



**Raymond Planning Board
Minutes***
Wednesday, January 15, 2014
Town Office
(Not Recorded)

Present: Chairman Robert O'Neill, Vice Chair Bruce Sanford, Greg Foster, Benjamin Krauter, and Steve Linne.

Absent: William Priest

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

Applicant: Peter & Donna Marcinuk (Applicant), Bill Thompson (Agent); and Jim Ross (Applicant) and Tom Dubois (Agent).

Other: Patrick & Lorie Cayer

1. Call to order: Chairman Robert O'Neill called the meeting to order at 6:59pm and a quorum was declared.

2. Consideration of Approval of Meeting Minutes:

- **December 4, 2013**

MOTION: Steve Linne motioned to approve the minutes with corrections submitted; seconded by Greg Foster.

DISCUSSION: None.

VOTE: MOTION CARRIED (3/o/ab 2 BK & BS)

- **December 11, 2013**

MOTION: Steve Linne motioned to approve the minutes with corrections submitted; seconded by Greg Foster.

DISCUSSION: None.

VOTE: MOTION CARRIED (4/o/ab 1 BS)

Old Business Items:

3. Applications

- a) **Peter & Donna Marcinuk**
112 Spiller Hill Road

**Per the "Minutes Policy," reviewed and approved August 17, 2010 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the DVD. DVD's can be purchased for a nominal fee or borrowed at the Town Office*

**Map 015, Lot 123C
Rural (R) Zone**

Reason: Applicant is requesting consideration to amend Spiller Hill/Gay Brook subdivision to create a new lot and associated back lot drive way.

Bill Thompson, agent, explained that there were some changes made per the Board's communication and the Planner's 1/7 memorandum. These included two test pits, narrative of site runoff with notes on the plans, and the septic site was moved to avoid a draining easement. Mr. Seymour clarified that an easement should have been needed in the first plan because the drainage went onto an abutting property

Mr. Thompson continued that the new plan showed setbacks, used a hammerhead terminus for the drive way design and executed the proper public safety turn around. They were suggesting the name "Viv's Way" for the road that should meet E911 compliance. He said that there was also a note added that there may be additional approvals needed in the future for the road. He added that the Code officer did complete a clearing inspection and they were below the threshold. They were suggesting a natural screening buffer of double stacked, staggered white pines, 10' apart.

Mr. Sanford asked if the Road Maintenance Agreement should be notarized. Mr. Seymour responded that he did not think it was necessary because the transaction involved family members, and the Board would require that the document was recorded. Mr. Sanford asked what would happen if the property changed hands, and Mr. Seymour explained that there would be a new agreement executed. Mr. Krauter felt that notarizing was not necessary but not hard to require either and saw it as a safe guard for a larger complex projects.

Mr. Sanford stated that he was concerned with the changes in the plan that had been made after the packets had gone out. Mr. Seymour explained that the applicant's agent had responded to the Board's comments but there were no final plans at this point. He explained that the most substantive change was the septic had been moved. He explained that he was more concerned with the plantings because he felt that they were seedlings. Mr. Sanford agreed and was concerned with them becoming entangled as they grew. Mr. Foster explained that the spacing was sufficient. Mr. Linne stated that he was concerned with the other species overrunning the new plantings, and Mr. Foster explained that there would be competition but white pine should be fine. Mr. Linne stated that he was also concerned with issuing a "no cut" restriction. Chairman O'Neill asked for Pat Cayer's opinion on the proposed screening, and Mr. Cayer responded that he felt that it was reasonable.

Chairman O'Neill stated that he felt that the new plans addressed enough of the issues to move forward with the project. He added that the Board was in consensus that a notarized agreement was not for this issue, but the Board would explore that issue for future requirements.

MORION: Bruce Sanford motioned for approval to include the five (5) Conditions of Approval from January 8th from Jim Seymour's memo; seconded by Steve Linne.

DISCUSSION: None.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the DVD. DVD's can be purchased for a nominal fee or borrowed at the Town Office*

VOTE: UNANIMOUS APPROVAL (5/0)

**b) James & Patricia Ross
118 Spring Valley Road
Map 016, Lot 045B
Rural Residential (RR) Zone**

Reason: Applicant is requesting consideration of approval for a new private way.

Tom Dubois, agent, explained that he thought all of the issues were addressed with the new submission, which included a waiver request regarding the site distance issues because of past entrance permit that had been approved. He added that the Public Works Director had also stated that there was future work scheduled for Valley Road that would improve the site distance. Mr. Seymour added that the Public Works Director also thought that an additional fifty-five feet (55') would be added to the site distance and could reduce the speed to thirty-five miles per hour (35 mph) if necessary. Mr. Dubois added that the entrance had been in existence for several years.

Chairman O'Neill asked about cutting on the lot, and Mr. Dubois explained that it was not an issue.

Mr. Seymour continued some of the other requirements including phosphorus control using a buffer. He felt that the Board should require the applicant to execute the buffers before the building permit was issued. Chairman O'Neill asked if the phosphorus calculations were close, and Mr. Dubois confirmed that they were within hundredths but could widen the buffers. Mr. Seymour did not feel that it was a concern and asked how it was calculated. Chairman O'Neill explained that he was concerned with proximity of the property to the lake, and Mr. Dubois explained that he did not think that it would be an issue and explained that he had used the 0.22 allocation that the runoff would come from the driveway into the buffer to answer Mr. Seymour's question. Mr. Seymour asked if the calculations included the house lot or house lot and driveway, and Mr. Dubois explained it was based on the house lot and driveway, and they were not using the maximum number that they could have cleared.

Chairman O'Neill stated that he did not have an issue with waiving the requirement in this case but did not want to set the precedent. He wanted the restriction that the development was only for a single development and if the work by the Town on Valley Road had not been completed then the speed limit be reduced. Mr. Linne was concerned with the road work not being completed. Chairman O'Neill responded that within twelve (12) months either the sight distance be improved through Town road work or the speed limit would be lowered or the lot would remain a single family dwelling. Mr. Seymour stated that he was concerned with putting a condition on a waiver.

MOTION: Robert O'Neill moved that the sight distance requirement be waived for the project based upon planned modifications by the Town, based on the fact that it is a single family dwelling and that there was an entrance permit had been issued; seconded by Steve Linne.

DISCUSSION: None.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the DVD. DVD's can be purchased for a nominal fee or borrowed at the Town Office*

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman O'Neill suggested that the Board add one condition to the list that "the waiver conditions be met."

Chairman O'Neill added that he would like to see the "no disturb" buffer be increased because of the lake and the steep grade. Mr. Seymour suggested that the buffer area pinned, and Chairman O'Neill agreed that it was a good idea. Mr. Seymour confirmed that the Board was adding a new condition that the new lot was recorded and deed buffers with adequate field monumentation installed.

Mr. Foster asked for clarification of allowed activities in a no disturb area and the purpose. Mr. Dubois explained that there was no thinning allowed and it fell within the DEP regulations. Mr. Ross was concerned with not being allowed to cut because he would get firewood from that area. Mr. Dubois suggested changing the area to "limited disturbance" because it had the same effect on the phosphorus calculation, but Chairman O'Neill felt that it should be left as is. Mr. Foster was concerned with not managing growth. Mr. Dubois clarified that the limited disturbance worked in 50' blocks with the points system, similar to shoreland zoning. Chairman O'Neill explained that he was still concerned with runoff. Mr. Foster asked how many points would be required, and Mr. Dubois said that it was 24 per DEP.

MOTION: Bruce Sanford moved to approve the application with the original conditions from January 8th memo and with the addition of the three new conditions; seconded by Ben Krauter.

DISCUSSION: Jim Seymour reminded the Board that they had added the fourth condition pertaining to the buffer.

MOTION AMENDED: Bruce Sanford amended the motion to add the fourth condition that "the buffer be increased to one-hundred-twenty-five feet (125')"; seconded by Ben Krauter.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

4. Planner Communications

- **Bylaw changes & Find of Facts**

Chairman O'Neill asked what the Board needed to change, and Mr. Seymour explained that Town Attorney Mary Costigan would help review materials at the next meeting, because he was not sure of the methodology. The Board discussed various methods that they could for the Findings of Fact.

- **January 29, 2014: Ordinance Public Hearing**

Mr. Seymour reminded the Board that the Ordinance Public Hearing was on the 29th.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the DVD. DVD's can be purchased for a nominal fee or borrowed at the Town Office*

5. Adjournment

MOTION: Steve Linne motioned to adjourn; seconded by Ben Krauter.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Robert O'Neill adjourned the meeting at 8:15pm.

Danielle Loring
Recording Secretary