



**Raymond Planning Board
Minutes*
Wednesday, February 11, 2015**

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

Absent: None.

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

Applicant: Mark Gray, Agent.

Other: Kevin Fay, Barb Lovell, and Tom Ewig.

1. Call to order: Chairman Robert O'Neill called the meeting to order at 7:05 pm and a quorum was declared.

2. Minutes

- **January 14, 2015**

Greg Foster stated that on page 7 "Unanimous Approval" should be changed to "Motion Failed."

MOTION: Greg Foster motioned to accept minutes as amended; seconded by Ben Krauter.

DISCUSSION: None.

VOTE: MOTION CARRIED (5/o/1 [ab BS])

3. Old Business

a) Town of Frye Island

Quarry Cove Road & Cape Road

Map/Lot: 002/011 & 070/006

Reason: Major Site Plan Review for proposed single access, Park & Ride with pedestrian walk ways for Frye Island Ferry.

MOTION: Bruce Sanford motioned to take the application off table for discussion; seconded by Greg Foster.

VOTE: UNANIMOUS APROVAL (6/o)

Chairman O'Neill explained that the only item left for the application was the consideration of whether the access met the intention of the ordinance.

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Mark Gray introduced himself and explained that the materials were the same as before and felt it was best to let the Planner address the standard.

Mr. Seymour explained the items that had been received from the Town Attorney and the applicant. Mr. Sanford asked what the letter from the applicant entailed, and Mr. Seymour explained that it gave them 2 years to start the project and another 5 to finish. Mr. Sanford felt that it was a long time to extend the approval. Mr. Seymour explained that it was in compliance with the DEP's standard and that it allowed for all matters regarding the project to be settled with the applicant.

Chairman O'Neill asked if the Board had questions for the Town Attorney.

Mr. Priest asked about response to her original memo, because his issue was not with egress but with entrance. Ms. Costigan explained that entrance had to do with the primary use to the off street parking and read the language. Mr. Linne stated that the citation was incorrect and referred the use of "the" in the ordinance. Ms. Costigan stated that she understood their concern but asked for clarification on the issue and the Board continued to discuss their concerns with the ordinance language in relation the site plan. The primary concern was the use of "the entrance" because they felt that the existing plan was created to circumvent the standard, and Ms. Costigan explained that it was in reference to the starting point of the driveway not the access to the lot.

Mr. Linne explained that if the access road was considered a driveway then the project could be considered unsafe due to the mixing of traffic. Chairman O'Neill agreed and stated that the other question was whether the driveway met the intent of the ordinance for pedestrian safety. Ms. Costigan felt that the topic was a broader discussion on safety so that people were not walking long distances to get to the accessory use. Chairman O'Neill asked if it was a path, would it meet the intention of the ordinance, and Ms. Costigan responded that it would not. Mr. Sanford felt that the applicant should go for a waiver, and Mr. O'Neill how the Board would go about granting that. Ms. Costigan explained that 300' requirement outside of the Shoreland Zoning Provisions could be waived. Mr. Linne stated that he would rather see the waiver. Ms. Costigan read the waiver provisions of the Land Use Ordinance.

Mr. Sanford asked how that would occur, and Mr. Krauter reminded the Board that a waiver was not before them. Chairman O'Neill asked Mark Gray if they would consider a waiver. And he reminded the Board that it served the purpose of emergency access to remove the turn around. He explained that all of the State approvals were based off of present design.

Mr. Linne asked about the Stormwater Permit, and Mr. Gray that they did not have approval for the previous design but did for the current design that the applicant was requesting approval for. He asked that the Board leave design as is but put conditions on the approval and grant waiver.

Conditions:

Mr. Priest requested the condition that forever and always the access would be for emergency vehicles. Mr. Linne wanted to add "no motorized vehicles", and Mr. Seymour felt that the more appropriate wording would be "only emergency and maintenance".

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Chairman O'Neill inquired about the fact that the access did not meet sight distance provisions, and Ms. Costigan stated that only emergency vehicles could exit, who were trained to exit such areas.

Mr. Seymour suggested also requesting a waiver.

Mr. Gray requested a waiver for the access road standard. Chairman O'Neill asked about approving it without having it and writing, and Mr. Seymour suggested it as a condition for approval.

MOTION: Robert O'Neill motioned to reconsider item G, Parking Areas; seconded by Greg Foster.

DISCUSSION: None.

VOTE: MOTION CARRIED (5/1 [BS])

MOTION: Robert O'Neill motioned to accept the applicant's request for a waiver for the 300' requirement as part of item G.6; seconded by Ben Krauter.

DISCUSSION: Steve Linne requested to get a written waiver in within five (5) business days. Bruce Sanford stated that he could not support the motion due to accepting the waiver counter to ordinance language.

VOTE: MOTION CARRIED (5/1 [BS])

MOTION: Ben Krauter motioned to accept the application as presented with the waiver and conditions of approval; seconded by Robert O'Neill.

DISCUSSION: None.

VOTE: MOTION CARRIED (5/1 [BS])

MOTION: Greg Foster motioned to accept the application with conditions of approval as noted on plan 1-11; seconded by Ben Krauter.

DISCUSSION: Steve Linne wanted to amend item 3 on the plan because he wanted to know which driveway the "the" was referring to, and Mr. Seymour clarified that it was the emergency access.

Steve Linne wanted to know about item 9, and Mr. Seymour responded that it had to do with bonding, which did not go with extension of approvals.

VOTE: MOTION CARRIED (5/1 [BS])

Mr. Seymour stated that at the next meeting will be consideration of the findings of fact.

Chairman O'Neill asked about considering the proposed extension.

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Mr. Linne clarified that the applicant could wait two (2) years start and the have five (5) to complete but if they waited four (4) years would they get seven (7) to complete, and Mr. Seymour responded that they would but would have to come back to Planning Board. Chairman O'Neill felt that two (2) years to start was okay but 3 years was excessive. Mr. Seymour stated that the condition mimicked the DEP, and Chairman O'Neill felt that the Board may not want to commit for that long because of ordinance and board changes. Chairman O'Neill suggested two (2) years to start and three (3) years to complete. Mr. Linne asked is the two (2) years were for planning, and Mr. Gray responded that it depended on the next steps in the process.

MOTION: Steve Linne motioned to grant an extension of three (3) years with two (2) years for commencement; seconded by Robert O'Neill.

DISCUSSION: None.

VOTE: MOTION CARRIED (5/1 [BS])

4. Planner Communications

Consideration of Finding of Fact for:

a) Panther Run Marina

1292 Roosevelt Trail

Map/Lot: 052/047

LRR1 Zone

Reason: Staff Review for Office Addition.

b) Meyer Realty Investments, Inc.

1263 Roosevelt Trail

Map/Lot: 053/042A

Reason: Minor Site Plan amendment to include a new 1,800 sq. ft. storage building.

c) Town of Raymond

Location: 170 Plains Road (Sand Salt Shed)

Map/Lot: 009/046

Rural Zone

Reason: Applicant is requesting Major Site Plan Review for development at existing Public Works Facility for new Sand-Salt Shed and Pole Barn

JS explained each of the projects and their approvals.

5. Adjournment

MOTION: William Priest motioned to adjourn; seconded by Robert O'Neill.

VOTE: UNANIMOUS APPROVAL

Chairman Robert O'Neill adjourned the meeting at 8:07pm.

Danielle Loring

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