



**Raymond Planning Board**  
 Raymond Broadcast Studio  
 423 Webbs Mills Road  
**Minutes**  
**HYBRID MEETING & WORKSHOP**  
**Wednesday March 20, 2024**  
 7:00 PM

**Present:** Chair Bob O'Neill, Vice-Chair Edward Kranich, Greg Foster, Kevin Woodbrey, Mark Childs, Mike Richman and Steve Clark

**Staff:** CEO Alex Sirois, Contract Town Planner Jim Seymour, Fire Inspector Wayne Jones (7:30) and Recording Secretary/Administrative Assistant Sandy Fredricks

The meeting was called to order at 7:00 p.m. by Chair Bob O'Neill. Roll was called, and a quorum was declared. Bob read the usual opening statement into the record.

**Approval of Minutes:**

Greg moved to approve Minutes of February 21, 2024 as written.

Ed seconded.

Any discussion? None.

All in favor? 6 yes/0 no/1 abstain (Bob)

**PUBLIC HEARING ORDINANCE CHANGES FOR JUNE 2024 TOWN MEETING**

Bob stated he would be taking the proposed changes out of order.

Bob opened the Public Hearing for Item **24-07**, Land Use Ordinance §300-2.2 Land Use Regulation Map; Shoreland Zoning Ordinance §350-2.1 Districts and Zoning Map. He further stated the Board would address these proposals in two (2) sections (a) The area around Clearwater Drive and (b) Main Street area.

**CLEARWATER DRIVE AREA:** Alex gave a summary of the proposed change and explanation of why this was being proposed. Many residents in the area of the proposed changes spoke in opposition to the change and stated their concerns.

Bob suspended the Public Hearing to allow the Board to deliberate the matter. After discussion among the Board members, CEO and Town Planner, the Board.

Ed moved to not send the Clearwater Drive amendment to the Selectboard.

Steve seconded.

Any discussion? None.

All in favor? 7 yes/0 no/0 abstain

FOR DETAILS, PLEASE SEE VIDEO, THE OFFICIAL RECORD OF THE MEETING

Bob re-opened the Public Hearing on **24-07** Main Street amendment.

MAIN STREET AREA: Alex again explained the proposed change and how it came about. He further stated that the proposed amendment is to bring certain portions of certain parcels out of the Shoreland Zone as they are beyond the 850' requirement. The Board discussed the impacts of this change. Several members of the public spoke both for and against this proposal. Bob explained this is to correct an oversight in the original lines of this area. Kevin asked if Peter Levitt could inform the Board if the Comp Plan Committee has discussed this area. Peter stated they have discussed "Growth Areas" but no specifics at this point and they are still trying to determine where the growth areas should be. He further noted that the Village has been designated a growth area as far back as the 1990s. After additional discussion among the Board, Bob suspended the public hearing.

Greg moved to send this amendment to Main Street to the Selectboard with a recommendation of approval.

Steve seconded.

Any discussion? None.

All in favor? 6 yes/0 no/1 abstain (Kevin)

Bob stated the Board will now address Item **24-03**, Land Use Ordinance §300-4.6 Commercial District, Allow multi-family dwellings in the Commercial District

Alex gave a brief review of this change and how it was brought forward.

Bob re-opened the Public Hearing. Several individuals spoke both in favor and against this proposed change. Andrew Broaddus, attorney for Friends of Clearwater Drive spoke in opposition to this change giving examples of how it is detrimental to the Clearwater Drive neighborhoods. Many others raised issues that Commercial should stay Commercial, that Raymond needs businesses not multi-family buildings. One resident suggested businesses on the first floor and residences on second. Jim explained our ordinances already allow that use. Bob suspended the Public Hearing.

Greg moved to approve the proposed amendment and forward it to the Selectboard.

Steve seconded.

Any discussion? None.

All in favor? 2 yes (Greg/Steve)/5 no (Kevin/Ed/Mike/Mark/Bob)/0 abstain

Bob stated the Board will now address **Item 24-05**, Land Use Ordinance §300-9.27, Solar Energy Systems, Amendment to provide additional buffering from abutting residential uses. Alex gave a summary of the amendment.

Bob re-opened the Public hearing on **24-05**. James Bass, attorney for The Wallaces stated that Bob had discussed some of the changes he (Bass) had proposed yet he doesn't see that in this proposed amendment. Many residents (abutters to the current proposed Solar Project) spoke against the proposed change as they are not enough and their proposed changes came from a safety aspect. Bob reminded the public the Board

is only looking for statements of for or against the proposed change. Members of the public continued to give their arguments about solar. It was suggested that the Board could do more. It was questioned where the 50’ number came from, people believed it to be an arbitrary number. Bob suspended the Public Hearing. Jim explained that the 50’ was not an arbitrary number, it came from Site Plan Review of buffering between a Commercial and Residential Use.

Greg moved to send this amendment forward to the Selectboard with a recommendation to approve.

Ed seconded.

Any discussion? None.

All in favor? 7 yes/0 no/0 abstain

Bob stated he is going to hold the Administrative Ordinance Amendments until later.

**OLD BUSINESS**

**PUBLIC HEARING - SITE PLAN REVIEW REVISED PLAN**

Applicant	Allen Solar, LLC
Location	Map: 004 Lot: 68 & 68A Zone RP & LRR1 Roosevelt Trail
Description	Site Plan – 996 kWac Ground Mounted Solar Power Generation Facility

Bob asked Jim to give a summation of the changes they have made. Jim stated they have reduced the number of panels; they have provided more setback in the rear. Jim stated the Board had requested they provide a plan for the visual setback which will be the largest discussion. He continued they also are required to obtain two (2) approvals from State DEP and an NRPA approval. The Town does not have a vernal pools or wetlands ordinance; that is a DEP issue. He suggested the Board wait for the DEP approvals and not approve the project this meeting. Jim continued, we have reviewed the Stormwater. If the Board wished a third party review, you can request it, however, the Town usually relies on the DEP findings. Kevin stated once you strip the land it changes how it runs off. Jim stated that is part of the Stormwater calculations. He further stated there is also an erosion control plan that was submitted.

Bob turned it over to the applicant. Dave Fowler stated Kirk Ball will take it from here. Kirk stated as Jim pointed out, we have reduced the number of solar panels, we have increased the setbacks to 70’, moved the clearing on it only the solar site 35’ from the residences, we have provided visual screening. He continued they have met the general standards of DEP Chapter 500; we have exceeded the treatment in this project, and we exceeded the phosphorous standards by 1.5 times what is allowable.

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Ed asked when they may be getting DEP approval. Kirk informed DEP reviewed and approved vernal pools and the application was deemed approved March 19<sup>th</sup>, 2024. We are scheduled to have it by June 17<sup>th</sup>, 2024. Mike questioned what type of fencing was being used. Kirk stated solid like the fencing you see off the highway in Gray about 7' above ground, so about 7-1/2'- 8'. Dave stated if the abutters want something else for visual, he will be happy to discuss it. Bob stated before he opens the Public Hearing on this project, questions he has gleaned from comments at the Selectboard and comments at our meeting the last time we received comments, he jotted some notes addressing visual impact, noise, buffer and environmental impact to the vernal pools. He continued that in our ordinance §300-9.27D it does provide that a visual impact assessment may be requested and has four (4) different points. The visual assessment must be conducted by a Maine licensed landscape architect or other professional with experience in visual impact assessments. He continued to state he felt the Board should exercise this option to get a third-party review of landscape for visual impact and also surface water drainage. Further, he stated he believed the stream goes past Mr. Hall's property and that he give authorization to the third-party reviewer to go on his property. The Board discussed these items in detail. Mr. Bass stated he drafted a list of items that should be reviewed. Dave stated much of what they are asking is not a third-party review, they are additional studies. Discussions continued among the Board. Jim Seymour suggested reaching out to Chris Baldwin of CCS&W. There is additional discussion among Board members.

Bob moved that pursuant to 9-27(D) the Board formally request a visual impact review and some design standards to come out of that for the buffer area between the project and the homes and also what the buffer would do to the noise.

Kevin seconded.

Any discussion? None.

All in favor? 6-yes/1 no/0 abstain

Dave asked if there was a scope of work. Jim quickly reviewed what the abutters' attorney presented. The Board would like the Staff to draft the scope of work. . Jim further stated that review of the vernal pools would be out of the ordinary. Dave asked to have the application tabled until we have a scope of work. The Board stated we do want the peer review, we just haven't figured what we want it to be looking like. Bob asked would it be fair that the Board request the Town to meet with the applicant and Mr. Bass, if you are willing, to determine what that kind of peer review would look like.

Bob moved to authorize Town Staff, James Bass and the applicant to meet and have them define what the terms of the study will be.

There was much more discussion among those present and the Board regarding the items for the peer review. Jim stated the appropriate things are stormwater, environmental studies submitted to the Town, erosion control and make recommendations if they see any abnormalities or suggestions for improvements. He stated his only concern is timing of finalizing the scope of work and getting it started

and a report back by the next meeting. Dave stated as a COA, he is willing to agree to non-phosphorous chemicals and non-phosphorous fertilizers.

Bob moved to task the Town to meet with the applicant and attorney representing abutters to identify the scope of work for a peer review and in significant time to be brought to the April meeting.

Ed seconded.

Any discussion? None.

All in favor? 6 yes/1 no (Greg)/0 abstain

Bob opened the Public Hearing for Allen Solar. Debra Cabana of Twin Pines Road discussed having received notice of the Site Walk but couldn't find where it was. Additionally, she spoke of erosion on Twin Pines Road since the tree removal on the Allen property. Melissa Messer asked if anyone approached Mr. Fowler about relocating the project to Patricia Avenue as brought up at the Selectboard meeting. It was explained to her that the Board nor Town Staff can ask or tell an applicant where they may locate. Jeff Messer stated it was all in the timing. Bob closed the Public Hearing

Bob moved to table the Allen Solar Project until such time as we have received further study.

Ed seconded.

Any discussion? None

All in favor? 7 yes/0 no/0 abstain

Bob redirected the Board to the proposed Ordinance Amendments. **24-01** Building Construction Ordinance. Alex explained this is just to clarify the town's adopted codes. Bob opened the Public Hearing. There being no one wishing to speak, Bob closed the Public Hearing.

Greg moved that the Board approve the Building Construction Ordinance and forward to the Selectboard.

Ed seconded.

Any discussion? None

All in Favor? 7 yes/0 no/0 abstain

**24-02** Land Use Ordinance §300-9.26 Accessory Dwelling Units; Land Use Ordinance §300-12.2 Terms Defined; Shoreland Zoning Ordinance §350-6.27 Accessory Dwelling Units; Shoreland Zoning Ordinance §350-8.2 Terms Defined. Alex explained this amendment is to maintain consistency with LD 2003, 30-A M.R.S. §4364-B. The Board discussed the issue. Bob opened the Public Hearing. Peter Levitt stated he was in favor of this amendment; it should go forward however he questioned the Shoreland amendment. Alex explained why Shoreland was different than the other districts. There being no one else wishing to speak, Bob closed the Public Hearing.

Greg moved the Board approve the amended Ordinance **24-02** and send to the Selectboard to pass.

Kevin seconded.

Any discussion? None.

All in favor? 6 yes/1 no (Bob)/0 abstain

**24-04** Land Use Ordinance §300-13.3 – General Requirements; Land Use Ordinance §300-12.2. – Terms Defined; Creation of an affordable housing density bonus within Open Space Subdivisions. Alex explains the proposal. The Board discussed how an applicant would achieve the density bonus. It was explained that any unit designated as affordable housing would have a 30-year restriction from completion of the subdivision. The Board would like to see a qualifier in this that must be 50% of units.

Bob opened Public Hearing. Peter Levitt stated that Alex was correct in his explanation, and he supports this amendment. There being no one wishing to speak, Bob closed the Public Hearing.

Greg moved that the Planning Board approve 24-04 with the requested qualifier of 50% must be affordable housing units and send to the Selectboard.

Ed seconded.

Any discussion? None

All in Favor? 6 yes/1 no (Mark)/0 abstain

**24-06** Land Use Ordinance §300-3 – Conformance with ordinance; Land Use Ordinance §300-12.2 – Terms defined. Minor amendments to clarify and correct the ordinance. Alex explained the minor amendments. Bob opened the Public Hearing. There being no one wishing to speak, Bob closed the Public Hearing.

Ed moved to approve 24-06 and submit to the Selectboard.

Kevin seconded.

Any discussion? None.

All in favor? 7 yes/0 no/0 abstain

**24-08** Floodplain Management Ordinance for the Town of Raymond, Maine Repeal and replace the existing outdated ordinance to maintain mandatory compliance. Alex explained the change is mandated. Bob opened the Public Hearing. There being no one wishing to speak, Bob closed the Public Hearing.

Greg moved that the Board adopt the Flood Plain Management Ordinance for the Town of Raymond and send it to the Selectboard.

Steve seconded.

Any discussion? None.

All in favor? 7 yes/0 no/0 abstain

24-09 Business License Ordinance; Amendments to existing Business License Ordinance. Alex explained that while the Board does not have to review this Ordinance, because all Ordinance amendments are through the Planning Board, you have to vote to send it forward.

Bob opened the Public Hearing. There being no one wishing to speak, Bob closed the Public Hearing.

Ed moved that the Board approve the Business License Ordinance change and forward to the Selectboard.

Kevin seconded.

Any discussion? None.

All in favor? 7 yes/0 no/0 abstain

**New Business:** None.

**Staff Communications and Updates:** None

Ed moved to adjourn.

Greg seconded.

Any discussion? None.

All in favor? 7 yes/0 no/0 abstain