



**Raymond Planning Board
MINUTES*
Wednesday, September 10, 2014**

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

Absent: Ben Krauter

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

Applicant: Mark Gray

Other: Barbara Lovell

1. Call to order: Chairman Robert O'Neill called the meeting to order at 7:04 and a quorum was declared.

2. Approval of Minutes

- **August 20, 2014**

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

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

3. Continued Business

a) Frye Island

Location: Quarry Cove Road/ Cape Road/ Ferry Landing Road

Map/Lot: 002/011 & 070/060

LRR2 Zone

Reason: Applicant is requesting a Major Site Plan Review and approval for a proposed parking area with pedestrian walk way.

Mr. Seymour summarized the status of the project and the requests made of the applicant regarding the lighting, the DEP permitting, and widening of Cape Road.

Mr. Gray explained the revisions made to the plans:

- **Culvert discharge:** changed the elevation and designed a plunge pool into the system (page c05).
- Suggested that construction documents be prepared at the time that work was to be

*Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.

competed and reviewed by the Town of Raymond. Chairman O'Neill asked about having a full time inspector, and Mr. Gray suggested having inspections at particular junctures of the project. Chairman O'Neill asked if Raymond was agreeable with that request, and Mr. Seymour explained that he addressed this request within his memo, which included timelines for staff review and inspection. Mr. Gray explained that his suggested details were on page c02. Chairman O'Neill asked if it was going to be a condition of approval, and Mr. Seymour confirmed and suggested separate bonds for Cape Road from the rest of the project. Mr. Sanford suggested inserting a work limit line for where Frye Island town boundaries stopped and Town of Raymond's began

- He referred to Page c09 regarding the lighting timing notes. Mr. Sanford clarified if the lights would be on a timer, and Mr. Gray confirmed and explained that it would be adjusted depending on ferry schedule and season.
- He referenced the paved pull off for relocated mailboxes
- Location for movable sidewalk sign at cross walk cone shown
- Location of wheel chair ramps shown
- Reviewed check dam use and explained that it was used to vegetate a ditch. He was concerned that it may not work with a rip rap basin and was concerned with maintenance.
- Showed the location of interceptor ditch proposed over banking with rip rap and connector to ditch
- Showed the location to memorialize port-o-potty on plan
- Discussed intention to get Tree Removal Permit for tree and subsequent replanting schedule
- Showed location of proposed fence from waterline to intersection with Cape Road and a guard rail along Cape Road portion to stop parking along abutters property. Chairman O'Neill asked about the new location for the mailboxes and concerns with opposing traffic. Mr. Gray explained that some cars may need to use the pull off in the opposing direction but did not think that was any different from residential practice with similar conditions.
- c02 & c10 show the sight distance for the crossing area and proposed cutback schedule;
- c05 indicates proposed culvert replacement which showed two 18" culverts but has changed to box culvert at request of Public Works.

He requested that the Planning Board accept the original lighting plan. He explained that he brought a light meter and would like the Board to go outside and see what a foot candle looked like.

Mr. Sanford asked questions about the plunge pool and the elevations. Mr. Seymour explained how the plunge pool worked. Mr. Sanford was concerned with making a dangerous situation with the plunge pool and suggested a guard rail, and Mr. Gray explained that it was no different than the conditions on the opposite side of the road, and Mr. Seymour agreed that the site should be okay with just the shoulder.

Chairman O'Neill explained that he wanted to go through the standards as long as the Board agreed that there were no substantial changes to the plans and there were no objections.

Mr. Seymour also wanted to let them know that, due to the recent changes to the ordinance, the access road needed to be within 300' of the accessory use. He explained that he had spoken to the Town Attorney, and she said that they could either send the request to the

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*

Zoning Board of Appeals for approval or allow the applicant to widen the walkway so that it could be used as an emergency access driveway. Chairman O'Neill asked if the standard was waivable, and Mr. Hanson explained that it was not under the Shoreland Zoning Provisions. Mr. Gray explained that it did not need to be waived because widening the shoulder would achieve that usage.

Chairman O'Neill explained that the proposed lighting would need to be adjusted to highlight the access drive, and Mr. Sanford clarified the suggestion. Mr. Seymour explained that the new detail would replace the hammer head. Mr. Sanford stated that if they were going to suggest that it was to be used for emergency access, that it be built to support such use. Mr. Linne was concerned with creating a precedence to circumvent a new ordinance and did not think that it classified as a driveway, and Mr. Seymour explained that the applicant was trying to address the safety concerns by moving the entry point. He also explained that the ordinance only defined driveways as a residential use. Mr. Linne explained that expansion would not be possible with podding design. Chairman O'Neill asked if it would meet sight distance, and Mr. Seymour confirmed.

Mr. Gray explained that the bollards would be removable, to limit full time access. Mr. Priest wanted something more formal to say it was an allowed use. Mr. Hanson explained the Zoning Board of Appeals process. The Board agreed that that they wanted to see something from the Town Attorney. Mr. Linne stated that he was concerned with it being used regularly for access, and Mr. Seymour explained that they could put a restriction for any use other than emergency access.

Chairman O'Neill asked about sizing of the lot. Mr. Seymour explained that the applicant had presented the same study but added seven (7) more spaces. Mr. Linne asked if they could get third party review. Mr. Seymour explained how they would calculate the usage but it was going to be hard because it was not an existing use like a convenient store. Mr. Gray explained how they had come about their calculations and how it was addressing their concerns. Mr. Seymour explained that the parking standard was in regard to a minimum not a maximum because it was okay to have too much versus too little. Mr. Linne was concerned with the number of spaces having changed. Mr. Seymour explained that the report suggested forty-three (43) but went for fifty-four (54) then needed to go down to 50 to the allowed number in the pod within the ordinance.

Mr. Sanford was still concerned with the use of gravel but was more comfortable given that there was more lighting. Chairman O'Neill explained that there was no provision requiring pavement and can only request additional lighting. Mr. Sanford was concerned with not having enough lighting to meet the standard especially if it was not safe. Chairman O'Neill explained that the Board could request the minimum lighting because it was going to be gravel. Mr. Sanford suggested a compromise. Mr. Gray explained that the roads on Frye Island were gravel and it worked out just fine. Mr. Seymour explained that that could not be considered because they were not in Frye Island and that Portland Water District wanted the lot to be paved for erosion control.

Mr. Gray explained the lighting comparisons that were submitted. On page c11, he showed six (6) different areas along the property and explained the lighting effect for each. He then suggested demonstrating foot candles in the parking lot. Mr. Sanford asked for foot candles to natural lighting such as moonlight.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*

MOTION: Bruce Sanford motioned to move the meeting outside; seconded by Greg Foster.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman O'Neill announced that the meeting was moving outside at 8:12pm.

NOTES FROM SITEWALK:

At full lighting under the twenty-five foot (25') light pole with a high pressure sodium light fixture, there were three foot (3') candles measured. Moving forty feet (40') away from the pole there were 0.1 candle feet measured, which was equivalent to moonlight.

The Board resumed the meeting at 8:17pm.

Mr. Sanford explained that he still had an issue with having a gravel surface, and Mr. Gray explained that Frye Island would maintain it. Mr. Seymour explained that the issue he had with the lighting plan was that bollards projection of light could be blocked by cars, brush or people and it would not have the same affect as the pole lighting that was used in the parking lot.

Mr. Linne was concerned with 360-degree bollards projecting the light horizontally versus pole lights directing the lighting down. Mr. Gray suggested painting the unwanted portion of the light with black paint. Mr. Linne asked if there were additional lighting options that could be used. He felt that page c10b was a better option. Mr. Gray explained that it was never the intent to light the parking lot but to provide navigation down the path. He pointed out the ordinance did not require lighting.

MOTION: Bruce Sanford motioned to accept the applicants waiver request to have the bollard lighting as proposed on page c10 and adding black paint to reduce lighting along Cape Road and Quarry Cove Road; seconded by Greg Foster.

DISCUSSION: Mr. Linne was concerned with not having security cameras and therefore adequate lighting to use them.

Mr. Linne did not agree with bollard lighting but does like the 12' poles

VOTE: MOTION FAILED (1 /4 [RO, BS, SL, WP])

Chairman O'Neill summarized the Board decision that they were not looking for the maximum lighting, but would like to see overhead lighting.

Mr. Gray proposed the lighting plan on page c10a.

MOTION: Bruce Sanford moved to accept the applicant's waiver for the applicant's plan on page c10a with five (5) 12' poles and no painting required; seconded by Greg Foster.

DISCUSSION: The Board discussed the lighting plan proposed.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman O'Neill announced that the Board was now going to review the rest of the application starting with the Shoreland Zoning Provisions.

G. PARKING AREAS:

Chairman O'Neill explained that primary question was whether it was going to be gravel or paving. Mr. Gray continued to only propose paving only the steep portion of Quarry Cove Road and Frye Island maintaining that the portion. Mr. Sanford suggested tabling the matter to consider the immediate abutters. Chairman O'Neill asked what portion of the ordinance he was considering his decision, and Mr Sanford replied "Health and Public Safety". Chairman O'Neill was concerned with creating a situation with cracked pavement that may be less safe than existing conditions and explained that, environmentally, it was better but if they applicant treated the runoff, then the Board would pass the standard. Mr. Priest explained that the applicant's intention was to keep the parking area gravel.

MOTION: William Priest motioned that they were going to accept the parking area as gravel and the applicant met all of the standards under section G; seconded by Greg Foster.

Mr. Linne asked if the applicant met the standard for vegetative buffers, and Mr. Seymour confirmed.

VOTE: MOTION CARRIED (4/1 [BS])

H. ROADS AND DRIVEWAYS:

Chairman O'Neill explained that in order to pave Quarry Cove Road, the applicant would need to work that agreement out with the Road Association, but it would not come as a part of the approval from the Planning Board. Mr. Gray explained why they were proposing the project, including the pavement. Mr. Sanford asked if there should be a note that the development proposed on the plan is for reference only barring an agreement with Quarry Cove Road Association. Mr. Gray did not feel that it would be an issue to get it approved with the Road Association. Mr. Linne explained that it should be tabled due to the emergency access issue.

MOTION: Steve Linne motioned to table; seconded by Robert O'Neill.

DISCUSSION: UNANIMOUS APPROVAL (5/0)

J. Storm Water Runoff and Flood Protection:

Mr. Seymour did not have DEP approval yet, and the Board was going to rely on their discretion. Mr. Gray suggested conditional approval, and Chairman O'Neill denied the request. Mr. Seymour explained that he wanted the calculations to show they were in compliance, and MG felt his note on the plan sufficient. Chairman O'Neill asked if the applicant needed a maintenance plan, and Mr. Seymour stated that it was incorporated through the DEP Permit.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*

Q. Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting:

Chairman O'Neill confirmed that the only issue was one tree being removed and the subsequent replanting plan, and Mr. Hanson confirmed.

Mr. Seymour brought up the Standard Q.3 and felt that he applicant was well under the allowed amount of 40% clearing.

MOTION: Robert O'Neill the plan that has been submitted meets the requirements for Section Q clearing and removal vegetation activities with the exception of timber harvesting and that the replanting be coordinated with Code Enforcement; seconded by Bruce Sanford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

R. Erosion and Sedimentation Control

S Soils

T. Water Quality

Chairman O'Neill explained that all three standards would be tabled until they had received the DEP Permit approval. Mr. Seymour stated that the remaining nine (9) standards could also wait until that time.

Chairman O'Neill announced that the were now moving on to the Land Use Standards:

A. Preservation of Landscaping:

MOTION: Bruce Sanford motioned that the application meets standard for preservation of landscape; seconded by William Priest.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

B. Relation of Proposed Buildings to the Environment:

Chairman O'Neill stated that there were none, and Mr. Seymour asked for a vote to show that it met the standard.

MOTION: Robert O'Neill motioned that the application met the requirements with relation to proposed buildings to the environment; seconded by William Priest.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings cal also be found at www.raymondmaine.org.*

C. Vehicular Access:

MOTION: Bruce Sanford motioned to Table the standard for the same reasons under Vehicular Access question; seconded by Robert O'Neill.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman O'Neill asked if the issue regarding widening of Cape Road the Right-of-Way had been finalized, and Mr. Seymour answered that the applicant needed to provide documentation that would need to be reviewed and approved by the Town.

D. Parking and Circulation

MOTION: Bruce Sanford motioned to Table Parking & Circulation standards; seconded by Steve Linne.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

E. Surface Water Drainage

Chairman O'Neill explained that this item was related to the DEP permit approval, and Mr. Seymour confirmed and stated that the applicant also needed to show box culverts on the plans.

MOTION: Robert O'Neill motioned to table the standard until they receive DEP permits; seconded by Bruce Sanford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

F. Utilities.

Mr. Seymour asked if the applicant required a transformer, and Mr. Gray responded that it would depend on the lighting setup.

MOTION: Bruce Sanford motioned to accept the utilities with the stipulation that Town Staff must approve future details; seconded by Greg Foster.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*

G. Special Features.

MOTION: Bruce Sanford moved to accept Special Feature standard with review from Town Staff for the location of solid waste that may be needed to be added to the plan and associated maintenance plan (L. Environmental Considerations); seconded by Greg Foster.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

H. Exterior lighting

MOTION: Robert O'Neill moved to accept c10 lighting plan as presented by applicant including the pedestrian walkaway and previously approved waiver; seconded by Bruce Sanford.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

I. Emergency Vehicle Access

Chairman O'Neill announced that this item was Tabled.

J. Landscaping.

MOTION: Bruce Sanford moved to accept landscaping as presented; Robert O'Neill.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

K. Standards and Regulations of Article 9

Chairman O'Neill announced that this standard would be tabled until the required documentation was submitted.

Mr., Gray to summarized the Board's request:

- Want to see removable bollards and locking mechanism;
- Widen shoulder of sidewalk and provide additional sub-base;

Chairman O'Neill wanted to see whether the applicant would still need the hammer head, and Mr. Linne agreed and would rather have the Fire Chief make the call.

Mr. Seymour asked if anything was needed from the Post Office to move the box, and Mr. Gray stated that the carrier was fine with it. The Board requested documentation from the Post Master.

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*

Mr. Seymour wanted additional signage at the crossing using solar strobes, and Mr. Gray felt that the portable signage was sufficient and there was signage coming up to the site. He felt that this would be a low volume road beyond the intersection, where the crosswalk was.

Mr. Sanford stated that he wanted the hammerhead, and Mr. Seymour suggested leaving it on the plan but not constructing it if the Fire Chief said that it was adequate without. Mr. Sanford felt that it could serve other purposes which would make it safer.

Mr. Seymour wanted the draft easement for legal review, and Mr. Gray added that he would also submit the green space percentage and box culvert on the plan.

Chairman O'Neill polled the Board regarding the hammer head. Mr. Priest asked why there was a hammerhead, and Mr., Seymour explained that the Fire Department had asked for it due to the size. Mr. Priest was fine with removing it if Fire Department approved. Mr. Linne was comfortable with removing in order to prove that emergency access was sufficient.

b) Formal Acceptance of Revised Bylaws

MOTION: Bruce Sanford motioned to accept the revised Bylaws; seconded by Steve Linne.

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (5/0)

4. Planner Communications

Chairman O'Neill polled Board 10/8 attendance and moved meeting to the 15th to ensure a quorum.

5. Adjournment

MOTION: Greg Foster motioned to adjourn; seconded by Bruce Sanford.

VOTE: UNANIMOUS APPROVAL (5/0)

Chairman Robert O'Neill adjourned the meeting at 9:13pm.

Danielle Loring
Recording Secretary

**Per the "Minutes Policy," reviewed and approved August 17, 2010 and amended May 13, 2014 by the Board of Selectmen, written minutes will only serve as a supplement or guide to the official record, which is the video record, unless they are the only record. DVD's can be purchased for a nominal fee from the Town Office or borrowed from the Town Office or Raymond Village Library. Recordings can also be found at www.raymondmaine.org.*