



**Raymond Planning Board
Minutes*
Wednesday, March 16, 2011**

Public Hearing for Ordinance Review

Present: Chairman Pat Clark, Greg Foster, Bruce Tupper and William Priest

Absent: Robert O'Neill

Staff: Hugh Coxe, Town Planner; Chris Hanson, Code Enforcement Officer; Bruce Tupper, Assistant Fire Chief; and Danielle Loring, Recording Secretary

Other: Wayne Holmquist

1. **Call to order:** Chairman Pat Clark called the meeting to order at 7:11pm and a quorum was declared.
2. **Public Hearing**

Mr. Clark announced that the purpose the meeting was a public hearing to allow for input for proposed ordinance changes made by the Fire Department and Planning Board.

- a) **Fire Department**
 - ***Fire Protection Ordinance and Chimney Ordinance***

Bruce Tupper explained that the Fire Department was proposing the creation of a Solid Fuel Burning Ordinance and Permit within Article 6 of the Fire Protection Ordinance. He also explained, as a house keeping measure, that they were moving the Chimney from being a stand alone document to a section within the Fire Protection Ordinance.

Mr. Sanford said that he was concerned that, in the proposed Solid Fuel Burning Ordinance language, even though it called for a permit, there was no language involving inspection of the structure. My. Tupper explained that it was in the Chimney Ordinance that also pertained to this ordinance. Mr. Sanford was concerned that if the damage was not caused by a fire that someone would not think to get a permit from the Fire Department. Mr. Tupper said that even if they did not get a permit from them, that an individual would require a permit from the CEO and inspections would be done by him.

There was some concern about what the correct Chimney Ordinance that was being used. It was discovered that there was a Chimney Ordinance from 1989 that, even though superseded by the 2008 Chimney Ordinance, this language had not been removed. Mr. Tupper said that they would make that correction to remove that language from the Ordinances. Mr. Sanford would like there to be future discussion about the materials that are being used on the outside of chimneys.

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Mr. Foster was concerned that there were too many restrictions on the public and that anyone making home improvements should have the right to make improvements without Fire Department approval. He was also concerned about how the Town was going to find out if these appliances were being installed. Mr. Tupper said that there were standards and they were trying to make sure that those standards were being met. He was not stating that people were not capable of installing these appliances on their own but the Fire Department is trying to improve safety and make sure that preliminary steps are taken in that direction.

Mr. Holmquist for the Raymond Revitalization Committee said that he felt that the public consensus was that were over regulated and burdened by the costs of meeting these standards. He asked the Planning Board members to really consider the validity of proposed ordinances because he felt that the public should have to take responsibility for their own actions.

b) Planning Board

- ***Open Space (Subdivision/Land Use Ordinance)***

Mr. Coxe summarized the changes that had been made to the Open Space provisions. He said that the proposed changes had been brought about because of past reviews where the Board felt that they lacked direction. He said that changes were regarding layout standards, maintenance standards and Open Space uses. He gave examples of language changes that had resulted from legal review. There was no public comment

- ***Street Ordinance***

Mr. Coxe said that the purpose of changing the Street Ordinance was to clear up some references that had not been amended with previous changes. Illustrations were going to be added to show road standards and construction. There was no public comment.

- ***Backlot Driveways (Land Use Ordinance/Street Ordinance)***

Mr. Coxe said that the purpose of these proposed changes was to remove the provisions of Backlot Driveways from the Street Ordinance and place them in the Land Use Ordinance for clarity. A note would still remain in the Street Ordinance referring to the Land Use Ordinance. Other changes were proposed based on legal review and clarification of the standards. There was discussion about restrictions for the total number of entry points for both the front and the backlot and it was decided that this would be taken care of on a case-by-case basis. There were no comments from the public.

- ***Shoreland Zoning Ordinance***

The Shoreland Zoning changes were summarized by Mr. Coxe as having been changes that were mandated by the Department of Environmental Protection (DEP). He stated that they behind in updating the ordinance to come into compliance with standards but the proposed changes were those that were recommended by the DEP and from legal review. He said that one of the major changes was becoming 100% consistent with the State's Timber Harvesting standards so that they would take over enforcement. He said that they had to add the definitions and standards in order to finish up.

There was discussion regarding non-conforming structures regarding converting decks into enclosed areas. In the past, even though they were part of the foot print, they could not be enclosed to be included in the volume of the structure. The proposed change is to remove this restriction because as it stands now the ordinance was more strict than what was recommended by the State and the DEP.

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MOTION: Bruce Sanford moved that the Fire Department Ordinance be put on the Town Meeting Warrant; seconded by William Priest.

DISCUSSION: None.

VOTE: APPROVED (3/1[GF])

MOTION Bruce Sanford moved to send the Opens Space Ordinance to Town Meeting; seconded by William Priest.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

MOTION: Bruce Sanford motioned to send the Street Ordinance to Town Meeting; seconded by William Priest.

DISCUSSION: Mr. Clark stated that he would be making sure the diagrams met design standards and were consistent with ordinance language. He clarified that the motions that they were currently make were to send the ordinances to the Board of Selectmen to be approved for Annual Town Meeting with the understanding that they would have minor changes made to them based on the discussions that they had had during the hearing.

MOTION: Bruce Sanford motioned that the Backlot Driveway provision be sent to Town Meeting; seconded by William Priest.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

MOTION: Bruce Sanford motioned to send the Shoreland Zoning Ordinance to Town Meeting; seconded by William Priest.

DISCUSSION: None;

VOTE: UNANIMOUS APPROVAL (4/0)

MOTION: William Priest motion that the Planning Board make no recommendation for the Fire Department's Ordinance; seconded by Bruce Sanford.

DISCUSSION: Mr. Priest explained that the reason for doing making a “no recommendation” vote was because it was not their ordinance and the Fire Department should be the one presenting it at Town Meeting.

VOTE: APPROVED (3/1[GF])

MOTION: Pat Clark moved to recommend approval of the ordinance for Open Space; seconded by William Priest.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

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MOTION: Greg Foster moved that the street ordinance be forwarded to the Board of Selectmen with a favorable recommendation; seconded by Bruce Sanford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

MOTION: Bruce Sanford moved that the Board recommend approval for Town hearing; seconded by William Priest.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

MOTION: Bruce Sanford moved that the Board recommend the Shoreland Zoning Ordinance to the Board of Selectmen for passage; seconded by Greg Foster.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/o)

3. Adjournment

MOTION: William Priest motioned to adjourn; seconded by Bruce Sanford.

VOTE: UNANIMOUS APPROVAL

Chairman Pat Clark adjourned the meeting at 8:33pm.

Danielle Loring
Recording Secretary

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