



PROPOSED ORDINANCE CHANGE MEMORANDUM

To: Town of Raymond Planning Board

From: James R. Seymour, P.E. & Brett Wiemken
Planning Consultants, Sebago Technics, Inc.

Date: November 4, 2024

Subject: Proposed Ordinance Changes Workshop Discussion

Members of the Board,

This memorandum has been prepared to document and offer discussion topics for proposed ordinance amendments of the 2025 calendar year. This memorandum contains items for discussion, as determined at the October 9th, 2024, Planning Board meeting and is displayed on the agenda for this meeting.

Items contained here show the current verbiage within their respective ordinance sections. For certain topics, alterations to the ordinance are shown using ~~red-strikeout~~ text for verbiage to be removed, and **bolded and underlined in blue** text for verbiage to be added. Additional suggestions from the Zoning Board of Appeals are **bolded in green**. The information contained herein only contain suggestions and merely offer guidance.

We look forward to this thoughtful discussion with the Town.

Respectfully Submitted,
SEBAGO TECHNICS, INC.

A handwritten signature in black ink that reads "James R. Seymour".

James R. Seymour, P.E.
Engineering & Planning Consultant

A handwritten signature in black ink that reads "Brett Wiemken".

Brett Wiemken
Assistant Planning Consultant

I. **LAND USE ORDINANCE, §300-10.3.10.a. – Extensions of Approvals and Permits**
Type: Administrative, Clarification on language pertaining to permit extensions.

Current Ordinance:

Site plan and subdivision plan approvals shall expire and be void if the construction activity associated with the approval is not commenced within two years, and completed within four years, after the date of the site plan or subdivision plan approval unless the reviewing authority, at the time of approval, establishes a different completion schedule, but in no case shall the initial approval period exceed five years to commence and complete. A property owner/developer or their agent may request an extension of the period to commence and/or complete construction by submitting a request to the reviewing authority that issued the site plan or subdivision plan approval prior to the expiration of the initial term of approval. The reviewing authority may grant a one-time extension of up to two years to commence and/or complete construction. If construction is not commenced or completed within the approval time frame, the applicant must reapply for and receive approval prior to beginning or continuing construction.

Proposed Ordinance:

Site plan and subdivision plan approvals shall expire and be void if the construction activity associated with the approval is not commenced within two (2) years, and completed within four (4) years, after the date of the site plan or subdivision plan approval unless the reviewing authority, at the time of approval, establishes a different completion schedule, but in no case shall the initial approval period exceed five (5) years to commence and complete. A property owner/developer or their agent may request an extension of the period to commence and/or complete construction by submitting a request to the reviewing authority that issued the site plan or subdivision plan approval prior to the expiration of the initial term of approval. The reviewing authority may grant a one-time extension of up to two (2) years to commence and/or complete construction. Upon an extension being granted, the two (2) year extension shall begin upon the extension's approval date. If construction is not commenced or completed within the approval time frame, the applicant must reapply for and receive approval prior to beginning or continuing construction.

II. **STREET ORDINANCE, §5.5. Footnote 3 – Reviewing Authority**
Type: Administrative, Clarification on Reviewing Authority.

Current:

Footnote 3: Unless a right-of-way of lesser width is approved by the Reviewing Authority, pursuant to Article 9, Section T.1. of the Land Use Ordinance.

Proposed:

Footnote 3: Unless a right-of-way of lesser width is approved by the ~~Reviewing Authority~~ Planning Board, pursuant to Article 9, Section T.1. of the Land Use Ordinance.

III. **LAND USE ORDINANCE §300-10.4.A.3.**

Type: Administrative, Number of Hard Copies for Submissions.

Current:

Fifteen copies of a site plan, to include eight full-sized scaled copies, seven half-sized/scaled copies or reduced plans to fit on an 11' x 17', and an electronic file in both PDF and GIS formats, drawn at a scale of not more than 50 feet to the inch for that portion of the total tract of land subject to site plan review, and showing the following:

Proposed:

~~*Fifteen*~~ **Twelve (12) physical** copies of ~~*a site plan*~~ **the site plan application and all supplementary materials**, ~~*to include eight full-sized scaled copies, seven half-sized/scaled copies or reduced plans to fit on an 11' x 17'*~~, **including three (3) full sized (24" x 36") scaled plans, nine (9) reduced size (11" x 17") scaled plans**, and an electronic ~~*file*~~ **copy of all submitted materials** in ~~*both PDF and GIS*~~ formats, drawn at a scale of not more than **fifty (50)** feet to the inch for that portion of the total tract of land subject to site plan review, and showing the following:

IV. LAND USE ORDINANCE §300-10.3.A.3.b.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

Fifteen copies of the completed application for site plan review, together with the documentation required in these regulations, shall be submitted at least 26 days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard. However, any application which is not complete shall be returned to the applicant with an indication of the additional information required.

Proposed:

~~Fifteen~~ Twelve (12) physical copies and one digital PDF copy of the completed application for site plan review, together with the documentation required in these regulations, shall be submitted at least 26 calendar days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard. However, any application which is not complete shall be returned to the applicant with an indication of the additional information required.

V. SUBDIVISION ORDINANCE, ARTICLE 4, SECTION 2.B.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

B. Number of Copies: Fifteen (15) paper copies of the Sketch Plan shall be submitted.

Proposed:

B. Number of Copies: ~~Fifteen (15)~~ Twelve (12) paper copies and one (1) digital PDF copy of the Sketch Plan shall be submitted.

VI. SUBDIVISION ORDINANCE ARTICLE 5, SECTION 2.B.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

B. Preliminary Plan. [Amended 12/02/08] The Preliminary Subdivision Plan shall be submitted, with fifteen (15) copies of each map or drawing, together with fifteen (15) copies of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch). The Preliminary Plan and accompanying materials shall show:

Proposed:

*B. Preliminary Plan. [Amended 12/02/08] The Preliminary Subdivision Plan shall be submitted, with ~~fifteen (15)~~ **twelve (12)** copies of each map or drawing, together with ~~fifteen (15)~~ **twelve (12) physical** copies **and one (1) digital PDF copy** of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch). The Preliminary Plan and accompanying materials shall show:*

VII. SUBDIVISION ORDINANCE, ARTICLE 6, SECTION 2.A.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

A. The Final Plan shall be submitted with the mylar original, two reproducible mylars and fifteen (15) copies, of each map or drawing, together with fifteen (15) copies of any attachments required for approval. All maps and drawings shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies.

Proposed:

A. The Final Plan shall be submitted with the ~~mylar~~ original, ~~two reproducible mylars~~ and ~~fifteen (15)~~ twelve (12) physical copies and one (1) digital PDF copy of each map or drawing, together with ~~fifteen (15)~~ twelve (12) physical copies and one (1) digital PDF copy of any attachments required for approval. All maps and drawings shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies.

VIII. SUBDIVISION ORDINANCE, ARTICLE 7, SECTION 2.B.

Type: Administrative, Number of Hard Copies for Submissions.

Current:

B. Minor Subdivision Plan. The Minor Subdivision Plan shall be submitted with fifteen (15) copies of each map or drawing, together with fifteen (15) copies of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch). The Minor Subdivision Plan and accompanying materials shall show:

Proposed:

B. Minor Subdivision Plan. The Minor Subdivision Plan shall be submitted with ~~fifteen (15)~~ twelve (12) copies and one (1) digital PDF copy of each map or drawing, together with ~~fifteen (15)~~ twelve (12) physical copies of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch). The Minor Subdivision Plan and accompanying materials shall show:

IX. SHORELAND ZONING ORDINANCE §350-6.4.A.

Type: Administrative, Clarification on shore frontage.

Current:

A. No more than one pier, dock, wharf or similar structure extending or located below the normal high-water line of a water body or within a wetland is allowed on a single lot; except that when a single lot contains at least twice the minimum shore frontage as specified within §350-6.2., a second structure may be allowed and may remain as long as the lot is not further divided.

In §350-6.2.B.1.a.-c., shore and road frontage are combined, stating:

B. Shore and Road frontage.

1. A lot abutting a lake, pond, river, stream, road, water body or wetland shall meet or exceed the following minimum shore frontage requirements:

a. Residential, per dwelling unit: 225 feet;

b. Governmental, institutional, commercial or industrial, per principal structure: 300 feet; and,

c. Public and private recreational facilities: 225 feet.

The Zoning Board of Appeals suggests that the Planning Board modify this Section to specifically identify the minimum shore frontage (separate from the road frontage) that is allowed by the Town, and that this modification will help remove any vagueness within the Ordinance.

X. SHORELAND ZONING ORDINANCE §350-8.2.
Type: Administrative, Adding a Definition for “Dock”.

The Zoning Board of Appeals suggests that the Planning Board add the following definition for a Dock, derived from the State of Maine’s Title 33, Chapter 7, Subchapter 6. This definition reads:

DOCK – A platform used for access to a water body or to secure, protect, and provide access to a boat or ship. The platform may extend from a shore over the water body or may be a floating platform attached to a mooring.

For context, the Zoning Board of Appeals notes that the Shoreland Zoning Ordinance makes references to “Docks” but does not provide a definition for a Dock. The Zoning Board of Appeals also notes that they have had two (2) administrative appeals involving docks. The Board suggests that adding this definition will help remove vagueness within the ordinance.

XI. SHORELAND ZONING ORDINANCE §350-6.4.E.

Type: Administrative, Clarification of Permitted Dock Length

Current:

E. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with the surrounding character of the area. A temporary pier, dock, or wharf in nontidal waters shall not be wider than six feet for noncommercial uses.

The Zoning Board of Appeals suggest that clarification on the dock layout will help remove vagueness within the Ordinance. For discussion, the Board has provided a graphic of an example dock made up of six (6) ft. wide sections, and if it should be allowed. The Board also asks which aspects are valid, and which are not.

