



**Raymond Planning Board
Minutes***
Wednesday, August 14, 2013
7:00 pm.

Present: Chairman Pat Clark, Vice Chair Robert O'Neill, Greg Foster and Bruce Sanford.

Absent: William Priest and Dan West.

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

Other: Steve Linne, Raymond Mallet, Peggy Jensen, and Kevin Fay.

1. Call to order: Chairman Pat Clark called the meeting to order at 7:04 pm and a quorum was declared.

Regular Meeting Items:

2. Approval of July 10, 2013 Meeting Minutes

MOTION: Robert O'Neill motioned to approve the minutes; seconded by Greg Foster.

DISCUSSION: Pat Clark stated that he was going to submit minor edits for correction.

VOTE: UNANIMOUS APPROVAL (4/0)

3. Special Agenda Item: Election of Board Officers for Chairman and Vice Chair

Chairman Clark explained that he was resigning from the Planning Board because he was moving out of town. He added that he had served last ten years and last seven as chair. As a result, he stated that they would have to hold an election of Board officers.

NOMINATION: Pat Clark nominated Robert O'Neill; seconded by Bruce Sanford.

DISCUSSION: Robert O'Neill accepted the nomination.

VOTE: UNANIMOUS APPROVAL (4/0)

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**Item taken out of order

NOMINATION: Greg Foster nominated Bruce Sanford as Vice Chair; seconded by Pat Clark.

DISCUSSION: Bruce Sanford accepted the nomination.

VOTE: UNANIMOUS APPROVAL (4/0)

4. Consider of Volunteer Application for Vacant Planning Board Positions

Chairman Clark explained that they were considering applications to fill volunteer vacancies.

a) Raymond Mallett

MOTION: Pat Clark motioned to accept the proposal for Raymond Mallet to become a Planning Board member; seconded by Robert O'Neill.

DISCUSSION: Chairman Clark invited Mr. Mallet to introduce himself. Mr. Mallet explained that he had lived in Raymond for the last thirteen years. He continued by explaining the various duties that he had carried out over the years.

VOTE: UNANIMOUS APPROVAL (4/0)

b) Steve Linne

MOTION: Pat Clark motioned to make a recommendation to have Steve Linne serve on the Planning Board; seconded by Robert O'Neill.

DISCUSSION: Chairman Clark invited Mr. Linne to speak. Mr. Linne explained that he had been a member before until he was elected to the Budget-Finance Committee, and he felt that he was better suited for the Planning Board.

VOTE: UNANIMOUS APPROVAL (4/0)

5. Proposed Ordinance Revision Presentations and Board Discussion

7:15-9:00: Presentations and Board Questions and Discussion Regarding Ordinance Amendments Proposed by Staff.

a) Proposed Shoreland Zoning Ordinance Amendments Regarding Resource Protection Districts - Jon Giles, GIS Contractor

Chairman Clark asked Jim Seymour to summarize the items, but Mr. Seymour felt that it was better handled by Jon Giles, GIS Contractor, given that he had prepared the information.

Mr. Giles introduced himself and explained the function of his presentation. He explained that the State was allowing for high to moderate value wading bird habitats were optional rather than required. He showed the four zones that could change as a result of the change.

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Mr. Sanford wanted to know what the pros and cons of the overlap between Resource Protection zone and NRPA. Mr. Seymour replied that the difference was that the way that wildlife and fauna were viewed as well as the involvement by the Army Core and the state jurisdiction. Mr. Giles added that removing the zones designations from the map may result in the areas being overlooked by staff when a permit comes forward in the future. He added that he recommended continuing to work with staff to look at the data sets closer to recommend the removal or addition of zones. Mr. Sanford recommended that the NRPA designation should stay on the map so that they were easily recognized.

Chairman Clark stated that the consultant was going to work with staff to review the data and make recommendations for changes.

b) Proposed Shoreland Zoning Ordinance Amendments Regarding Structural Expansions - Chris Hanson, Code Enforcement Officer

Mr. Hanson explained the law change that had recently taken place that would effect volume versus square footage expansion for nonconforming buildings. He explained that it was too early to tell whether the law was going to stick because the DEP had not reviewed it. Chairman Clark stated that it would be best to wait for a later date.

***) Zoning Map Changes to Allow for Parcel Layer Changes to Occur on an Annual Basis.**

Mr. Giles explained that he had been working to try and make it so that he could make changes to the zoning map parcel layer on a regular basis, rather than waiting for the zoning map to change, but the language of the ordinance was cumbersome. He discussed that there was also the option of adding language within the ordinance to allow for the parcel layer within the zoning map without going through the town meeting process. Chairman Clark recommended that Jon Giles work with Stephanie Carver to recommend language.

c) Proposed Land Use Ordinance Amendments Regarding Site Plan Review and Application Requirements – Mary Costigan, Town Attorney

Ms. Costigan stated that upon reviewing the ordinance, she had discovered that it was not clear what services the escrow was paying for and had drafted language that she felt would clarify the issue. Chairman Clark suggested that the word “estimate” be added to describe the escrow because the town should reserve the right to request more funding.

Mr. Foster was concerned that the applicant did not have a choice in how their escrow was spent. Mr. Clark explained that it was an unfair burden on the town to pay for the applicant's expenses. Mr. Seymour suggested that the an applicant could request an estimate. Chairman Clark explained that the town had to spend the monies on the application and the remainder, is returned.

Chairman Clark recommended that Mary Costigan work with staff to recommend language.

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d) Proposed Shoreland Zoning and Land Use Ordinance Amendments Regarding Parking Standards - Jim Seymour, Contract Planner

Mr. Seymour recommended adding more measurable standards in the ordinances as well as pointed out inconsistencies between the different ordinances regarding parking standards. He also explained that there were issues within the Commercial District where the site plan review required that parking be outside of the State right of way. He continued that there were many businesses in town that were nonconforming in that aspect and if they chose to redevelop then they would need to bring parking into compliance but would reduce the amount of parking and deter the applicant from doing the project and enhancing their property.

Mr. Seymour recommended putting the revised text under Parking Standards, rather than Space and Bulk, where it currently resided, so that the Board could issue a waiver. He made other recommendations regarding the language and the way to deal with the situation. He explained that there were several pending or ongoing applications that were waiting on this change.

Chairman Clark agreed and recommended that the Jim Seymour propose amended language for consideration.

9:00pm-10:00: Presentations and Board Questions and Discussion Regarding Ordinance Amendments Proposed by Residents.

a) Proposed Shoreland Zoning Ordinance Amendments Regarding Municipal Uses and Parking Lots - Kevin Fay, Spiller Hill Road

Ms. Costigan reminded the Board to view the suggestions within the context of changes and not in reference to a specific application.

Mr. Fay explained his process for reviewing the ordinance language, which included working with an out of state planner and meeting with staff. His primary concerns were with parking being allowed in the shoreland zone, when the destination was not immediate to the lot. He also felt that the term "municipal" should be limited to the Town of Raymond.

Mr. Seymour explained how some of Mr. Fay's suggestions would be difficult to achieve, give the nature of some of the existing site conditions in Raymond. Particularly, several camps and businesses. He also felt that this would limit situations where there is shared parking among businesses. Ms. Costigan added that the term municipal could not be limited because it would discriminate against the user and not the use.

Chairman Clark suggested that the staff incorporate some of the suggestions, especially where the current ordinance had gray areas or places where there is no guidance. He does not agree that the Planning Board should determine the needs of the project, but that the applicant should demonstrate the need.

Mr. Seymour explained how he had already recognized that some of the issues but he wanted

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to define the different types of parking.

Mr. Sanford wanted to know if changing the ordinance would effect and pending application, and Ms. Costigan stated that it would not and Mr. Seymour added that it would only apply to future development.

Mr. Clark agreed that "Municipal Use" should be defined, and Ms. Costigan cautioned again against the user versus the use. Chairman Clark added that these changes should be incorporated into the existing ordinance not as a stand alone ordinance.

Mr. Seymour stated that the applicant was seeking to change the use, and Chairman Clark felt that they should change the standards under the use. Mr. Seymour asked how the Board wanted to handle off-site parking, and Mr. O'Neill responded that he liked the direction that Mr. Seymour had presented earlier including standards for pedestrian and vehicular traffic.

Chairman Clark recommended that staff work with Mr. Fay to incorporate his suggestions into the existing parking standards.

b) Proposed Shoreland Zoning Ordinance Amendments Regarding Boat Launches - Peggy Jensen, Meadow Road

Peggy Jensen explained that she represented a group of residents who were also members of the RWPA. She explained that their concerns regarding a lack of standards for boat launches stemmed from an offer by the State for property off of Panther Pond. She was explained that there were other towns where development had taken place and there were no standards to guide the site.

Ms. Carver explained her work with the group and reviewed some of her suggestions. She explained the limitations that an ordinance would have and recommended incorporating the language into the existing standards of the ordinance.

Chairman Clark recommended that Ms. Jensen's group work with staff to incorporate into the Shoreland Zoning Ordinance and to determine the difference between policy issues and ordinance issues. Mr. O'Neill suggested that this would also require standards under parking.

6. Planner Communications: None

7. Adjournment

MOTION: Robert O'Neill motioned to adjourn; seconded by Pat Clark.

VOTE: UNANIMOUS APPROVAL (4/0)

Chairman Patrick Clark adjourned the meeting at 9:24 pm.

Danielle Loring
Recording Secretary

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