



Wednesday, July 8, 2009

Raymond Planning Board  
423 Webbs Mills Road  
Jordan Small Broadcast Studio

## Minutes\*

**ATTENDANCE:** Chairman Patrick Clark, Vice- Chairman Robert O'Neill, Ginger Wallace, William Priest, Greg Foster, Sam Gifford, and Bruce Sanford.

**ABSENT: none**

**STAFF:** Planner Hugh Coxe, Public Works Director Nathan White, Code Enforcement Officer John L. Cooper, and Karen Strout, Recording Secretary.

**1. CALL TO ORDER:** Chairman Clark called the meeting to order at 7: 04 pm. A quorum was declared and the evening's agenda was stated.

### **2. ELECTION OF OFFICERS:**

**MOTION:** moved by Bob O'Neill and seconded by Bill Priest to nominate Pat Clark to serve as Chairman for the next term.

Vote: unanimous in favor. Motion carried. Pat accepted another term as Chair.

**MOTION:** moved by Sam Gifford and seconded by Ginger Wallace to nominate Bob O'Neill to serve as Vice Chair for the next term.

Vote: unanimous in favor. Motion carried. Bob accepted another term.

### **3. APPROVAL OF MINUTES:**

**MOTION:** moved by Bill Priest and seconded by Bob O'Neill to accept the minutes as presented for April 8, 2009 business meeting & workshop.

Vote: 6/1 abstention( Bruce Sanford). Motion carried.

**MOTION:** moved by Robert O'Neill and seconded by Ginger Wallace to accept the minutes for May 13, 2009 workshop as distributed.

Vote: 5/2 abstentions (William Priest, Sam Gifford not in attendance at the meeting). Motion carried.

**4. Communications:** There were no communications.

### **5. Applications:**

An application for an "after-the fact" approval for a private way was submitted by Kevin Hall for Hall's Way. The property is referenced by Raymond Tax Map 13, Lot 7 D and is in the RR Zone. This road is already built and serves three lots. One lot has a house which was built in 2006 and a second lot has received a building permit for a home. The permit was issued with a condition of occupancy contingent on planning board approval of the road.

### **Planner Comments:**

At the request of Chairman Pat Clark, Hugh Coxe paraphrased his memo which outlined the background and history of the road ( a copy is in the planning board file).

**Applicant Comments:**

Kevin Hall spoke about the project and commented that after the first house was built he thought he was all set and that is why the construction took place. The first house had frontage on Hall's Way.

**Board Comments:**

Bob O'Neill asked if the maintenance agreement for Hall's Way had received review from the Town Attorney. Hugh Coxe responded that the wording of Hall's maintenance agreement was almost verbatim from one that had already been approved by the Town Attorney. Coxe had sent the applicant the sample agreement. Bill Priest asked if abutters had been notified. Priest was informed that all of the abutters had been properly notified. Chairman Clark asked for an explanation of what waivers were actually being requested. Coxe responded, referencing the applicant's cover letter, that the applicant had requested that the board grant waivers for any requirements that had not been included with the submission.

**Staff Comments:**

Nathan White Public Works Director spoke to the issue of culvert placement and his observations during construction. In a letter to the applicant, White indicated that the construction of the road complied with the Town's standards and that the road did not appear to have any construction issues.

**Other Comments:**

Laurie Burns Flynn of 16 Raymond Hill Road, an abutter, spoke of her issues with the road and asked that the board not grant waivers for the road requirements.

**Additional Board comments:**

Chairman Clark stated that was reasonable to ask the applicant to provide additional information. Ginger Wallace asked to see both storm water and phosphorus reports as well as a maintenance agreement. Bruce Sanford was concerned that the board not set a precedent. Concerned was expressed about the Town's possible liability. Greg Foster questioned the Town's responsibility. Legally the board has the right to request the information, but because of the applicant's reliance on the Town, it is in the Board's discretion to consider the hardship done to him. Bob O'Neill added that it wasn't a question about the quality of the road, but what maintenance needs to be done. Without the figures it is difficult to discuss maintenance requirements. Bruce Sanford agreed. Clark agreed that there are issues for which the board would have provided input if the road application had been reviewed prior to being built. He added that the board has never granted a waiver of the phosphorus standards. He asked the board what they wanted to do. Table pending additional information or go through waivers?

**Staff Comments:**

Code Officer Jack Cooper stated that the certificate of occupancy for the recently issued building permit depends on Planning Board approval of the road. Planner Hugh Coxe commented that the board could conceptually grant approval without the DEP permitting being complete.

**More Board comments:**

Straw poll of the board indicated that they would recommend reviewing the application as a or pre-application sketch plan .

**MOTION:** moved by Bob O'Neill seconded by Clark to review tonight's application as pre-application /sketch plan due to the lack of information submitted.

Vote: 7/0 motion carried.

Chairman Pat Clark outlined to the applicant the additional information that was needed in order for the application to be reviewed by the Board. He further advised the applicant to look at the Street Ordinance. No formal action was taken on the application.

**6. Reports of Committees:**

Report from By-laws Committee was made and board members were asked to review their draft and submit them to Karen for inclusion.

**7. Other Business:**

Hugh reported on the results of the Town Meeting. He commented that the board should dive into the remaining ordinance work in September . That work would include major and minor subdivisions.

**8. Adjournment:**

**MOTION:** moved by O'Neill and seconded by Wallace to adjourn at 8:51 pm.

*Karen G. Strout*

*Recording Secretary*

*\* Meetings are broadcast live on the public access channel and rebroadcast at a later time. The DVD is the official legal record of the meeting. Copies may be signed out at the Town Office.*