



Wednesday December 16, 2009  
Rescheduled from December 9, 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, and Greg Foster.

**ABSENT: Sam Gifford, and Bruce Sanford.**

**STAFF:** Planner Hugh Coxe, Code Enforcement Officer Chris Hanson, and Karen Strout, Recording Secretary.

**1. CALL TO ORDER:** Chairman Clark called the meeting to order at 7: 08 pm.

**2. APPROVAL OF WORKSHOP NOTES dated November 4, 2009.**

**MOTION:** moved by Bob O'Neill and seconded by Ginger Wallace to approve the workshop notes as distributed.  
Vote: 5/0. Motion carried.

**3. COMMUNICATIONS:** The Board received a communication from Trafton & Matzen (legal firm for US Cellular), dated November 24, 2009 . Planner Hugh Coxe was directed by Chairman Clark to summarize. This communication is on file and attached to the written minutes.

**MOTION:** moved by Bob O'Neill and seconded by Bill Priest to adjust tonight's agenda to allow the Cell Tower application to be moved to the beginning of the agenda for discussion purposes.  
Vote: 5/0 . Motion carried.

**4. APPLICATIONS:**

**a. Map 13, lot 51 19 Farm Road Rural Zone**

**A request by Maine RSA (aka US Cellular) to construct a wireless communication facility.**

Richard Trafton, attorney for the applicant , gave brief presentation in which he stated that he was looking for guidance with the project. Ideally they would like to do their project in the spring, if a special town meeting were held; if not they would have a warrant for June 2010 town meeting. His charge was to come up with an ordinance amendment.

**Comments from the board:** Ginger Wallace asked how other companies would be accommodated? The response given was that they could be rented space. Wallace and O'Neill commented on their satisfaction with other cell phone providers.

Board members Clark, O'Neill, and Priest stated their preference for dealing with this project would be conditional rezoning.

**MOTION:** moved by O'Neill and seconded by Foster to support conditional rezoning to allow the cell tower.

**Vote:** 4/1 opposed (Wallace). Motion carried.

**MOTION:** Bob O'Neill moved, seconded by Bill Priest to table this application.

**Vote:** 5./0. Motion carried.

#### **5. PUBLIC HEARING- Growth Management Ordinance Third Year Review**

Public hearing opened at 7:35 pm. Code Officer Chris Hanson reported on the building statistics for the past three years. The quotas set by the growth ordinance were not being met. He commented that the building permits for new single family homes were getting down in numbers because of the economic situation. Board member Bob O'Neill commented that he felt there was no reason to change the Growth Management Ordinance at this time. Chairman Pat Clark added that he, too, was okay with it now. Board member Greg Foster asked Code Officer Chris Hanson if he could see problems ahead. Chris responded that there could be an issue within the next three years, if building construction picks up. There was no public comment. Public hearing was closed at 7:42 pm.

**MOTION:** moved by O'Neill and seconded by Wallace to continue with the Growth Management Ordinance as written, except for the text modification for clarity supplied by Planner Hugh Coxe.

Vote: 4/1 opposed ( Foster). Motion carried.

#### **4. APPLICATIONS:**

##### **b. Map 19, 32 B Shaker Woods Road Rural Zone**

##### **A request by Alexander Poulin for a Backlot driveway to serve one lot.**

Hugh summarized his prepared memo. Chairman Clark went through each item line by line. Calvin Beaumier, agent for the applicant stated that he should be able to resolve most of the issues. The driveway that Mrs. Poulin presently uses is 25 feet from house.

Discussion included:

- ◆ Relocating driveway
- ◆ elimination of driveways (public works request)
- ◆ lot ownership clarification
- ◆ plan note corrections/changes/additions
- ◆ fix 225' circle on plan
- ◆ culvert size notation
- ◆ deed restriction to provide maintenance agreement
- ◆ phosphorus bmp plan
- ◆ stormwater waiver

**MOTION:** moved by Bob O'Neill and seconded by Greg Foster to grant waiver for stormwater.

Vote: 5/0. Motion carried.

**MOTION:** moved by Bob O'Neill and seconded by Ginger Wallace to deny a second access.

Vote: 4/1 opposed( Foster). Motion carried.

**MOTION** moved by Bob O'Neill and seconded by Ginger Wallace to grant cmp waiver.

Vote: 5/0 . Motion carried.

**MOTION:** moved by Bob O'Neill and seconded by Bill Priest to grant approval for the Poulin backlot driveway with conditions.

Vote:5/0. Motion carried.

##### **c. Map 11, 43 D Autumn Lane Rural Zone**

**A request by Herluf & Donna Madsen for the extension of Autumn Lane.** Planner Hugh Coxe summarized the project with his prepared memo, and gave the Board a brief summary of Maine subdivision law. The applicant's agent, Jason Farthing, spoke on behalf of the Madsen's, and addressed the lot transfer issues. Chairman Clark suggested that the application be tabled pending a legal opinion regarding the lot transfers.

**MOTION:** moved by Bob O'Neill and seconded by Bill Priest to table the application for this project subject to a legal review for lot encumbrances resulting from property transfer transactions.

Vote: 5/0. Motion carried.

#### **6. Design Guidelines:**

**MOTION:** moved by Bob O'Neill and seconded by William Priest to approve the Design Guidelines as a guide.

Vote: 4/1 opposed(Foster)

## WORKSHOP

### **7. Ordinance Workshop items continued from November 4<sup>th</sup>**

9:10 pm

- a. Stream Protection
- b. Timber Harvesting

Planner Hugh Coxe was instructed to run the language for the stream protection and timber harvesting by the Town Attorney.

### **8. Major and Minor Subdivison**

Remaining Workshop Items were tabled to January 13<sup>th</sup> meeting.

### **9 Adjournment:**

**MOTION:** moved by O'Neill and seconded by Wallace to adjourn at 9:15 pm.

*Karen G. Strout*

*Recording Secretary*

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