



**Raymond Planning Board
MINUTES*
Wednesday, January 16, 2013**

Present: Chairman Patrick Clark, Greg Foster, Bruce Sanford, and Dan West.

Absent: Robert O'Neill and William Priest

**Staff: Stephanie Carver, Planning Consultant; Jim Seymour, Contract Planner;
Chris Hanson, Code Officer; and, Danielle Loring, Recording Secretary.**

Other: Barbara Lovell

1. Call to order: Chairman Patrick Clark called the meeting to order at 6:58pm.

2. Approval of Minutes:

a) December 12, 2012

MOTION: Bruce Sanford motioned to accept the minutes; seconded by Greg Foster.

DISCUSSION: None.

VOTE: MOTION CARRIED (3/o/1 ab [DW])

***5. Communications**

Chairman Clark read into record a letter from Charles Leavitt concerning the repeal of the conditional zoning on Farm Road and asked that it be considered for a future agenda item.

3. ORDINANCE PUBLIC HEARING

a) Miscellaneous Ordinance

• Address Ordinance

Chief Bruce Tupper explained that the department was proposing to change the ordinance as a housekeeping measure and help to correct an ongoing safety issue. A survey conducted in Raymond found that 50% of the Town of Raymond was not compliant with the Addressing Ordinance. In response, the Public Safety Department had enacted a free program to renumber houses correctly, but all efforts to reach the public had failed and very few responded to the initiative.

Chief Tupper explained that one of the housekeeping measures was to reduce the size of the number down to 3" because they are standard hardware stock. Another significant change would be to implement a penalty. Mr. Foster asked about existing firelane system and Chief Tupper responded that the firelane system still exists but it was limited and is different from E911, which is the new legal standard. He continued that the issue concerned not only the

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**Item taken out of order

homeowner, but also their neighbors.

Chairman Clark asked how the Department intended to deal with homes that were not within sight of the Road, and Chief Tupper explained that a mailbox post could be used at the end of the driveway. Mr. Foster was concerned that this ordinance was a matter of common sense, and Chief Tupper explained that this measure was to give the department some authority to take corrective action.

Mr. Seymour asked if Chief Tupper had any idea of how many homes were not properly numbered, and he responded that they did not have the figures for Raymond overall, but the spot survey indicate 50-51% were not numbered in those areas alone. Mr. West was concerned that \$50 to \$500 range for fines seemed extreme, but felt that \$25-50 was more reasonable. Chief Tupper clarified that it was supposed to be \$50/day and \$500/total after a warning, which was consistent with the Code Office's fine structure. Chairman Clark suggested reducing the fine after compliance and Chief Tupper said that he would look into it.

Chairman Clark opened the public hearing for public comment and there was none.

MOTION: Chairman Clark moved to recommend the proposed Addressing Ordinance change, in the form of a town warrant, for the Board of Selectmen to review with text change and a neutral recommendation for Town Meeting; seconded by Dan West.

DISCUSSION: None.

VOTE: MOTION CARRIED (3/1[GF])

b) 1986 Zoning Board of Appeals Provision

- **Land Use Ordinance: Article 6, Section D (Reductions from Minimum Setback)**
- **Shoreland Zoning Ordinance: Section 16G (Appeals)**

Mr. Hanson reviewed the history of the date within the ordinance and its role for the Zoning Board of the Appeals, then explained that it was not of importance to the integrity of the ordinance.

Chairman Clark asked what would cause someone to come forward for a Setback Reduction and Mr. Hanson gave an example. Chairman Clark then asked if the Code Office required surveys and Mr. Hanson explained that new lots come with surveys but does not require on existing but has the right to require one if it is a tight situation.

Chairman Patrick Clark opened the public hearing for comment and there was none.

MOTION: Greg Foster moved to accept the 1986 language change and send to the Board of Selectmen with a neutral recommendation for Town Meeting; seconded by Bruce Sanford.

DISCUSSION: None.

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VOTE: UNANIMOUS APPROVAL (4/0)

c) Land Use Ordinance

• Article 8B (Net Residential Density Calculation)

Chairman Clark summarized the changes that were proposed and the history of the ordinance provisions. Ms. Carver followed up by adding information regarding the ownership changes. Mr. Foster stated that he did not agree with the changes and felt that it was a violation of ownership rights. Mr. Seymour explained that the changes that were being proposed were in compliance with the homestead exemption through the subdivision law.

Chairman Clark stated felt that zoning changes happen all the time and this provision would lessen the effect of the initial changes without completely reversing them. Mr. Seymour agreed and explained that the changes were more of a transition. Mr. Foster explained how these changes did not work within Tree Growth Law.

Chairman Patrick Clark opened the hearing for public comment and there was none. He then asked if there were additional Board comments and there were none.

MOTION: Patrick Clark moved to recommend this article for Town Meeting with a favorable recommendation to the Board of Selectmen; seconded by Greg Foster.

DISCUSSION: Bruce Sanford stated that he did not want to send it to Town Meeting with a favorable recommendation and agreed that the right should be passed to a blood relative. Mr. Seymour clarified that the land could be passed on but that individual would lose the right to divide into 2 acre lots without going through subdivision.

MOTION: Patrick Clark amended his motion to provide with neutral recommendation; seconded by Bruce Sanford.

VOTE: UNANIMOUS APPROVAL (4/0)

d) Back Lots and Back Lot Driveways

• Land Use Ordinance:

◦ **Article 9, Section T (Back Lots and Back Lot Driveways)**

◦ **Article 12 (Applicability and Definition of Terms Used in this Ordinance)**

• Subdivision Ordinance: Article 3 (Definitions)

• Raymond Street Ordinance

Ms. Carver summarized the changes being made to the Backlot Driveway provisions, which overlapped with the Subdivision and Street Ordinance. She explained that the primary change would give the Code Officer the reviewing authority in order to approve straight forward applications but still could forward to Planning Board for waivers and if he felt that it was necessary. Mr. Seymour added that the changes would also allowed for Backlot Driveway to originate from private road, and fixed the issues with the phosphorus calculations to allow the applicant to use the point system.

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Chairman Patrick Clark opened the hearing for public comment and there was none. He commented that the bulk of the changes were technical that were being proposed to make Back Lot Driveway Process easier rather than more difficult. Mr. Seymour agreed.

MOTION: Bruce Sanford motioned send both warrants to Town Meeting with a positive recommendation for approval; seconded by Greg Foster.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (4/0)

4. WORKSHOP (Tentative)

a) Ordinance Review Workshop for 2013 Town Meeting

Chairman Clark deemed this agenda item as unnecessary because all warrants were recommended with diminimous changes.

5. Other Business

a) Consideration of Resignation from Planning Board Member Steve Linne

Chairman Clark explained that Mr. Linne served on other boards that could not overlap because of the Town's Bodies Ordinance. He thanked him for his time and announced the opening on the Board.

6. Board Communications: None

7. Planner Communications

Mr. Seymour explained that there were two applications for the following month, one being the Frye Island park & ride application. He was requesting that the new application go before old business in the interest of time and Chairman Clark agreed. Mr. Clark wanted to know if the Frye Island issue was going to be a public hearing and Mr. Seymour stated that the town attorney was recommending that it be advertised as such.

8. Adjournment:

MOTION: Greg Foster motioned to adjourn; seconded by Patrick Clark.

VOTE: UNANIMOUS APPROVAL (4/0)

Chairman Patrick Clark adjourned the meeting at 8:05pm.

Danielle Loring
Recording Secretary

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