTION: Robert O'Neill motioned to approve the minutes of November 14, 2007 as written. Seconded by Sam Gifford.

VOTE: Unanimous 6-0

3. Correspondence: None
4. Public Hearing:

Map 40, Lot 34 (portion) VR
56 Meadow Road
James E. Cummings

Applicant is requesting Site Plan, Preliminary, & Final approval for a four unit building to be leased to tenants. Each unit will be +/- 1150 s.f.

DISCUSSION: Mr. Clark asked to limit discussion to the issue of a determination as to whether the board must decide if this application should be held to the Subdivision Ordinance or Site Plan review. It was noted that the legal opinion by Chris Vaniotis Esq. stated the fact that the parcel will have a single-family house lot and a multi-family dwelling. The two issues might be reviewed at the same time but independently by Planning Board determination. M.R.S.A. 30A§4401(4)G referenced. Mr. Clark read the letter from Attorney Vaniotis. Mr. Cayer presented his position that this should be considered as a site plan. Mr. Coxe felt that since lot 1 being a part of the whole including lot 2 was existing, they are going to be divided, he felt in actuality a parcel which will have one dwelling plus four more units should be a subdivision.

MOTION: Robert O'Neill motioned under M.R.S.A. §4401(4)G to find that the Raymond Site Plan Review criteria not as stringent as the state's subdivision ordinance. Consequently the application should be reviewed under both: the Raymond Site Plan Review and Subdivision Review criteria. Seconded by Pat Smith.
VOTE: 4 in favor (Smith, Clark, O'Neill, Gifford); 2 opposed (Wallace, Foster)

NOTE: This will be reviewed as a site plan and as a subdivision.

DISCUSSION: Mr. Coxe reviewed the issues. Submission requirements are mostly met: need subdivision plan available for recording, discussion of sloped area to the north, lighting plan has lights attached to the build which is not recommended in the ordinance, request for waiver from 25' to 18 foot parking areas, waiver for driveway entrance to 12% grade, lot shapes is relevant under subdivision, and asked for a waiver for this to be preliminary and final review tonight.

Slope of 35% or greater: matter of interpreting the definition of sustained slope because it's not defined in the ordinance; not sustained if it's less than 50 feet horizontal (perpendicular to length of slope). Board polled and agreed it didn't need a waiver.

Landscaping: offered a visual landscape buffer instead of a 50' buffer, buffer not well defined in the ordinance and is an interpretation issue. Board felt that waiver not necessary.

Line of sight or visual profile: scale of buildings to be complimentary to the area.

Lighting: are lights off the buildings acceptable? Possibly add a light off the electric pole in driveway.

Driveway light pole: would like to relocate it with the recommendation of Central Maine Power.

Curb: curb for vertical separation or 4 foot horizontal separation acceptable.

Parking spaces: 25' wide isle and parking spaces 200 s.f. (10'x20') 18'x9' is adequate. Would like isle more than 18'. Recommend 18' space and 24' isle. Waiver needed.

Entrance would be 12%: Would like 8%-10%. Mr. Cayer reported that the Fire Department didn't have a problem with the driveway. Waiver needed.

Shape of lots: subjective term no issue.

PUBLIC HEARING CLOSED: There were no public hearing speakers. Mr. Clark closed public hearing portion.

Erosion sedimentation plan: included in plan.

Existing septic needed variance because of close proximity to property line. Would need Code Enforcement variance which would be a condition of approval.

Transformer location: would like moved away from the front of the building.

Entrance will be encroached by pond. It was stated that it is a way to continue the road ditch and culvert under the driveway. Catch basin will be used as overflow. Would like recommendation of road commissioner and/or MDOT. Riprap at culverts and entrance but more concern with silt fence during construction.

Storm water plan: not increasing peak runoff; phosphorus export below limit, below level of 25-year storm.

Recording plat will be condition of approval: plan will be updated to a subdivision recording plat. Will need to show waivers and signature block.

Can site plan and subdivision be combined? Both can be noted on one plan.

Waiver #1: Parking total of 38'.

MOTION: Robert O'Neill motioned to allow a 25-foot isle in the parking area with an 18' parking space. Recommend striping at 18' instead of 20'. Seconded by Sam Gifford.

VOTE: 5 in favor (O'Neill, Wallace, Gifford, Smith, Foster) 1 opposed (Clark)

Waiver #2: 12% grade driveway.

MOTION. Robert O'Neill motioned to approve a 12% grade in the driveway. Seconded by Sam Gifford.

VOTE: Unanimous 6-0

Waiver #3: Review for preliminary and final approval at the same time.

MOTION: Robert O'Neill motioned to approve the review for both preliminary approval and final approval for Site Plan and Subdivision. Seconded by Greg Foster.

VOTE: Unanimous 6-0

CONDITIONS OF APPROVAL: Mr. Coxe reviewed the conditions of approval: #2 condition was deleted, #3 on the plan submission and was satisfied, stabilize construction site, #4 lighting deleted, #5 deleted was submitted, #6 will include waivers, further notes to be reviewed, #7 just needs updates, #8 will supply; #9 standard.

Add to the conditions that the approval is subject to a variance from the Code Enforcement Office for reduction of the area between the septic and lot line to less than 10'. They will need a letter from Public Works relative to their plan for the section within the road right of way.

MOTION: Robert O'Neill motioned to approve the multi family dwelling for subdivision approval with the appropriate conditions as noted. Seconded by Sam Gifford.

VOTE: Unanimous 6-0

MOTION: Robert O'Neill motioned to approve for site plan with the appropriate conditions as noted above. Seconded by Pat Smith.

VOTE: Unanimous 6-0

RECESS: Pat Clark recessed the meeting for 10 minutes at 9:01 pm

REOPEN MEETING: Pat Clark reopened the meeting at 9:10 pm.

5. Application:

Map 15, Lot 7 RR

Conesca Road & Rosewood Drive

Hancock Lane Management, LLC

Applicant is requesting pre-application conference for 13 lots on 304 acres, there will be 12 building lots the 13th being open space.

DISCUSSION: Mr. Coxe reviewed his comments about the 304 acres of which 120 acres are forested wetlands, 55 acres of open space, and 12 building lots. They would like this to be an Open Space Subdivision under Article 13 of the Raymond Land Use Ordinance. Site distance along Conesca might not be enough but can be fixed. Overhead utilities are being requested along Rosewood Drive instead of underground so that they don't have to disturb a good roadway. There will be fire suppression systems in the homes and the Fire Department has asked for a cistern(s) to be provided. Schedule a site walk.

Pat Cayer, Land Services, Inc., Glen Albee and Mike Meyer are development team. Steven Geer, Hancock Lane Development is project manager. Mr. Cayer described the open space plan and showed a regular subdivision configuration. They prefer the open space plan.

Mr. Coxe suggested they consider a right of way up to the abutting property line (toward the Stanley Hall property) for a road connection in the future. Craig Messinger, Raymond Fire Department, asked that cistern(s) be installed for fire protection.

Comments by Mr. Coxe: Since this is very sensitive land bordering on Crescent Lake it will be looked at closely. Show that road standards are met on Rosewood Drive. Any development over the 13 lots will trigger state project review. Recommend high intensity soils map study. Fire Department will require sprinkler and alarms in the houses plus a 20,000 gallon cistern. There will be concern for the vernal pools and their evaluation including the NRPA for the whole possible project. Part of the open space around Bartlett Brook is zoned Resource Protection and a protected area for waterfowl habitat will reflect on the setbacks and minimum lot size. Traffic site distance should be

demonstrated. Overhead utilities can be viewed by the Board's for a waiver which seems positive for Rosewood Drive with underground utilities down the new piece of roadway.

Comments by the Planning Board: Felt that a large parcel plan was better organized than doing it lot by lot because of the review process. There was concern about some of the soils being unsuitable for a building, and it was stated that more research should be done prior to the location of the homes. The phosphorus export was a concern because of the close proximity to Crescent Lake. There was concern with the setbacks of lots 9-12 and what will happen when the next phase of subdivision is planned. They wanted to be sure that the access to the open space for active forestry use is maintained. It was stated that it would remain FSC certified forestry maintained. There was a question about the road connectivity between Rosewood Drive and Hancock Road after they continue with Phase 2. Also a right of way to the abutter's land off lots 3 & 4 should be created for future use.

Question of whether this plan should go for peer review. Also set a site walk date.

The applicants would like a waiver to not pave Rosewood Drive at this time. Board poll said that if the road were good then it would be acceptable for Phase 1. The site walk will give more information for opinion.

Site Walk: Saturday, January 19, 2008 at 9:00 am at the corner of Rosewood Drive and Conesca Rd.

PUBLIC COMMENTS:

Joe Bruno, 4 Christina Court, and treasurer of Rosewood Drive Road Association asked for consideration that the road will be damaged and who should pay for the repair.

Craig Gerry, 14 Conesca Road, an abutter, had concern for the environmental issues. Dust and erosion to the road, harm of two streams, one from an underground spring and the other which crosses the road at the end near the turn into Sunset Point Subdivision. He also commented that there would be an impact on the services of the town.

James Gass, 40 Crescent Shore Road, if the power feed could go all the way through to Conesca Road via Rosewood Drive from his area because of power outages. Currently it comes off Edwards Road through the woods to Hancock, feeds Crescent Shore Rd through to and including Sunset Point Subdivision. He also had concern for pollution to the wetlands.

6. Planner Update:

Mr. Coxe reported that the Open Space workshop with the Conservation Commission on December 5th was a success. The maps used will be available for viewing on the website in the future.

7. CPIC Update:

Mr. Coxe reported they are talking about site planning.

8. Ordinance Revisions draft from Andrew Johnston Site Design

Mr. Coxe explained the memo is available, but he will postpone this discussion until the next meeting.

9. Outdoor Woodburners

Mr. Coxe had some information but announced that the state now has an ordinance approved. It was felt that Raymond could work under the state's ordinance.

Mr. Clark asked that they prepare the warrant articles for town meeting.

Mr. Clark noted that Pat Smith has resigned and extended the Board's thanks. He continued that the Board is lacking two positions. Anyone interested please call him or the town office.

10. Adjournment

MOTION: Robert O'Neill motioned to adjourn. Second by Pat Smith.

ADJOURNMENT: Pat Clark adjourned the meeting at 10:34 pm.

Louise H. Lester
Town Clerk