



**Raymond Planning Board
Minutes*
Wednesday, October 30, 2013**

ORDINANCE WORKSHOP

Present: Chairman Robert O'Neill, Vice-Chair Bruce Sanford, Greg Foster, Steve Linne, and William Priest.

Absent: None.

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

Other: Peggy Jensen and Kevin Faye.

1. Call to order: Chairman Robert O'Neill called the meeting at 7:01pm.

Workshop Meeting Items:

2. Proposed Ordinance Amendments

a) Revised Shoreland Zoning Ordinance Amendments Regarding Boat Launches

Stephanie Carver summarized the changes that were made to the proposed amendments. She explained that she had spoken with Mike Morse from the MDEP and she had reviewed the language with him as well as the Town's attorney. She explained the recommended MDEP changes that were incorporated. She explained that one of the primary suggestions was that the Town should not limit the number of launches per water-body because public access was important. She added that the draft that she had presented to DEP was likely to be accepted without their recommended language, but they would be more comfortable with them incorporated.

Mr. Seymour asked why the language was only pertaining to public launches, and Me. Linne added that he was also concerned with limiting the intent. Mr. Seymour felt that it was strange to limit the scope of the ordinance because someone could create a boat launch and charge the public. Mr. Priest responded that this amendment was a reaction to protect the Town from opening a boat launch or having one created by the State. Mr. Seymour felt that any existing launches would be grandfathered unless they extended

Mr. Hanson explained that DEP would take over if there were any changes to existing launches.

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Mr. Foster also agreed that this was a reaction to public ownership not private. Chairman O'Neill polled the Board and they were okay with leaving language as it was, but Mr. Linne was concerned with creating an ordinance for just public use. He clarified that he was looking to expand it to include commercially operated launches.

Peggy Jensen, Meadow Road, asked for public comment, and Chairman O'Neill allowed it. She was concerned with language in the definitions section. She felt that it was requiring docking at each site. Mr. Seymour suggested changing "shall" to "may."

MOTION: Greg Foster motioned that they send the language to staff to prepare as warrant for public hearing as amended; seconded by Bruce Sanford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

b) Proposed Parking Standard Amendments with the Shoreland Zoning Regulations and Land Use Ordinances

Mr. Seymour summarized the proposed language to address issues in the Land Use Ordinance regarding parking standards. He explained that there was some areas where standards were lacking and others where they were not consistent. They were also going to "beef up" stormwater standards to address concerns regarding ambiguity. He explained that there were also standards that were prohibitive to development that had been discovered within the Commercial Zone.

He read the language from Article 4, which prohibited parking within 20' of the MDOT right of way. He explained that the only relief for the standard was to go to the Zoning Board of Appeals. He explained that this should be removed from "Bulk & Space" and would be addressed in the Site Plan Review standards because this would allow for flexibility and the ability to work with the developers. He continued through a list of other proposed changes:

#5: delete language regarding stall sizes and refer to Article 10

#6: Remove and put in performance standards.

#7: Definition for design standards. He explained his definition for an independent parking facility. He explained that they would have to meet stricter standards would not be allowed in the Shoreland Zone. They would not be allowed setbacks and zoning reductions.

Mr. Linne asked if parking for a shopping center that was across the street would be allowed. Mr. Seymour explained that it would be consider accessory use to a primary use but it would not be allowed to cross Route 302. He pointed out the definitions for "offstreet" and "parking facility."

Mr. Sanford wanted to have Mr. Seymour explain the 300' definition, and he responded that it was very vague and they were trying to create enforceable standards. He was also looking for standards for pedestrian crossing for off site parking areas. Mr. Sanford was concerned with

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public safety and the speed limit for areas where pedestrians could be crossing. Mr. Seymour added that an applicant could not use on-street parking to fulfill off-street parking requirement.

Article #10: changed aisle width for practical standards.

Parking lot and Paving setbacks: Each zone would have their own parking setbacks with restrictions and criteria for waivers at end of Section 6.

Mr. Seymour explained the landscaping and buffering standards. He explained that someone could ask for a waiver of those standards if they agreed to maintain the green strip by the sidewalk through an agreement with the Town and MDOT. Mr. Seymour continued to the lighting and material standards. Mr. Seymour suggested that it would be beneficial to see something other than gravel lots and would like the lots to be engineered. Mr. Linne was concerned that they were requiring impermeable material, and Mr. Seymour explained that they were not requiring it, only suggesting and that the applicant was going to have to take water protection, sedimentation and runoff into consideration when designing a parking area.

Mr. Seymour read the waiver standards. Mr. Linne asked how many people would need to object to item D in order to repeal a waiver, and Mr. Seymour stated that the condition was consistent with the site plan waiver requirements and it would be up to the Board to determine if they get the waiver based on the evidence provided.

Shoreland Zoning Provisions: Concerned that it did not protect the resources.

Mr. Seymour explained that the parking set back is 100' from the water and only reduced up to 50'. He explained that the intention was to keep the lots smaller, with increased buffers because of residential areas as well as maintain consistency with standards found in the Commercial Zone. He also added the requirement that the applicant would need a parking/engineering study that justified the number of spaces.

Mr. Linne was concerned with maintaining some of the similar standards as the Commercial Zone within the Shoreland Zones and wanted to see the islands to increase permeable space, and Mr. Seymour agreed.

Mr. Seymour continued by explaining the standard for stall size of parking spaces. He explained the guidelines that he was suggesting to meet the buffering standards set by the State of Maine in order to encourage reduced runoff. He was suggesting that 50% of the lot size be dedicated to permeable surface for this purpose. Mr. Linne was concerned with having a pod designed with a project such as the boat launch design. Mr. Seymour suggested excluding boat launches. Mr. Linne suggested restricting the square footage of the parking pod to be equal to a maximum number of spaces.

Chairman O'Neill wanted to know if the buffering standards would work for the 50 year and 100 year storms, and Mr. Seymour suggested adding the language "in compliance with the MDEP standards" in order to meet those standards.

Mr. Sanford felt that there may be some terms that may need to be defined, including those

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involving usage. Mr. Seymour explained that there were parking definitions that should be in both ordinance and that one of the goals of the Comprehensive Plan was to reduce the number of parking entrances on Route 302 per establishment when considering redevelopment.

Chairman O'Neill asked about a situation that allowed for "renting" spaces off an abutter and if that would be allowed with the proposed changes. Mr. Seymour said that he would look into it. Chairman suggested two warrants versus one so that the changes could still be passed to help the Commercial District, in the event that the Shoreland Zoning amendments failed.

Kevin Fay, Spiller Hill Road, felt that the changes were still allowing extensive parking in the Shoreland Zone. Mr. Seymour stated that there were instances where this could occur in the near future and they were just trying to address it in advance. Chairman O'Neill explained that parking was an allowed use and this was an effort to create standards and respect the land owners rights for them to use their property as they would like but have it not be in an adverse manner. Mr. Fay wanted to know where Mr. Seymour got the number 16 for "stringing," and he responded that it was based on State's standards to encourage islanding and break up the strings. Mr. Seymour reminded Mr. Fay that in the Shoreland Zones a lot was only allowed to have 15% of impervious coverage. Mr. Linne added that parking could be done in a tasteful way and gave the example of Migas Lodge, which used podding.

The Board asked Mr. Seymour to prepare the suggest revisions for the next meeting.

3. Planner Communications

Mr. Seymour stated that it had be discovered that the Growth Management Ordinance was going to have the reverse effect of what they intended and suggested revisiting it. Mr. Hanson stated that he would review language from other towns.

Mr. Seymour explained that, in looking at the Site Plan Review standards, that some of the requirements were restrictive to the Commercial Zone and there could be some revisions made to allow for more issues to be Staff Review.

The Board agreed with allowing the Planner to investigate each issue for the next meeting.

4. Adjournment

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

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Robert O'Neill adjourned the meeting at 8:49 pm.

Danielle Loring
Recording Secretary

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