



**Raymond Planning Board  
Minutes\*  
Wednesday, October 15, 2014**

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

**Absent: None.**

**Staff: William Haskell, Contract Planner; Chris Hanson, Code Officer; Bruce Tupper, Fire Chief; David Mains, Fire Inspector; John Facella, Fire Department; and Danielle Loring, Recording Secretary.**

**Applicant: Owens McCullough, Rob McSorley, Michael Soucy, David Greep,**

**Other: Tacy Harley, Louise Lester, Woodbury, Bob Gosselin, Sam Gifford, Tony Vance, John Woodbury**

**1. Call to order:** Chairman Robert O'Neill called the meeting to order at 658 and a quorum was declared.

**2. Public Hearings**

**a) Town of Raymond**

**Location: 0 Valley Road (Proposed Repeater Lane)**

**Map/Lot: 016/092-100**

**Rural Zone**

**Reason:** Applicant is requesting approval for an access road and communications tower for the Public Safety and Public Works departments. This project qualifies for staff review but has been recommended for Planning Board review.

Mr. Haskell summarized the application and the purpose of the project, which was to improve Public Safety communication gaps in east Raymond.

Mr. McCullough introduced himself as the Town's agent and explained that the project would be constructed through the IRT program. He explained how the program worked and how the Town got involved with process. He explained that the Town acquired the tower and the land over a year ago. The tower was a 100' light weight tower that would only be for the communications antenna because it could not support commercial arrays. He explained that there would also be an access road constructed as well as a precast concrete control building.

He explained that that there would be a light on the outside of the building for security but no other lighting was necessary. He explained that the Public Safety had already gotten their FCC licensing required.

Mr. Sanford asked about complying with regulations regarding fall down zones. Mr.

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McCullough explained that the Town had regulations regarding cable guided towers but they did not apply to this project. Mr. Sanford asked if the applicant could get a letter from the engineer explaining how the tower would collapse

John Facella, Radio Engineer for applicant, explained that self supporting towers are more ridged than cable guided.

Mr. Linne wanted to know how the project fell outside of the Wireless Communications Facility (WCF) Ordinance. Mr. Hanson explained that the Town Attorney reviewed the project and explained that it was a radio tower not a communications tower under N & M of the WCF Ordinance. Mr. Haskell added that it was exempt because it did not fall under a commercial use and was defined in the subsequent areas.

Chairman Robert O'Neill opened the Public Hearing.

Tony Vance (representing abutter Stephen Curit) explained that there was a Road Maintenance Agreement that outlined the shared costs of the construction and was concerned with the interests of the abutter. Mr. McCullough explained that the Town would be purchasing the materials for the Road, rather than sharing the cost as described in the agreement, but that Mr. Curit could purchase materials for his own underground utilities that could be installed at the same time.

Mr. Sanford asked if the utilities would be above or below ground. Chief Tupper explained that the intent was go underground for safety reasons. He confirmed that the town was able to run materials that would be supplied by the abutter.

Chairman O'Neill asked about the property lines, and Mr. McCullough outlined them. Mr. Krauter asked about the location of the access easement across Curit's property. Mr. McCullough instructed the Board to look at the last page of the plans to see the noted properties.

Chairman O'Neill explained that Planning Board would have no say in the Road Maintenance Agreement and that would be between the abutter and the applicant. Mr. Vance asked why there was no turn around, and Mr. McCullough explained that there was area within the bounds of the applicant's property. Chief Tupper added that the town would maintain the access road to the tower.

John Woodbury, abutter, explained that he was concerned that his barn was within 100' of the tower. He wanted to know if there was a decibel rating on the generator. Chief Tupper explained that he had approached the abutters before the property was purchased. He explained that the generator would come on once a week for twenty minutes, and they would coordinate the appropriate time. He did not have the decibel rating at this time but it would be enclosed and should be relatively quiet.

Louise Lester, Hartley Road, spoke in favor of the project because of the Public Safety need.

Chairman Robert O'Neill closed the Public Hearing.

Mr. Linne asked why the tower had not been relocated on the lot to avoid being close to

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boundary lines or buildings. Mr. McCullough explained that it was at the height of the land and indicated where the drop off was. Mr. Linne felt that it was at the closest point and the issue of the WCF was a gray area. Mr. McCullough explained that the Public Safety had some FCC licensing and GPS requirements that would have to be investigated. Chief Tupper felt that they were able to move the tower within 50' of the current location.

Chairman O'Neill explained that the Board was going to review the standards.

### **1. Preservation of Landscaping.**

The Board had no issues.

### **2. Parking and Circulation**

The Board has no issues

### **3. Surface Water Drainage**

The Board has no issues

### **4. Utilities**

The Board confirmed that the utilities would be underground from the pole.

### **5. Exterior Lighting –**

Chief Tupper explained that it would not be on all the time. Chairman O'Neill asked if the lighting would be on timers, and Chief Tupper responded that it would be that or motion, when anyone is there for maintenance.

### **6. Emergency vehicle access**

The Board noted that there was no hammer head because there was sufficient area within the lot to turn around. Mr. Mains explained that they would not use a large vehicle to respond to a call on this site.

### **7. Landscaping –**

The Board determined that it was not necessary because it is a wooded lot.

### **Conditions for approval –**

- Underground utilities shown on the plan;
- Shift the tower away from buildings and boundaries, and provide letter from an engineer regarding the structural integrity of the tower.

Mr. McCullough stated that they could shift the tower over.

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Mr. Linne asked if the gate on was on Valley Road or inset, and Chief Tupper responded that it was set back on the lot at the property line.

Chairman O'Neill asked about phosphorus, and Mr. Haskell responded that stormwater was directed into a wooded spreader.

MOTION: Robert O'Neill motioned to approve the Town of Raymond's proposed Repeater Lane with the following conditions: applicable documentation for fall zone for tower, revisions to the plans as discussed, underground utilities and shifting of the tower of the south corner; seconded by Steve Linne.

DISCUSSION: none

VOTE: UNANIMOUS APPROVAL (6/o)

**b) Port Harbor Holdings I DBA Port Harbor Marine**

**Location: 1328 Roosevelt Trail**

**Map/Lot: 050/043**

**Commercial/LRR1 Zoning**

**Reason:** Applicant is seeking Major Site Plan Review and approval for site redevelopment.

Mr. Haskell summarized the application for Major Site Plan Review. He explained the history of submission and revisions and explained that there were additional revisions. Chairman O'Neill stated that the Board would not consider changes but would consider them as part of the conditions.

Mr. Haskell explained the intention of the project, which was to address some internal issues and improve safe access to the property.

Rob McSorley, agent from Sebago Technics, explained that the applicant was looking to reconfigure their site to improve access to the site as well as to the rear portion. There would also be additional landscaping to improve appearance and provide buffering. The applicant was also looking to grade the property to reduce bottoming out. They were going to label the fire lane and where the storage and display area would be on future plans.

Mr. McSorley continued that they did send notice to the Maine Historical Society. He explained the amount of disturbance and the treatment of runoff and that there were issues due to the Portland Pipeline easement and a sand-gravel aquifer, but there would be additional treatment inside the catch basins that would help to collect debris and filter the runoff.

Chairman O'Neill asked where the runoff was currently being transported, and Mr. McSorley explained that it currently runs into the marine, but the applicant was proposing to have it diverted to the grass areas shown in the plans. Chairman O'Neill asked if the project would meet the phosphorus standards, and Mr. McSorley explained that the applicant was grandfathered and they met the state's standards because they were reducing their impervious surface.

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Mr. Haskell explained that the original design did not have any treatment but the new design would include catch basin treatment. He felt that they technically did not have to meet current standards but they are making an existing standard better.

Chairman O'Neill explained why the project did not meet the current ordinance, but saw that they were making an existing condition better. Mr. Haskell explained that he had not treated the site as a raw site in his review. Chairman O'Neill felt that the applicant would need to submit a written waiver to the effect. Mr. McSorley read a statement from the DEP regarding phosphorus calculations, and Chairman O'Neill did not disagree with the statement but explained the process of Planning Board approval and felt that a waiver was required.

Mr. Sanford asked about the yard and wanted to know how it was going to be used, and Mr. McSorley explained that it would be used for boat storage.

Mr. Sanford asked about the stairs and if there were landings were required, and Mr. Hanson confirmed. Mr. Sanford asked if they were going to have to meet the spacing requirement. Mr. Hanson explained that the applicant would need a building permit before construction and those requirements would be reviewed in reference to the ordinances and the ICC standards at that time. Mr. Sanford asked if there would need be a gate. Mr. Soucy, owner, stated that he was fine with that but Mr. Hanson did not think that it was necessary and felt that there would be little no use in the winter months.

Mr. Linne asked about additional area that could be used for stormwater, and Mr. McSorley explained the limitations posed by Portland Pipeline easement.

Chairman O'Neill opened the public hearing for comment.

Louise Lester, Hartley Lane, explained that the open portion was mostly clay and would not drain. She was in favor of the project and felt that it was an upgrade to the existing conditions.

Tacy Hartley, Windham, stated that she was in favor of the project.

Chairman O'Neill closed the Public Hearing.

Mr. Mains explained the request for the firelane in respect to the building and retaining wall.

Mr. Sanford asked about the location of the building relative to the grade, and Mr. McSorley did not think that it was going to be an issue.

Mr. Linne asked about setbacks in the commercial district, and Mr. Haskell explained that it was within regulations and adequate for use.

Mr. Sanford asked about firelanes and bituminous curbing, and Mr. Mains explained that the purpose was to get access to the building and the curb would not be an issue. Mr. Sanford wanted to know if it was noted accurately on the plan. Mr. Haskell explained that the feature was 15' from the edge of the curbing, and Mr. Mains explained that it was adequate. Mr. Linne asked what the purpose of the curbing was, and Mr. McSorley explained it to protect a car that may be parked there or transition. Mr. Linne did not feel that it was necessary, and Mr. McSorley explained that they could remove it.

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Chairman O'Neill asked if the Board wanted to review the application without the waiver. Mr. Krauter and Mr. Foster felt comfortable without the waiver present. Mr. Linne wanted the waiver. Mr. Priest asked if the grandfathered condition was applicable with the Town and wanted verification of that and felt that he would like a third party review. Chairman O'Neill explained that they had never waived the standard but this was a unique condition. He asked for Mr. Haskell for his interpretation, and Mr. Haskell explained that the DEP would see it as an improvement but it would not be possible to meet the standards because of the conditions of the property. Mr. Linne would like to see the calculations, and Mr. McSorley explained that it was a small amount of improvement. He explained that removing the existing building made the site better but had to increase parking to meet the standards. Mr. Linne wants to see evidence that the situation is made better.

Mr. Hanson explained that the existing condition allows for all the runoff to enter the lake but the new slope would slow the water and allow for treatment.

Mr. Sanford asked if cutting into the grade would effect ground water, and Mr. McSorley did not think there would be an issue.

Mr. Sanford wanted to know what the Board would do with the runoff numbers if they had them. He wondered if they would make the applicant adhere to the standards or approve the waiver with them. Chairman O'Neill assumed that the conditions were not getting worse and felt that the waiver was appropriate but wanted something to base the waiver on because there had been no formal request.

Mr. Priest felt that they would not need a waiver because the DEP has already given a waiver. Mr. McSorley explained that they did fall under Industrial permitting through the State and associated required permitting. Mr. Sanford felt that a formal statement from the DEP should be recorded on the plan. Chairman O'Neill agreed to move forward with that as a condition.

The Board felt that all of the Shoreland Zoning Standards and Land Use Standards had been met with the conditions and the addition of the notice from the DEP.

MOTION: Robert O'Neill motioned to approve the application for Port Harbor Holdings dba Port Harbor Marina with the following conditions of approvals:

- Depict the approximate areas of boat storage and display on the site plan.
- Provide additional stormwater quality treatment devices in the new catch basins to enhance the level of treatment prior to discharge to the lake. Cut sheets and information on the proposed devices shall be submitted for review and approval.
- Applicant shall provide documentation from Maine Department of Environmental Protection that project is exempt from stormwater permitting.(ADD A & B from Memo) C: memo from DEP site phosphorus tun off grandfathered, BK

DISCUSSION: None.

VOTE: UNANIMOUS APPROVAL (6/o)

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**c) David Greep**

**Location: 1207 Roosevelt Trail**

**Map/Lot: 057/001**

**Commercial Zone**

Reason: Applicant is seeking approval for a revision to existing Site Plan to rotate a proposed building. This project qualifies for staff review but has been recommended for Planning Board review.

Mr. Greep introduced the project and explained that he wanted to change the orientation of the building from the original site plan approved in 2013 for aesthetics. Mr. Greep handed out elevations that expanded on the site plan already submitted. He explained that he would need to reorient the parking even though it is the same number of spaces.

Chairman O'Neill asked why this was not considered under staff review, and Mr. Hanson explained that it was due to the provisions of the ordinance.

Mr. Sanford was concerned with runoff caused by the orientation of the building. Mr. Hanson explained that there would be stone drip edges installed. Mr. Sanford felt that they would need to be substantial.

Chairman O'Neill opened the public hearing for comment and there was none. Chairman O'Neill closed the Public Hearing.

MOTION: William Priest motioned to approve the project with approval via the Code Officer; seconded by Ben Krauter.

DISCUSSION: None

VOTE: UNANIMOUS APPROVAL (6/0)

**4. Planner Communications**

See memos submitted by Jim Seymour.

**5. Adjournment**

MOTION: William Priest motioned to adjourn; seconded by Ben Krauter.

VOTE: UNANIMOUS APPROVAL (6/0)

Chairman Robert O'Neill adjourned the meeting at 8:56pm.

Danielle Loring  
Recording Secretary

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