



SELECTMEN'S MEETING e-Packet
List of Files
April 7, 2009

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BOARD OF SELECTMEN

AGENDA

Tuesday, April 7, 2009

7:00 p.m.

JSMS Broadcast Studio

SELECTMEN'S MEETING

- 1) Call to order.
- 2) Minutes of previous meeting dated March 3, 2009
- 3) New business.
 - a) Special Amusement Application – William E. Hines Jr. and Kimberly Y. Hines, Whines Enterprises Inc., dba Cafe Sebago
 - b) Raymond Rattlers request of Luther Gulick Fund – Raymond Rattlers President Larry Wood
 - c) Annual Route 302 corridor clean up – Public Works Director Nathan White
 - d) Veterans Memorial Park sign – Selectman Dana Desjardins
 - e) Route 302 Multi-modal corridor management plan – Chairman of Selectmen Mike Reynolds
 - f) General Assistance Ordinance for new Food Supplement amounts
- 4) Old (unfinished) business.
 - a) Comprehensive Plan Implementation Committee update – Chair Christine McClellan
 - b) Executive Session – Consultation with Code Enforcement Officer on pending enforcement matters as authorized under 1 M.R.S.A. § 405(6) (H)
 - c) Discussion of Scholarship funding levels – Town Clerk Louise Lester
 - d) 2009 Annual Town Meeting Warrant for approval of remaining articles (including Fire Department and Planning Board ordinances) – Town Clerk Louise Lester
- 5) Town Manager Report and Communications.
 - a) none
- 6) Fiscal Warrants – Payroll and Appropriation Warrants – April 7, 2009.
- 7) Adjournment.

The Selectmen may take items out of order at their discretion.



**BOARD OF SELECTMEN
AGENDA SUMMARY**

Tuesday, April 7, 2009

7:00 p.m.

JSMS Broadcast Studio

SELECTMEN'S MEETING

1) Call to order.

2) Minutes of previous meeting dated March 3, 2009

3) New business.

a) Special Amusement Application – William E. Hines Jr. and Kimberly Y. Hines, Whines Enterprises Inc., dba Cafe Sebago

The application is included in the e-packet. Requires signature by the Selectmen.

b) Raymond Rattlers request of Luther Gulick Fund – Raymond Rattlers President Larry Wood

Raymond Rattlers have made a financial request from the Luther Gulick Fund. Supporting documentation is included.

c) Annual Route 302 corridor clean up – Public Works Director Nathan White

Public Works Director Nathan White will bring paperwork directly to the meeting. The sealed bids are being opened on Thursday, April 2, 2009 at 2:00 pm.

d) Veterans Memorial Park sign – Selectman Dana Desjardins

A color mock-up of the sign is included in the e-packet.

e) Route 302 Multi-modal corridor management plan – Chairman of Selectmen Mike Reynolds

See attached emails referencing this item.

f) General Assistance Ordinance for new Food Supplement amounts

General Assistance Administrator Alice Hamilton has submitted a memo explaining this item. This requires signature by the Selectmen.

4) Old (unfinished) business.

a) Comprehensive Plan Implementation Committee update – Chair Christine McClellan

The Selectmen may take items out of order at their discretion.

Chair of Comprehensive Plan Implementation Committee Christine McClellan has asked to address the Board of Selectmen to provide an update to the activities of the committee.

b) Executive Session – Consultation with Code Enforcement Officer on pending enforcement matters as authorized under 1 M.R.S.A. § 405(6) (H)

c) Discussion of Scholarship funding levels – Town Clerk Louise Lester

Financial information from Finance Director Nancy Yates is included in the e-packet. This is the same information from earlier, included here for ease of reference.

d) 2009 Annual Town Meeting Warrant for approval of remaining articles (including Fire Department and Planning Board ordinances) – Town Clerk Louise Lester

This section in the e-packet begins with a memo from Planning Board Secretary Karen Strout regarding the Planning Board recommendations, followed by cover emails and the various articles.

5) Town Manager Report and Communications.

a) none

6) Fiscal Warrants – Payroll and Appropriation Warrants – April 7, 2009.

7) Adjournment.

The Selectmen may take items out of order at their discretion.

TOWN OF RAYMOND
401 WEBBS MILLS ROAD
RAYMOND, MAINE 04071
207-655-4742

SPECIAL AMUSEMENT APPLICATION

- 1. Name of Applicant: WILLIAM E HINES JR
- 2. Address of Applicant: 125 LIBBY RD CASCO ME 04015

| | | | |
|--------|------|-------|-----|
| Street | City | State | Zip |
|--------|------|-------|-----|
- 3. Name of Business: CAFE SEBAGO
- 4. Business Street Address: 1248 ROOSEVELT TRAIL
- 5. Business Mailing Address: 125 LIBBY RD, CASCO, ME 04015
- 6. Telephone Residence: 655-4445 Business: 655-4006
- 7. List the names and addresses of all officers & residency for the preceding 3 years.

| | |
|-------------------------|---------------------------|
| <u>W. E. HINES JR</u> | <u>125 LIBBY RD CASCO</u> |
| <u>KIMBERLY Y HINES</u> | " " |

8. Have any of the officers been convicted of a Class A, B, or C crime in the last 3 years? If so who and please describe the offense:

NO

9. Please describe the premises including security measures being taken, size, seating, etc.

FULL BAR, TWO DINNING AREAS, THREE EXITS, BLDG
MONITORED BY FIRE ALARM SYSTEM

10. Has applicant ever ad a license denied or revoked? If so describe the circumstances:

NO

11. Please specify the type of entertainment in detail:

ONE OR TWO PIECE ACoustical Acts

OCCASIONAL BANDS (3-4 MEMBERS)

12. List the days and hours of entertainment:

SPORADIC - USUALLY AFTER 5:00 PM

Note: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$500.00 for each offense or by both. Each day that a violation occurred shall be considered a separate offense."

13. The fee must be paid at the time of application. The application fee is \$50.00 plus all advertising costs if a public hearing is necessary.

William Hunt

Signature of Applicant

3-12-09

Date

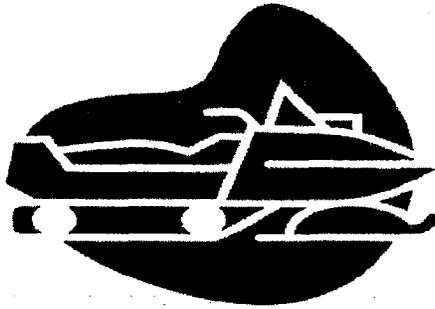
NOTE: Special amusement permits expire at the same time as the liquor license.

Authorizing signatures:

Town Manager: _____

Code Enforcement Officer: _____

Selectmen: _____



Raymond Rattlers Snowmobile Club

PO Box 994
Raymond, ME 04071
(207) 655-5469

March 19, 2009

Don Willard
Town Manager
Town of Raymond
401 Webbs Mill Rd
Raymond, ME 04071

Dear Don,

I am writing to request the distribution of funds that the town has set aside for the Raymond Rattlers S.C from the registrations. We would also like to ask for a donation from the parks and recreation funds. The total amount we are asking for is \$3,000.

Below is a list of our expenses for the 2009/2010 fiscal year.

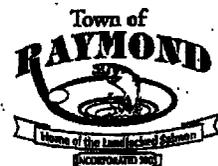
| | |
|--|-------------|
| Liability & Snowmobile Insurance | \$1400.00 |
| Snowmobile Service & Repairs | \$1800.00 |
| Trail Maintenance | \$4000.00 |
| Snowmobile loan payments (for 12 months) | \$4020.00 |
| Postage | \$ 200.00 |
| Charity donations | \$ 300.00 + |
| Rescue Sled | \$1900.00 |

If you have any questions, please feel free to contact me.

Sincerely,

Larry Wood

President



401 Webbs Mills Road
Raymond, Maine 04071
from the desk of Nancy L. Yates
Finance Director
207-655-4742 x32

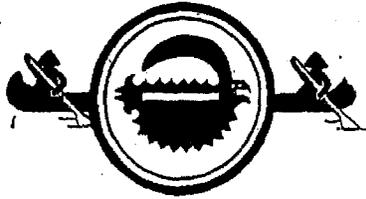
3/19/2009

Don,

The \$2000 appropriation for the Raymond Rattlers Snowmobile Club will be paid on the April 7, 2009 warrant.

Per the attached, they are also requesting a disbursement from the Luther Gulick recreation fund in the amount of \$1,000. As of 6/30/2008, there was \$11,540 in accrued income available in that fund.

Nancy



WOHELO

The Luther Gulick Camps

THE LUTHER GULICK CAMPS RECREATIONAL FUND

In recognition of the long time friendship and support to The Luther Gulick Camps from the residents of Raymond, I would like to give the town \$10,000 to start a fund which will be used for recreational purposes by Raymond residents, particularly the children.

The Luther Gulick Camps Recreational Fund is to be awarded annually to the group or organization, public or private, which has demonstrated a genuine concern for the value of recreation and physical education. The intent of the fund is to provide quality experiences in recreation and physical education for as many Raymond residents as possible.

The amount awarded annually shall not exceed the accumulated interest in the fund. I assume the annual income will be used each year, but it may be accumulated from time to time should the Selectmen feel that it is in the best interest of Raymond. A group or organization may apply for this grant, but the award may also be given without application. I hope the fund will be added to from time to time to help meet future needs.

I would like to have the fund administered by the Selectmen or those who may take their places, should the form of town government change in the future. I do not wish this fund to be a burden to the Selectmen, so I hope they will feel free to appoint other informed and interested people to decide when and how much of the annual income should be used for various activities.

J. Halsey Gulick

August 29, 1980

Re: [Fwd: Request from Raymond Rattlers]

Subject: Re: [Fwd: Request from Raymond Rattlers]
From: Don Willard <don.willard@raymondmaine.org>
Date: Mon, 23 Mar 2009 08:57:08 -0400
To: Dana Desjardins <dana.desjardins@raymondmaine.org>, Joe Bruno <jbruno@communityrx.com>, "Lonnie Taylor (LTAYLOR@IDS.TC)" <LTAYLOR@IDS.TC>, Mark Gendron <markgendron@maine.rr.com>, mike_reynolds@maine.rr.com, Mark Gendron <markyski@maine.rr.com>
CC: Joe's Blackberry <jbruno450@uscellular.blackberry.com>, Nancy Yates <nancy.yates@raymondmaine.org>, Laurie Cook <laurie.cook@raymondmaine.org>

Dana,

I would say they qualify as the fund is to support recreation. I will look into it some more though as this money may be targeted toward children, although I do not recall that. As for the rest of your questions, we can ask them for that information before the meeting.

Nancy, please send these questions to the president of the club under a separate email. Laurie when the information is received attach it to the e packet. Thank you both.

Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

Dana Desjardins wrote:

Don Willard wrote:

----- Original Message -----

Subject: Request from Raymond Rattlers
Date: Thu, 19 Mar 2009 15:22:55 -0400
From: Nancy Yates <nancy.yates@raymondmaine.org>
To: 'Don Willard' <don.willard@raymondmaine.org>

I already included this info in the attachment, but Raymond Rattlers Snowmobile Club is seeking a \$1000 disbursement from the Luther Gulick recreation fund.

Nancy

Nancy,

The Luther Gulick funding request will need to be considered by the BOS. I have discussed this with Mike and have forwarded this material to Laurie for the next agenda and the BOS for information. She will invite Mr. Wood to the next meeting April 7th to make his request.

No virus found in this incoming message.
Checked by AVG. Version: 7.5.557 / Virus Database: 270.11.21/2014 - Release
Date: 3/20/2009 6:59 AM

It would be great if we had a membership count and how much the dues are before our next meeting. They do get money from the state and it would be great to know that number as well. Funding non-profits like that and the conservation comm., the Raymond waterway's, Agawam mowing, and Raymond baseball even if the intentions are good is against what I think are core services. They should also include the in kind donations they get. In my opinion we have more important things to spend money on than snowmobile trails. Do they even qualify for the Gulick fund? Dana.

Don Willard <don.willard@raymondmaine.org>

Town Manager

Town of Raymond

Subject: [Fwd: Luther Gulick Fund]

From: Don Willard <don.willard@raymondmaine.org>

Date: Mon, 23 Mar 2009 09:05:18 -0400

To: Dana Desjardins <dana.desjardins@raymondmaine.org>, Joe Bruno <jbruno@communityrx.com>, "Lonnie Taylor (LTAYLOR@IDS.TC)" <LTAYLOR@IDS.TC>, Mark Gendron <markgendron@maine.rr.com>, mike_reynolds@maine.rr.com, Mark Gendron <markyski@maine.rr.com>, Nancy Yates <nancy.yates@raymondmaine.org>, Laurie Cook <laurie.cook@raymondmaine.org>

While the LG fund is not limited to children it is targeted especially toward them. This should also be part of the e packet.

--
Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

Don Willard <don.willard@raymondmaine.org>

Town Manager
Town of Raymond

| | |
|-------------------------------|--------------------------------------|
| Luther Gulick Fund.PDF | Content-Type: application/pdf |
| | Content-Encoding: base64 |

Subject: [Fwd: Route 302 Corridor management stakeholder request]

From: Don Willard <don.willard@raymondmaine.org>

Date: Wed, 18 Mar 2009 14:13:43 -0400

To: Dana Desjardins <dana.desjardins@raymondmaine.org>, Joe Bruno <jbruno@communityrx.com>, "Lonnie Taylor (LTAYLOR@IDS.TC)" <LTAYLOR@IDS.TC>, Mark Gendron <markgendron@maine.rr.com>, mike_reynolds@maine.rr.com, Mark Gendron <markyski@maine.rr.com>, Louise Lester <louise.lester@raymondmaine.org>, Laurie Cook <laurie.cook@raymondmaine.org>

Any BOS interest or suggested names? Should we post a request on the website for volunteers? Years ago Al Morrison and Ingo Hartig represented us in similar capacities with the now defunct LRDC.

----- Original Message -----

Subject: Route 302 Corridor management stakeholder request

Date: Wed, 18 Mar 2009 12:03:16 -0400

From: Matti Gurney <mgurney@gpcog.org>

To: Mitchell A. Berkowitz <townmgrbr@adelphia.net>, <ecodevdir@bridgtonmaine.org>, <townmanager@townofnaples.org>, <manager@cascomaine.org>, <don.willard@raymondmaine.org>, Tom H. Bartell <thbartell@town.windham.me.us>, Brooks More <bmore@town.windham.me.us>

CC: Mann, Chris A <Chris.A.Mann@maine.gov>, Anne Holland <aholland@gpcog.org>, Neal Allen <nallen@gpcog.org>

Dear Lakes Region Transportation Coalition Municipal Representation,

At our last Lakes Region Transportation Coalition meeting the committee decided that a Route 302 Multi-modal corridor management plan was a project that interested the committee greatly. After doing a bit of research it was evident this concept was discussed for numerous years but never materialized into a full report of the corridor.

During LRTC meetings we've discussed soliciting stakeholders from each of the communities along the route. Could you please provide me a list of 3-5 individuals (staff or residents) who you feel could contribute positively to this committee? If you will be the sole representation from the town please indicate that as well.

Thank you,

Matti Gurney <mailto:mgurney@gpcog.org>

Planner

Greater Portland Council of Governments <<http://www.gpcog.org/>>

68 Marginal Way 4th Floor

Portland, Maine 04101

(207) 774-9891ext 226

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Don Willard
Town Manager
Town of Raymond
401 Webbs Mills Road
Raymond, Maine 04071

(207) 655-6994 v
(207) 655-3024 f
(207) 650-9001 m

Don Willard <don.willard@raymondmaine.org>

Town Manager

Town of Raymond

GPCOG_Lakes Region_Rt302_Corridor Management Scope 12Jan09.pdf

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401 Webbs Mills Road
Raymond, Maine 04071

MEMORANDUM

TO: Board of Selectmen

FROM: Alice Hamilton, General Assistance Administrator

DATE: March 17, 2009

RE: General Assistance Ordinance Appendixes B, April 24, 2009 to
September 30, 2009

The purpose of this memo is to provide you with the new Food Supplement (Food Stamps) amounts that go into effect on April 1, 2009. The change is because of the Stimulus Bill signed by President Obama on February 17, 2009.

The U.S.D.A. Thrifty Food Plan is distributed by the Maine Department of Health and Human Services on or about October of each year. This is Appendix B. The maximums normally change only once a year.

As part of the newly adopted Stimulus Bill the U.S.D.A. Thrifty Food Plan has increased to help provide additional food to the households receiving Food Supplements and to put additional money into the economy. The change is effective to September 30, 2009, when the new Food Supplement allotments are usually developed. They may not increase in October 2009.

Respectively submitted

Alice Hamilton
General Assistance Administrator
March 17, 2009

GENERAL ASSISTANCE ORDINANCE APPENDIXES B

April 24, 2009 to September 30, 2009

The Municipality of _____ adopts the MMA Model Ordinance GA Appendixes (B) for the period of April 1, 2009—Sep. 1, 2009. This appendix are filed with the Department of Health and Human Services (DHHS) in compliance with Title 22 M.R.S.A. §4305(4).

Signed the _____ (day) of _____ (month) _____ (year)
by the municipal officers:

(Print Name)

(Signature)

MMA
09/06

Food Maximums

Please Note: The maximum amounts allowed for food are established in accordance with the U.S.D.A. Thrifty Food Plan. Through October 1, 2009, those amounts are:

| Number in Household | Weekly Maximum | Monthly Maximum |
|----------------------------|-----------------------|------------------------|
| 1 | 46.51 | 200 |
| 2 | 85.35 | 367 |
| 3 | 122.33 | 526 |
| 4 | 155.35 | 668 |
| 5 | 184.42 | 793 |
| 6 | 221.40 | 952 |
| 7 | 244.65 | 1052 |
| 8 | 279.53 | 1202 |

Note: For each additional person add \$150 per month.

Scholarship Funds
Standings as of 12/31/2008

| | Principal as of 6/30/2008 (includes contributions) | Contributions During 7/1/08-12/31/08 | Principal as of 12/31/2008 |
|--------------------|---|--|-------------------------------|
| Alvah Clough | 3,282 | 258.95 | 3,540.95 |
| Collins-Day | 12,982 | 258.95 | 13,240.95 |
| George Woods | 18,987 | 166.60 | 19,153.60 |
| Carleton E Edwards | 15,162 | 166.60 | 15,328.60 |
| Torstein Johannas | 2,332 | 166.59 | 2,498.59 |
| Grand Total | 52,745 | 1,017.69 | 53,762.69 |

| | Accrued Income as of 6/30/2008 | Interest Income 7/1/08 – 12/31/08 | Change in FMV 7/1/08 – 12/31/08 | Accrued Income as of 12/31/2008 | Scholarships disbursed 2008-2009 | Available for disbursement as of 12/31/2008 |
|-----------------------|---|--|--|--|--|--|
| Alvah Clough | 1,448 | 73.63 | -565.36 | 956.27 | 0 | 956.27 |
| Collins-Day | 9,944 | 471.78 | -3622.34 | 6,793.44 | 2,100 | 4,693.44 |
| George Woods | 5,871 | 470.45 | -3612.11 | 2,729.34 | 2,000 | 729.34 |
| Carleton E Edwards | 3,604 | 356.00 | -2,733.41 | 1,226.59 | 900 | 326.59 |
| Torstein Johannas | 1,920 | 70.19 | -538.93 | 1,451.26 | 0 | 1,451.26 |
| Grand Total | 22,787 | 1,442.05 | -11,072.15 | 13,156.90 | 5,000 | 8,156.90 |

Memo

To: Raymond Board of Selectmen
From: Karen G. Strout, Planning Board Secretary
Date: March 26, 2009
Re: Planning Board Recommendation

The Planning Board held a public hearing in accordance with Article 7 of the Land Use Ordinance, Article 2, Section 3 of the Subdivision Ordinance, and 30-A MRSA sec. 4352 on March 25, 2009 for the purpose of receiving public input on proposed amendments to the Land Use Ordinance, Shore Land Zoning Ordinance, and Zoning Map. Following the public hearing, the Planning Board approved a motion to recommend to the Selectmen, after legal review had been completed, three warrant articles: the first for Land Use Ordinance Article 4 District Regulations, Article 9.C Off-Street Parking, and Article 9. L Signage; the second for Land Use Ordinance Article 10 Site Plan Review; and a third for Land Use Ordinance Article 2.A Districts, Shore Land Zoning Ordinance provisions, and the Zoning Map.

The warrant articles and a link to the proposed zoning map are included in your packets.

Subject: Materials for April 7 BOS meeting - Part III (3)
From: "Hugh Coxe" <hcoxe@newenglandplanning.com>
Date: Thu, 2 Apr 2009 11:19:05 -0400
To: "Laurie Cook" <laurie.cook@raymondmaine.org>
CC: "Karen Strout" <karen.strout@raymondmaine.org>

Lillie,

Attached is a proposed warrant article for amendments to the commercial district regulations, the off-street parking provisions, and the sign provisions of the LUO. The Planning Board would like to have this included in the packet to the BOS for their consideration at their April 7 meeting.

I will send the final Planning Board warrant article shortly for inclusion in the BOS packets.

Let me know if you have any questions. Thanks.

Hugh

Hugh M. Coxe
New England Planning Concepts
117 West Main Street
Yarmouth, ME 04096
hcoxe@newenglandplanning.com
(207) 847-9299
(207) 807-1617 *mobile*

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Town of Raymond
Town Meeting Warrant – June 2, 2009

ARTICLE ___: Shall Article 4, Section F, Article 9, section C, and Article 9 section L of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through December 2, 2008, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

ARTICLE 4 - DISTRICT REGULATIONS

F. Commercial District (C)

1. Intent: The Commercial District is intended to serve as the downtown of Raymond and to provide general retail, wholesale, service, and business facilities in an area convenient to the residents of the Town. This district should fulfill the needs of the townspeople for many of their retail and service needs. In addition, it shall serve as the wholesale distribution center for the Town efficiently utilize space and resources and provide for connectivity among and between businesses in a manner that looks and functions as a linear village with lively year-round business and inviting and safe pedestrian spaces and walkways. Route 302, the roadway through this commercial village, is intended to function as a transportation corridor that moves traffic safely and efficiently through the region while also serving as a safe and easy-to-navigate local link between the various sections of the commercial village. Site design, landscaping, screening, building placement, and building design in this district should result in a visually pleasing and cohesive village-like atmosphere. Toward the achievement of these purposes, the following minimum standards are established:
2. Permitted Uses:
 - a. Retail businesses and service establishments, including warehousing and wholesale distribution related thereto;
 - b. Recreational facilities such as racquetball or tennis centers but excluding amusement parks as defined herein;
 - c. Auto repair facilities excluding auto body repair;
 - d. Business and professional offices;
 - e. Restaurants and drive in stands;
 - f. Hotels, motels, and inns;
 - g. ~~Mixed use single family residential/commercial buildings.~~

Town of Raymond
Town Meeting Warrant – June 2, 2009

- h. Mixed-use buildings provided the ground floor contains only commercial uses. The upper floors may contain dwelling units or commercial uses. As used in this subparagraph (h), the term “commercial uses” means any of the uses listed in subparagraphs (a) through (f) above.
3. Conditional Uses: Outdoor sales and service.
4. Space and Bulk Regulations - The following space and bulk regulations are established as minimum standards for mixed-use and commercial buildings:
- a. There shall be no The minimum lot area shall be 20,000 square feet except that the lot shall meet the provisions of Maine Revised Statute Title 12, Chapter 423-A: MINIMUM LOT SIZE;
 - b. There shall be no minimum street frontage;
 - c. There shall be no mMinimum front yard setback sixty (60) feet and the first twenty (20) feet from the road shall be developed as a landscaped buffer strip. If the lot is a corner lot, the street most heavily traveled shall be considered the street upon which the lot fronts. There shall be no The side street setback shall be thirty (30) feet. [Adopted 3/18/00]
 - d. Where a lot in this district abuts a residential district, the commercial use shall provide and maintain a twenty-five (25) foot landscaped buffer strip and visual screening from the abutting residential district boundary. Existing commercial uses shall meet this requirement by June 1, 1990. New commercial uses shall meet this requirement within nine (9) months for the first commercial use of the lot; [Adopted 5/21/88]
 - e. There shall be no mMinimum side yard setback 0;
 - f. There shall be no mMinimum rear yard setback 0;
 - g. The maximum building height shall be two and one-half (2.5) stories except that the maximum building height shall be three (3) stories for buildings which are located on the eastern side of Route 302.
5. ~~Mixed Use Single Family Residential/Commercial Buildings Mixed use single family residential commercial buildings shall meet the space and bulk standards of the Village Residential District except that the sixty (60) foot front setback shall be met.~~
6. Off-Street Parking - For each of the principal and secondary uses permitted, off-street parking shall be provided in accordance with Article 9, Section C.
7. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.

Town of Raymond
Town Meeting Warrant – June 2, 2009

ARTICLE 9 - MINIMUM STANDARDS

A. Off-Street Parking

1. In any district where permitted, no use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged, unless there is provided for such extension, construction or enlargement, off-street automobile parking space ~~within three hundred (300) feet of the principal building, structure, or use of the premises,~~ in accordance with the following ~~schedule of parking requirements.~~

~~Parking requirements shall be calculated utilizing one of the following formulas:~~

- a. Two (2) spaces per dwelling unit.
- b. One (1) space for each sleeping room in a tourist home, boarding or lodging house, motel or hotel.
- c. One (1) space for each tent or recreational vehicle site in a campground.
- d. One (1) space for each two (2) beds in a hospital or sanitarium.
- e. One (1) space for each four (4) beds in other institutions devoted to the board, care, or treatment of persons.
- f. One (1) space for each ~~one hundred eighty two hundred (200 180)~~ two hundred (200) square feet or fraction thereof, of gross floor area of any retail, wholesale, or service establishment or office or professional building. Except that the ratio may be changed to one (1) space for each two hundred ~~twenty five~~ fifty (225 250) square feet or fraction thereof if an amount of land area equivalent to the difference between the ~~one hundred eighty two hundred (180 200)~~ square foot requirement and the two hundred ~~twenty five~~ fifty (225 250) square foot requirement is developed in landscaped green area and reserved for future parking as defined herein.
- g. One (1) space for each three (3) seats, permanent or otherwise, for patron use for restaurants, and other places serving food or beverage and for theaters, auditoriums, and other places of amusements or assembly.
- h. One (1) space for each 1.2 employees based on the highest expected average occupancy ~~person employed or anticipated to be employed on the largest shift~~ for all types of commercial, industrial, or other permitted uses.

Town of Raymond
Town Meeting Warrant – June 2, 2009

- i. For any structure or use not specifically enumerated above, the reviewing authority shall determine the number of off-street parking spaces required to accommodate customers, patrons, and employees based on a parking analysis submitted by the applicant.
2. Where several uses occupy a single structure or lot, the total required parking shall be the sum of the requirements of the individual uses.
3. The parking requirement may be met on site or off site so long as it is within (300) feet of the principal building, structure, or use of the premises and is not separated by Route 302 (Roosevelt Trail). Off site parking shall be permissible provided evidence of the legal right to use the parking spaces for the duration of the use is submitted and that the sharing of the spaces will not create a shortage of parking spaces for any uses. Such shared parking arrangements shall consider the typical hours of operation of the uses, seasonal fluctuations, the amount of parking needed for customers versus employees, and any other relevant factors for calculating the amount of parking needed.
4. In all Districts, the reviewing authority may allow a reduction in the number of spaces actually constructed provided the required number of spaces could be constructed on the property while meeting all other space requirements of that District. The applicant must demonstrate that the additional spaces are not necessary, and the reviewing authority shall attach a condition of approval stating that the reviewing authority may require that the spaces be constructed if additional parking is needed to correct a parking problem on the site.

~~Adequate spaces shall be provided to accommodate customers, patrons, and employees at automobile service stations, drive-in establishments, open-air retail business and amusements and other permitted uses not specifically enumerated~~

5. ~~An area of two hundred (200) square feet, exclusive of maneuvering space, shall be considered as one off-street parking space. The minimum width of a parking space shall be nine (9) feet. The minimum length of a parking space shall be eighteen (18) feet. No required parking space shall, for the purpose of this Ordinance, serve more than one (1) use.~~
6. No off-street parking facility shall have more than two (2) entrances and exits on the same street, and no entrance or exit shall exceed thirty (30) feet in width. Non-residential parking areas with more than two (2) parking spaces shall be so arranged that vehicles can maneuver within such areas and exit onto the street in a forward motion. No parking lot shall be constructed closer than five (5) feet from any property line unless a common parking area is planned between lots.

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7. The reviewing authority may require a peer review of the parking analysis.

L. Signs

1. Definitions Specific to Sign Regulation

Alteration - A non-structural change or minor repair that does not involve replacing or reconfiguring the sign board or sign space, or the system used to affix the sign to the ground or to a structure. Alteration of a sign does include change of color, lettering, logo, design or message.

Fixed sign – A sign that is affixed in a permanent or semi-permanent manner to a sign post or sign mounting system in the ground or to a building or other structure.

Free Standing Sign - A sign supported by one or more uprights or braces permanently affixed into the ground.

Identification Sign - A sign indicating the location of, or direction to, a separate function performed within one portion of that building. Examples of identification signs are: "entrance", "exit", "auditorium", etc. Identification signs do not name or advertise the activity conducted within or without the premises.

Portable sign - A sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure.

Off-premise Sign - A sign which advertises goods and services not rendered on the premises on which the sign is located.

Reader board - A sign or portion of a sign on which the copy changes, or can be changed, by manual, electronic or mechanical means.

Replacement - A structural change to a sign such as a change to the braces, uprights, poles, or any portion of the system used to affix the sign to the ground or to a structure, or a change or reconfiguring of the sign board or sign space. Replacement is not a change of color, lettering, logo, design or message.

Sandwich board - A sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure, except for those hung from a fixed sign or a structure, so long as they are

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not permanently or semi-permanently affixed, and that is, or is intended to be, displayed only while the business associated with the sign is open, and which contains copy set out in chalk, paint or print form which is easily changed but which is not removable lettering such as is typically found on reader boards.

Temporary advertising feature – An object displayed outdoors that is associated with commercial products or services or is intended to advertise, or draw attention to commercial products or services, and which may include models or replicas of products, inflatable devices, assemblages of flags, balloons or banners, and similar features or displays.

Temporary sign - A sign that is not designed or intended to be permanently affixed in the ground or to a building or other structure and that is, or is intended to be, displayed for a temporary or limited timeframe.

Temporary commercial sign – A temporary sign that is associated with commercial products or services or is intended to advertise, or draw attention to commercial products or services.

2. Sign Permits

Except as otherwise herein provided, no person shall install, erect, or place a new sign or modify, move, replace, or make alterations to any sign, without first applying for and obtaining from the appropriate reviewing authority as set out in subsection 2.a below, a sign permit. Applications shall be on forms prescribed and provided by the Code Enforcement Officer setting forth such information as set out in subsection 2.b below and any other information that may be required by the reviewing authority for a complete understanding of the proposed work.

Applications shall be accompanied by the required fee as specified in the Schedule of Fees established by the Board of Selectmen. For Temporary Commercial Signs and Temporary Advertising Features the fee will be a refundable deposit to be forfeited to the Town if the applicant fails to remove the sign or advertising feature upon expiration of the permit.

a. Reviewing Authority

Except for temporary signs or temporary advertising features, Planning Board approval and permit under the provisions of this section shall be required for the installation or replacement of any sign that is part of a project subject to major or minor site plan review, or that is proposed for a site that ever received site plan

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approval from the Planning Board, and for all new or replacement signs located within the Commercial District.

Code Enforcement Officer permit approval under the provisions of this section shall be required for installation or replacement of all signs not subject to Planning Board review.

b. Application Information

Applications shall include a signage plan which contains information on the location and design of the proposed sign or alteration. The plans shall show the design, size, location, color, materials, contents and type of lighting for each proposed sign.

Unless, waived by the Planning Board, applications proposing installation or alteration of a fixed sign in the Commercial District shall be prepared by a design professional experienced in commercial signage.

3. Exceptions

Permits are not required for:

- a. Political signs
- b. Trespass signs
- c. Temporary real estate signs
- d. Temporary development or construction site signs
- e. Temporary signs giving notice
- f. Identification signs
- g. Name signs not exceeding one (1) square foot in area identifying occupants of the premises where such sign is located
- h. Signs erected and maintained for public safety and welfare or pursuant to and in discharge of any governmental function, or required by law, ordinance or governmental regulations
- i. Bulletin boards, reader boards or similar signs in connection with any church, museum, library, school or similar public structure
- j. Sandwich boards
- k. Flags and banners
- l. Changes to the content of established reader boards
- m. Signs that are located and displayed inside a building, whether visible outside of the building through a window or door.

4. Maintenance and Conformance of Signs

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No sign shall be erected or altered except in conformity with the provisions herein. The sign must be kept clean, neatly painted and free from all hazards such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety or detrimental to physical appearance or scenic or natural beauty of the community, or constitute a distraction or obstruction that may contribute to traffic accidents.

5. General Safety Standards for Signs

No sign, whether new or existing shall be permitted in a location that causes a sight, traffic, health or welfare hazard, or results in a nuisance due to illumination, placement, display, or manner of construction.

6. Motor Vehicle Signs

Signs on motor vehicles are not subject to the regulations of this Section unless they have the effect of circumventing restrictions or limitations imposed by this Section. A sign on a motor vehicle will be presumed to have the effect of circumventing the restrictions or limitations of this Section if the motor vehicle is parked or stored in a location visible from a public way and one or more of the following circumstances exists:

- a. the motor vehicle is unregistered;
- b. the motor vehicle is uninspected;
- c. the sign is larger in any dimension than or extends beyond any surface of the motor vehicle to which it is attached;
- d. the motor vehicle is parked or stored continuously in the same location;
- e. the motor vehicle is parked or stored in an area not designed, designated or commonly used for parking;
- f. the motor vehicle is regularly parked or stored in a front yard, as defined in this ordinance, or in the public right of way adjacent to the front yard when there is parking available in a side or rear yard;
- or
- g. the motor vehicle is regularly parked or stored in a location where a sign would not be permitted under this ordinance.

The presumption that a motor vehicle has the effect of circumventing this Section may be rebutted by evidence that the motor vehicle is parked or stored in a particular location for reasonable business or personal purposes not related to advertising, identifying, displaying, directing, or attracting attention to an object, person, institution, organization, business, product, service, event or location.

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7. Decoration and Ornamentation

Decoration or ornamentation of buildings, structures or other features of a site, including wall murals, are not subject to the regulations of this Section unless they have the effect of circumventing the restrictions or limitations imposed by this Section. Decoration or ornamentation will be presumed to have the effect of circumventing the restrictions or limitations of this Section if one or more of the following circumstances exists:

- a. The decoration or ornamentation depicts any product or service offered to customers of a business located on the property (for example, painting an ice cream cone on the wall of an ice cream stand);
- b. The decoration or ornamentation depicts some component or aspect of the name of a business located on the property, (for example, displaying a statue of a dolphin on a restaurant named "The Dolphin"); or
- c. The decoration or ornamentation imitates or replicates any logo or symbol used to advertise or identify a business located on the property.

The presumption that any decoration or ornamentation has the effect of circumventing this Section may be rebutted by evidence that the decoration or ornamentation exists for some reasonable business or personal purpose not related to advertising, identifying or attracting attention to the products or services offered on the premises. Nothing in this paragraph prevents temporary decoration of buildings or structures or temporary displays on a site during holiday seasons when such decoration and display are customary.

8. Temporary Signs & Temporary Advertising Features

The following temporary signs are allowed and shall conform to these standards and other municipal, state or federal ordinances, statutes or regulations:

a. Temporary Signs Giving Notice

Signs of a temporary nature such as advertisements of charitable functions, notices of meetings and other non-commercial signs of a similar nature, are permitted for a period not to exceed twenty-one (21) days and shall be removed by the person(s) who posted the signs within forty-eight (48) hours after fulfilling its function. Temporary signs specified in this section shall not be attached or painted to fences.

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trees, or other natural features, utility poles, or the like and shall not be placed in a position that will obstruct or impair vision or traffic or in any manner create a hazard or disturbance to the health and welfare of the general public.

b. Temporary Political Signs

Temporary political signs may be placed in any district, except in a floodplain, are not subject to lot line setbacks, and may be placed in a public right of way or on public property but not within 150 feet of an intersection or in such locations as will create a safety hazard. Political signs may not be placed within a right-of-way or elsewhere prior to six (6) weeks before the election, primary or referendum to which they relate and must be removed by the candidate or political committee not later than one week after Election Day. The maximum size of temporary political signs shall be 4 feet by 4 feet.

c. Temporary Real Estate Signs

One temporary real estate sign attached to a building or free standing may be erected advertising the sale, lease or rental of the premises upon which the sign is located. This sign shall be located on the property that is advertised for sale. Temporary real estate signs shall be removed from the premises within thirty (30) days after the property is sold or leased.

d. Temporary Development or Construction Sign

One temporary development or construction sign, attached to a building or free standing, may be erected provided such sign shall be limited to a general identification of the project and shall be removed within thirty (30) days after completion of the project.

e. Banners & Flags

A banner or flag, the dimensions of which do not exceed twenty-four square feet and on which there is only the word "open" and no other lettering or numbering, may be displayed by any retail business or service establishment (except home occupations) during the hours such business is open for customers and shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. This subparagraph does not prohibit or restrict displays of the United States Flag or the State of Maine Flag.

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f. Sandwich Boards

One temporary sandwich board is allowed for each business provided it meets the requirements of this section. Sandwich boards shall not exceed three (3) feet in height or a total of nine (9) square feet per side in size. Sandwich boards shall not be counted toward calculating the maximum number of signs or the maximum gross display area of signs on the property. Sandwich boards may not include any source of illumination. Sandwich boards are allowed to be displayed outside only during the hours of operation of the business. Sandwich boards are not subject to lot line setbacks, and may be placed in the portion of a public right of way abutting the property containing the business as long as they are not placed in a travel way or on a public sidewalk and do not create a hazard.

g. Temporary Commercial Signs

One temporary sign for commercial purposes (including but not limited to advertising or announcing a new or relocated business) up to thirty-two (32) square feet of total façade area but no more than sixteen (16) square feet per side, shall be permitted in any district in connection with a legally permissible business conducted on the premises.

Temporary signs are allowed in addition to any sign permitted by this section. The area of the temporary sign shall not count toward the maximum sign area allowed for an individual property.

A temporary commercial sign is not subject to lot line setbacks but shall be located within the boundaries of the property on which the business is located. A temporary commercial sign shall not be placed in a travel way or on a public sidewalk and shall not create a hazard for pedestrians or vehicles.

Temporary commercial signs shall not be installed or displayed, on the same property or properties under the control of a single person or entity, more than four (4) non-consecutive thirty (30) day periods per calendar year. In order to be considered non-consecutive, there shall be at least a fifteen (15) day interval between display periods.

The Code Enforcement Office shall issue permits for temporary commercial signs (“temporary sign permit”) for each non-consecutive thirty (30) day period which set out the expiration date of the permit. Temporary signs shall be removed on or before the expiration date set out in the temporary sign permit.

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Any business that allows a temporary sign to remain in place more than the thirty (30) consecutive days allowed by this section will forfeit the permit deposit to the town.

h. Temporary Advertising Features

One temporary advertising feature shall be permitted in any district in connection with a legally permissible business conducted on the premises.

Temporary advertising features are allowed in addition to any sign permitted by this section. The area of the temporary advertising feature shall not count toward the maximum sign area allowed for an individual property.

A temporary advertising feature shall be located so that it does not create a hazard for pedestrians or vehicles. A temporary advertising feature shall not be placed in a travel way or on a public sidewalk.

Temporary advertising features shall not be installed or displayed, on the same property or properties under the control of a single person or entity, more than four (4) non-consecutive ten (10) day periods per calendar year. In order to be considered non-consecutive, there shall be at least a fifteen (15) day interval between display periods.

The Code Enforcement Office shall issue permits for temporary advertising features (“temporary advertising feature permit”) for each non-consecutive 10 day period, which set out the expiration date of the permit. Temporary advertising features shall be removed on or before the expiration date set out in the temporary advertising feature permit.

Any business that allows a temporary advertising feature to remain in place more than the ten (10) consecutive days allowed by this section will forfeit the permit deposit to the town.

9. Regulations Applicable to All Signs

a. Off-premises signs

Off-premises signs are prohibited.

b. Reader Boards

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Reader boards attached to permanent signage are allowed so long as they do not occupy more than 50% of the area of the sign. Reader boards shall contain no more than three lines of text and the lettering on the Reader board shall not exceed 6" in height. The area of the Reader board shall be counted toward calculating the maximum gross display area of signs on the property. A reader board may contain an electronic message sign, or a time and/or temperature sign so long as the electronic display does not change more often than one time per minute.

c. Time and/or Temperature signs

Time and/or Temperature Signs are allowed, and any sign otherwise permitted may include a time and temperature sign, provided that a time and/or temperature sign not be established within 2,500 feet of another time and temperature sign. A time and/or temperature sign shall be limited to 10 square feet in area and may not be located more than 10 feet above grade. The electronic display of a time and/or temperature sign shall not change more often than one time per minute.

d. Illumination & Animation

Sign illumination, if any, shall be a non-flashing light. Animated display or flashing signs are prohibited.

e. Trespassing signs

Signs relating to trespassing and hunting shall be permitted without restriction as to number provided that no such sign shall exceed two (2) square feet in area.

f. Roof mounted signs

Signs shall not be mounted to, nor placed upon the roof of any building.

g. Street numbers

Any premise which utilizes an identification or advertising sign must display its street numbers on at least one of the permanent signs permitted under this Section in a location visible from the nearest street. The characters of the street number shall be at least 6 inches high. The street number shall not be counted as part of the gross display area of the sign unless characters larger than 6 inches high are used for the street number and/or the street name, in which case the

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area which exceeds that which would be covered using 6 inch characters shall be counted as part of the gross display area. The street number must be displayed on all permanent signs erected, repaired, altered (including change in message) or replaced after June 2, 2009 unless another permanent sign on the same premises already displays the street address in compliance with this paragraph.

10. Specific Standards

- a. The following provisions shall govern the use of signs in the Resource Protection, Limited Residential-Recreation, and other **Residential Districts**.
- i. Signs related to goods and services sold on the premises shall not exceed six (6) square feet in area, and shall not exceed two (2) signs per premises.
 - ii. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
 - iii. No sign shall extend higher than twenty (20) feet above the ground.
 - iv. Signs advertising Approved commercial uses in the residential zones fronting on Route 302, signs will be allowed to the maximum size allowed in the commercial zone.
- b. The following provisions shall govern the use of signs in the **Commercial Districts**.
- i. Signs permitted in this district included free standing signs and signs attached to a building or structure. Signs attached to a building may project out from the façade of the building but may not be mounted to the roof of the building. Signs may be single or double-faced.
 - ii. The maximum display area of permanent signs in this district shall be an amount equal to one (1) square foot of area for every foot of street frontage to a maximum of two hundred eighty eight (288) square feet for each premise.
 - iii. Detached signs may extend to a maximum height of twenty (20) feet above the level of the ground upon which they are erected.

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- iv. Signs attached to a building may extend a maximum of ten (10) feet above the level of the eaves of roofs.
 - v. Signs shall be located only in the front yard or along the front property line in cases where the commercial lot abuts a lot in a residential district. Any sign within ten (10) feet of the property line shall have the bottom of the sign not less than six (6) feet above the adjacent traveled surface.
 - vi. No sign shall be more than four (4) feet above the peak of the roof and no sign shall protrude out from the building more than twelve (12) inches.
 - vii. No sign shall be more than 12 feet by 12 feet and not to exceed 288 square feet in size including the two sides of a freestanding sign.
 - viii. Signs attached to buildings shall not exceed 4 feet by 8 feet.
- c. The following provisions shall govern the use of signs in the Industrial Districts
- i. Signs permitted in this district included free standing signs and signs attached to a building or structure. Signs attached to a building may project out from the façade of the building but may not be mounted to the roof of the building. In cases where the industrial lot abuts a lot in a residential district, the sign shall be constructed in a manner such that it will be oriented in a direction other than toward the residential district.
 - ii. Signs will be allowed to the maximum size allowed in the commercial zone but will be at the discretion of the Planning Board to meet the standards of the area located.

11. Non-Conforming Signs

The eventual elimination of non-conforming signs is an objective of the town. Such elimination of nonconforming signs shall be brought about over a period of time and in such manner as to avoid the invasion of vested rights of the sign's owner and the infliction of unnecessary hardship.

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Any sign existing at the effective date of adoption of this Section which does not conform to the regulations and requirements of this Section and any sign existing on the effective date of any amendment to this Section which renders the sign nonconforming may continue to be used and maintained in a condition of good repair until removed, pursuant to the following provisions:

- a. When any sign no longer advertises a bonafide business conducted, product sold, activity being conducted, or public notice, the owner, agent or person having the beneficial use of the building or premises upon which such sign may be found shall, within ten (10) days after the activity has ceased, remove and replace the sign with a clean, neat, and well maintained façade or covering so as not to cause detriment to the physical appearance or scenic beauty of the community. .
- b. When any sign which does not conform to the regulations and requirements of this Section, does not, for a consecutive period of two years or more, advertise a bonafide business conducted, product sold, activity being conducted, or public notice, the owner, agent or person having the beneficial use of the building or premises upon which such sign may be found, shall permanently discontinue the use of that sign until such time as it conforms to the regulations and requirements of this Section.
- c. Any existing permanent sign that does not conform to the regulations and requirements of this Section shall be discontinued no later than June 2, 2019.
- d. Alterations may be made to any existing permanent sign that does not conform to the regulations and requirements of this Section prior to June 2, 2019 without bringing the sign into conformance with the regulations and requirements of this Section.

Any existing temporary or portable sign that does not conform to the regulations and requirements of this Section shall be discontinued no later than December 2, 2011.

The following provisions shall govern the use of signs in the districts.

- ~~1. Resource Protection, Limited Residential Recreation, and other Residential Districts.~~
 - ~~a. Signs and billboards related to goods and services sold on the premises shall be permitted, provided such signs shall not exceed six (6) square~~

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~~feet in area, and shall not exceed two (2) signs per premises. Billboards and signs relating to goods and services not rendered on the premises shall be prohibited. There shall not be any commercial or residential name signs over 2 feet by 3 feet in size.~~

- ~~b. Name signs shall be permitted, provided such signs shall not exceed two (2) signs per premises.~~
 - ~~e. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.~~
 - ~~d. Signs relating to trespassing and hunting shall be permitted without restriction as to number provided that no such sign shall exceed two (2) square feet in area.~~
 - ~~e. No sign shall extend higher than twenty (20) feet above the ground.~~
 - ~~f. Signs may be illuminated only by shielded, non-flashing lights.~~
 - ~~g. No sign shall be so placed as to create a traffic visibility hazard.
[Adopted 5/15/93]~~
 - ~~h. Political signs shall not be within 150 feet of an intersection and shall not remain more than 7 days after the election. [Adopted 5/15/93]~~
 - ~~i. Approved commercial uses in the residential zones fronting on Route 302, signs will be allowed to the maximum size allowed in the commercial zone. [Adopted 3/16/96]~~
- ~~2. Commercial Districts—In all commercial districts the following types of signs shall be permitted provided that the illumination, if any, shall be a non-flashing light:~~
- ~~a. Attached, detached, or projecting signs, single or double-faced identifying uses of goods sold or services rendered on the premises aggregating one (1) square foot of area for every foot of street frontage to a maximum of two hundred eighty eight (288) square feet for each premise, subject to the limitations of subsections d and g below. Detached signs may extend to a maximum height of twenty (20) feet above the level of the ground upon which they are erected. Attached signs and/or supporting structures may extend a maximum of ten (10) feet above the level of a flat roof or the level of the eaves on other types of roofs. [Amended 3/16/96] [Amended 8/7/07]~~

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- ~~b. Such signs shall be located only in the front yard or along the front property line in cases where the commercial lot abuts a lot in a residential district. Any sign within ten (10) feet of the property line shall have the bottom of the sign not less than six (6) feet above the adjacent traveled surface. No sign shall be so placed as to create a traffic visibility hazard. [Amended 5/15/93]~~
- ~~c. No sign shall be more than four (4) feet above the peak of the roof and no sign shall protrude out from the building more than twelve (12) inches.~~
- ~~d. No sign shall be more than 12 feet by 12 feet and not to exceed 288 square feet in size including the two sides of a freestanding sign~~
- ~~e. Any existing sign that does not meet the requirements of this Ordinance shall be discontinued within 5 years of the date of this amendment. [Adopted 5/18/91]~~
- ~~f. Grandfathering would cease if the sign were discontinued for any reason for two (2) years.~~
- ~~g. Signs attached to buildings shall not exceed 4 feet by 8 feet.~~
- ~~h. Political signs shall not be within 150 feet of an intersection and shall not remain more than 7 days after the election. [Adopted 5/15/93]~~
- ~~3. Industrial Districts— In all industrial districts, the following types of signs shall be permitted provided that the illumination, if any, shall be a non-flashing light:
 - ~~a. Attached, detached, or projecting signs identifying uses or articles produced or services rendered on the premises. In cases where the industrial lot abuts a lot in a residential district, the sign shall be constructed in a manner such that it will be oriented in a direction other than toward the residential district;~~
 - ~~b. Signs will be allowed to the maximum size allowed in the commercial zone but will be at the discretion of the Planning Board to meet the standards of the area located;~~
 - ~~e. Political signs shall not be within 150 feet of an intersection and shall not remain more than 7 days after the election. [Adopted 5/15/93]~~~~

Subject: Materials for April 7 BOS meeting - Part IV (4)
From: "Hugh Coxe" <hcoxe@newenglandplanning.com>
Date: Thu, 2 Apr 2009 12:21:38 -0400
To: "Laurie Cook" <laurie.cook@raymondmaine.org>
CC: "Karen Strout" <karen.strout@raymondmaine.org>

Lillie,

Attached is a proposed warrant article for amendments to the site plan provisions of the LUO. The Planning Board would like to have this included in the packet to the BOS for their consideration at their April 7 meeting.

This is the last item I have for inclusion in the BOS packets.

Let me know if you have any questions. Thanks.

Hugh

Hugh M. Coxe
New England Planning Concepts
117 West Main Street
Yarmouth, ME 04096
hcoxe@newenglandplanning.com
(207) 847-9299
(207) 807-1617 *mobile*

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| article_SitePlan.pdf | Content-Type: application/pdf |
| | Content-Encoding: base64 |

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ARTICLE ___: Shall Article 10, Sections B, C and D of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through December 2, 2008, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

ARTICLE 10 - SITE PLAN REVIEW

B. Authority and Classification of Site Plans

1. Except for single-family dwellings, and duplex dwellings, and accessory uses to single-family or duplex dwellings, maintenance of an existing building or facility, or interior renovations to an existing building or facility which do not change the use(s) or increase the amount of parking required under Article 9, Section C, no building permit shall be issued for a new building, a new facility ~~such as golf course or public utility,~~ an exterior renovation to an existing building or facility, any alteration to or addition of impervious areas, or any substantial change to the use or the major remodeling of an existing building or facility, and no sign permit shall be issued for the erection or construction of a sign relating to such new building or facility, or major remodeling, until the plans, drawings, sketches, and other documents required under this section have been reviewed and approved in accordance with the Site Plan Review provisions set out in this section below, by the Planning Board. For purposes of this Section, the term "major remodeling" shall mean any remodeling that substantially changes the use of the building or its exterior appearance. Any revision to or addition of paved areas, parking lots, or drives shall constitute a "major remodeling."

2. Site Plan Reviews shall be classified by the Town Planner as follows:
 - a. Staff Review. A site plan application shall be classified as a Staff Site Plan Review so long as, in any two year period:
 - i. any new building or any additions to existing buildings proposed by the application do not exceed 2400 square feet of new Gross Floor Area, and
 - ii. any exterior building renovation proposed by the application do not exceed 1200 square feet of building surface area, and

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- iii. any additional or altered impervious surface proposed by the application does not exceed, separately or in combination, 2400 square feet .

- b. Minor Review. A site plan application which exceeds the thresholds for Staff Site Plan Review shall be classified as a **Minor Site Plan Review** so long as, in any two year period:
 - i. any new building or any additions to existing buildings proposed by the application do not exceed 4800 square feet of new Gross Floor Area, and
 - ii. any exterior building renovation proposed by the application do not exceed 2400 square feet of building surface area, and
 - iii. any additional or altered impervious surface proposed by the application does not exceed, separately or in combination, 4800 square feet .

- c. Major Review. All other projects subject to Site Plan review shall be classified as a **Major Site Plan Review**.

- 3. The applicant may reclassify an application from a staff site plan review to a minor site plan review, and may request a hearing by the Planning Board, even if the amount of area proposed to be developed or renovated is under the threshold that would trigger Planning Board review, and even if staff has been in the process of reviewing the application. However, in order to do so, the applicant shall provide all submission materials required for a minor site plan review as set out in section C.3.b below.

- 4. The staff may require that any Site Plan application be reviewed by the Planning Board as a minor site plan review, even if the amount of area proposed to be developed or renovated is under the threshold that would trigger Planning Board review, if the staff review process is unable to adequately resolve all relevant issues raised by the site plan review process.

- 5. The Planning Board may, by majority vote, reclassify a minor site plan item on the agenda to a major site plan if the Board determines that there is credible conflicting technical information regarding the approval criteria, that the subject matter of the application is of significant public interest or that the application has generated a high level of interest in the immediate vicinity of the site.

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- a. ~~The authority of the Planning Board to review certain minor development projects as defined in this Section is hereby delegated to the Code Enforcement Officer.~~
- 1) ~~Minor Development: For new buildings or additions to existing buildings that do not exceed 2,000 square feet of gross floor area in any 12 month period or additional pavement of not over 2,000 square feet in any 12 month period; the Code Enforcement Officer may issue the permit, provided that the application is in compliance with all relevant provisions of this Ordinance.~~
 - 2) ~~Minor Modifications: The Code Enforcement Officer may deem proposed changes to a site plan or related materials as a minor modification when the building or pavement does not exceed 2,000 square feet in any 12 month period in which case site plan approval by the Planning Board shall not be necessary.~~
 - 3) ~~The Code Enforcement Officer's review and approval is based upon the application plans and materials submitted by the applicant. Any unresolved issues between the Code Enforcement Officer and the applicant shall be settled by a full site plan review by the Planning Board. [Amended 3/20/99]~~

6. Construction, site development, and landscaping shall be carried out in substantial accord with the plans, drawings, sketches, and other documents approved by the Board, unless altered with Board approval. Nothing in this Subsection shall be construed to prevent ordinary repair, maintenance, and replacement of any part of the building or landscaping which does not involve a substantial change from the purpose and objectives of this Ordinance.

C. Administration

1. The following procedure and requirements shall apply to **all applications for site plan review**:
- a. **Pre-application staff meeting required in the Commercial District: All applicants intending to file a site plan review application for property located in the Commercial district shall, prior to filing an application, meet with town planning and code staff (or any other staff deemed to be necessary by the town for providing input on a proposal) to informally discuss the proposed project, the town's design guidelines, and site plan review criteria. The purpose of the meeting shall be to exchange information, to seek to identify issues in advance of detailed project design, and to discuss potential alternatives.**

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- b. **Planning Board pre-application meeting – optional:** Prior to formal application, an ~~owner or the owner's authorized agent~~ applicant may request an informal review of the site plan by the Planning Board to discuss the proposed project and the site plan review criteria, to determine its compliance with Town regulations, and to identify significant issues which will require additional analysis. This option is available to all applicants regardless of the classification of the Site Plan as described above. Such a request shall be in writing and submitted at least twenty-~~two~~six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard. *[Amended 12/2/08]*
- c. **Applications:** All applications for Site Plan Review shall be made in writing to the Code Enforcement Officer on the forms provided for this purpose. The application shall be made by the owner of the property or by his agent, as designated in writing by the owner. The application for Site Plan Review shall be accompanied by a fee as established, and revised from time to time, by the Board of Selectmen and listed in the Town Fee Schedule.

Fifteen (15) copies of the completed application for Site Plan Review, together with the documentation required in these regulations shall be submitted at least twenty-six (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.

- d. **Design Guidelines:** The Town of Raymond Design Guidelines ("Design Guidelines") shall be reviewed and considered by all applicants proposing a site plan project located anywhere in the Commercial District. The Design Guidelines shall be considered by the Planning Board and the Staff when evaluating any site plan project located anywhere in the Commercial District.

The Design Guidelines are not ordinance requirements but are intended to assist applicants in designing projects which will comply with the ordinance requirements. Relevant portions of the Design Guidelines shall be considered, along with other relevant materials, by the Planning Board and the Staff, as guidance in determining whether an application meets the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

- e. **Peer review process:** The town may require a peer review process for site plan applications as set out in sections C.2, C.3 and C.4 below. A

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peer review process may require that an expert consultant or consultants review one or more submissions of an application and report as to compliance or noncompliance with this Ordinance, including adherence to Design Guidelines, and advise of procedures or submissions which will result in compliance.

The consultant shall estimate the cost of such review and the applicant shall deposit with the Town the full estimated cost which the Town shall place in an escrow account. The Town shall pay the consultant from the escrow account and reimburse the applicant if funds remain after payments are completed. The consultants shall be fully qualified to provide the required information.

- f. **Timely action:** Within one hundred (100) days of the receipt of a completed application, the ~~Board~~ reviewing authority shall act to approve or disapprove the Site Plan as submitted or amended.
[Amended 12/2/08]
- g. **Public hearings and notification:** Prior to taking final action on any Site Plan Review application, the Planning Board will hold a hearing to afford the public the opportunity to comment on the application. Notice of the date, time, and place of such hearing shall be published in a newspaper of local circulation at least seven (7) days prior to the hearing. Further notice shall be sent by mail to property owners abutting the proposed project at least seven (7) days prior to the hearing.

Site Plan applications that are classified as a Staff Site Plan Review, shall not be required to receive a public hearing unless the application is heard and decided by the Planning Board. However, the Town shall give notification of the nature of applications that are classified as a Staff Site Plan Review, and the time and manner in which to review or comment on the application, by mail to the owners of all abutting property within fourteen (14) days of the date upon which the application is received and at least seven (7) days in advance of any final action on the application.

- h. **Approval part of Building Permit applications:** One copy of the approved site plan shall be included in the application for a building permit.
- i. **Communication with Historic Preservation Commission:** An owner or his authorized agent shall submit information on the location of the development to the State Historic Preservation Officer (Maine Historic Preservation Commission, 55 Capitol Street, State House

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Station 55, Augusta, Maine 04333) with a request that the reviewing authority Planning Board be notified of any comments. The applicant shall submit to the reviewing authority Planning Board proof of such notification, including a copy of the letter to the State Historic Preservation Officer.

- j. **Expiration of approval:** Site plan approval shall expire and be void if the activity approved is not commenced within 12 months, and completed within two (2) years after the date of approval unless the Planning Board reviewing authority, at the time of approval, establishes a different commencement and completion schedule but in no case will such period exceed five (5) years. Upon application for an extension of the approval received before approval expires, an extension of up to two (2) years may be granted by the reviewing authority Planning Board.
[Adopted 3/21/98]

2. The following procedure and requirements shall apply to Staff Site Plan Review:

- a. **Review process:** Staff Site Plan Review shall be conducted at a meeting attended by the Town Planner and the Codes Enforcement Officer (the "staff reviewers"), or their designee. The staff reviewers may seek input from other Town departments including the Fire Department and the Public Works Department as needed. For applications classified as Staff Site Plan Review developments, the staff reviewers shall have the same powers and duties as the Planning Board. Completed and timely submitted applications classified as Staff Site Plan Review developments shall be reviewed and acted on at the next regularly scheduled Plan Review meeting following the submission deadline.

The staff reviewers shall approve, approve with conditions, or deny the application based on criteria in Article 10 of the Land Use Ordinance. In the event that the Town Planner and the Codes Enforcement Officer are unable to jointly make a determination on the application, the Code Enforcement Officer shall have the authority to approve, approve with conditions, or deny the application based on criteria in Article 10 of the Land Use Ordinance. Any appeals from the decisions of the Staff Site Plan Review shall be taken directly to the Planning Board within 30 days of decision.

- b. **Submission requirements:** Applications classified as Staff Site Plan Review developments shall be required to submit application materials in accordance with the requirements in section D below except as follows. The following items listed in Section D.1 shall not be required

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unless the staff reviewers deem any of those items reasonable and necessary to insure that the requirements of the Ordinance are met and the staff reviewers specifically request those items:

- (b.) Narrative descriptions explaining how the submissions and the proposed plans meet all submission requirements and ordinance provisions that pertain to the applicant's project.
- (c. 6.) A surveyed topographic map of the site showing existing and proposed contours at no more than two (2) foot intervals;
- (c.7.) Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees;
- (c.9.) Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow;
- (c.10.) Existing soil conditions and soil suitability test results for septic waste disposal;
- (c.12.) Proposed traffic circulation and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours;
- (c.14.) A storm water management plan;
- (c.17.) Existing and proposed planting, fences and walks, including all landscaping and screening;
- (c.23.) Description and plan of a "phase development concept" detailing the areas and sequence of phasing;
- (c.25.) Information on the amount and types of waste to be generated or materials to be stored, used, transported, or applied and the precautions, safeguards or methods that will be used to minimize the potential for groundwater contamination;
- (c.26.) Location of existing trails used for hiking, walking, bicycling, snowmobiling, and horseback riding, as well as any portion of any Town- designated greenbelt, which occurs on the property.

The staff reviewers may require the applicant to submit additional studies or reports which it deems reasonable and necessary to insure that the requirements of the Ordinance are met. The costs of all such studies or reports shall be borne by the applicant.

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- c. **Review criteria:** For applications classified as Staff Site Plan Review developments, only the portions of the lot or lots being proposed for development, or portions of any lot or lots under the common ownership or control of the applicant which will, or is likely to, experience a substantial change of use in conjunction with the proposed development, shall be required to meet the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

For purposes of this subsection, “substantial change of use” shall mean a change in the use of the site that is likely to result in a substantial alteration of the existing traffic or parking patterns, timing, or intensity from the current use of the site, or which would result in a change in the amount or timing of activity on the site that might affect, noise, lighting, waste disposal, delivery times, water usage, or sewage disposal, or an increase in the amount of parking required under Article 9, Section C.

- d. **Planning Board pre-application meeting:** Prior to formal application for Staff Site Plan Review, an applicant may participate in an informal pre-application meeting with the Planning Board as set out in section C.1.b above.

In the event that issues arise in the course of the Staff Site Plan Review process that have not been resolved after consideration at two regularly scheduled Plan Review meetings, the staff reviewers may recommend an informal meeting with the Planning Board to discuss the proposed project, the unresolved issues, and the site plan review criteria to determine the application’s compliance with Town regulations and to attempt to resolve the issues. The applicant may accept this recommendation in which case the applicant shall make a request in writing and submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.

If the applicant does not accept this recommendation, the staff reviewers may make the recommendation to the Planning Board at its next regular meeting. If the Planning Board accepts the recommendation to conduct an informal meeting with the applicant, then the applicant shall make a request in writing and submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.

- e. **Peer review:** Peer review process is not required for applications classified as Staff Site Plan Review developments but the staff reviewers

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may require a peer review of any aspect of the site plan review if the staff review process is unable to adequately resolve relevant site plan review issues and the staff determines that a peer review may resolve those issues.

3. The following procedure and requirements shall apply to **Minor Site Plan Review**:

a. **Review process:** Applications classified as Minor Site Plan Review developments shall be reviewed by the Planning Board. Completed and timely submitted applications classified as Minor Site Plan Review developments shall be reviewed and acted on at the next regularly scheduled Planning Board meeting following the submission deadline.

b. **Submission requirements:** Applications classified as Minor Site Plan Review developments shall be required to submit application materials in accordance with the requirements in section D below except as follows. The following items shall not be required unless the Planning Board deem any of those items reasonable and necessary to insure that the requirements of the Ordinance are met and the Planning Board specifically request those items:

- (c. 6.) A surveyed topographic map of the site showing existing and proposed contours at no more than two (2) foot intervals;
- (c.12.) Proposed traffic circulation and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours;
- (c.14.) A storm water management plan;
- (c.26.) Location of existing trails used for hiking, walking, bicycling, snowmobiling, and horseback riding, as well as any portion of any Town- designated greenbelt, which occurs on the property.

The Planning Board may require the applicant to submit additional studies or reports which it deems reasonable and necessary to insure that the requirements of the Ordinance are met. The costs of all such studies or reports shall be borne by the applicant.

c. **Review criteria:** For applications classified as Minor Site Plan Review developments, only the portions of the lot or lots being proposed for development, or portions of any lot or lots under the common ownership or control of the applicant which will, or is likely to,

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experience a substantial change of use in conjunction with the proposed development, shall be required to meet the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

For purposes of this subsection, “substantial change of use” shall mean a change in the use of the site that is likely to result in a substantial alteration of the existing traffic or parking patterns, timing, or intensity from the current use of the site, or which would result in a change in the amount or timing of activity on the site that might affect, noise, lighting, waste disposal, delivery times, water usage, or sewage disposal, , or an increase in the amount of parking required under Article 9, Section C.

- d. **Planning Board pre-application meeting:** Prior to formal application for Minor Site Plan Review, an applicant may participate in an informal pre-application meeting with the Planning Board as set out in section C.1.b above.
 - e. **Peer review:** Peer review process is not required for applications classified as Minor Site Plan Review developments but the Planning Board may require a peer review if in the Planning Board’s judgment the project is sufficiently complex that it requires the expertise of a peer reviewer to evaluate the proposed **site planning** (including but not limited to storm water management and traffic management), **architecture, lighting or landscaping** proposed in the application. The Planning Board may also require a peer review process if in the Planning Board’s judgment there is credible conflicting technical information regarding approval criteria which peer review may assist the Planning Board to resolve.
4. The following procedure and requirements shall apply to **Major Site Plan Review**:
- a. **Review process:** Applications classified as Major Site Plan Review developments shall be reviewed by the Planning Board. Completed and timely submitted applications classified as Major Site Plan Review developments shall be reviewed and acted on at the next regularly scheduled Planning Board meeting following the submission deadline.
 - b. **Submission requirements:** All submission required in Section D below shall be required unless specifically waived by the Planning Board.

The Planning Board may require the applicant to submit additional studies or reports which it deems reasonable and necessary to insure

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that the requirements of the Ordinance are met. The costs of all such studies or reports shall be borne by the applicant.

- c. **Review criteria:** For applications classified as Major Site Plan Review developments, the entire lot or lots being proposed for development, or any lot or lots under the common ownership or control of the applicant which will, or is likely to, experience a substantial change of use in conjunction with the proposed development, shall be required to meet the site plan Criteria and Standards in section E and the site plan Performance Standards of section F.

For purposes of this subsection, “substantial change of use” shall mean a change in the use of the site that is likely to result in a substantial alteration of the existing traffic or parking patterns, timing, or intensity from the current use of the site, or which would result in a change in the amount or timing of activity on the site that might affect, noise, lighting, waste disposal, delivery times, water usage, or sewage disposal.

- d. **Planning Board pre-application meeting:** Prior to formal application for major review, an applicant shall participate in an informal pre-application meeting with the Planning Board to discuss the proposed project and the site plan review criteria, to determine its compliance with Town regulations, and to identify significant issues which will require additional analysis. The applicant shall make a request in writing and submitted at least twenty-six (26) days prior to the first Planning Board meeting of the month during which the applicant wishes to be heard.
- e. **Peer review:** Peer review process is required for applications classified as Major Site Plan Review developments unless the Planning Board specifically waives the requirement at the pre-application meeting or any subsequent meeting. Any such waiver by the Planning Board shall not preclude the Planning Board from subsequently requiring a peer review if an issue arises that is sufficiently complex that it requires the expertise of a peer reviewer.

Peer review process for applications classified as Major Site Plan Review shall evaluate the proposed **site planning** (including but not limited to storm water management and traffic management), **architecture, lighting and landscaping** proposed in the application unless any aspect of the required peer review is waived. Town staff shall begin the peer review process with the receipt of the application.

5. The Planning Board shall require the owner or the owner’s authorized agent to deposit in escrow with the Town an amount of money sufficient to

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cover the costs for any professional review of the site plan documents which the Board may feel is reasonably necessary to protect the general welfare of the Town. Amounts for this escrow payment are established by the Board of Selectmen and listed in the Town Fee Schedule. *[Amended 5/19/90]* This escrow payment shall be made before the Board engages any outside party to undertake this review and to make recommendations to the Board. Any part of this escrow payment in excess of the final costs for the review shall be returned to the owner or the owner's agent.

6. Performance Guarantees.

- a. The developer shall, in an amount set by the Town Manager, file with the Town, prior to the issuance of Final Approval, a performance guarantee in the form of a certified check payable to the Town of Raymond, a performance bond running to the Town of Raymond, an irrevocable letter of credit to cover the full cost of required improvements or some other form of surety that is acceptable to the Town Manager. For the purposes of this section, required improvement shall mean all public and private roads, all drainage structures and ditches, all erosion control measures, all utilities, all landscaping and all recreation facilities. Any such bond shall be satisfactory to the Town Manager and the municipal attorney as to form, sufficiency, manner of execution and surety.
- b. At the discretion of the Town Manager, the developer may be allowed to submit individual bonds for each phase of a project's development. If this option is chosen, prior to submission of each individual bond, the developer shall submit to the Town a written statement detailing completion dates for all roads and other public improvements planned for that phase.
- c. A period of one (1) year (or such period as the Town Manager may determine appropriate, not to exceed three (3) years) shall be set forth in the bond time within which required improvements must be completed.
- d. Inspection of Required Improvements:
 - 1) At least fifteen (15) days prior to commencing construction of required improvements, the developer shall notify in writing the Code Enforcement Officer of the time when the developer proposes to commence construction of such improvements so that the Town Manager can cause inspection to be made to assure that all specifications and requirements shall be met during the construction of required improvements, and to assure the

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satisfactory completion of improvements and utilities required by the Board. Inspection shall be made of all required public improvements as defined above;

- 2) At least five (5) days prior to commencing construction of required improvements, the developer shall pay an inspection fee equal to the estimated cost of inspection by an engineer appointed by the Town, payable by check to the Town of Raymond, stating the purpose of the fee. No building permits shall be issued on the project and no work begun until the inspection fee has been paid;
- 3) If the inspector shall find, upon inspection of the improvement performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the developer, the inspector shall so report to the Town Manager, Road Commissioner and Building Inspector. The Town Manager shall then notify the developer and, if necessary, the bonding company or bank, and take all necessary steps to preserve the municipality's rights under the bond or letter of credit. No plan shall be approved by the Board as long as the developer is in default on a previously approved Plan;
- 4) If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the inspector that unforeseen conditions make it necessary or preferable to modify the location or design of any required improvement, the inspector may, upon approval of the Town Manager, authorize modifications, provided these modifications are within the spirit and intent of the Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The inspector shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Board;
- 5) Upon completion and final inspection of all required improvements, any funds remaining in a project's inspection fee account, after all inspection fees have been paid, shall be returned to the subdivider;
- 6) The applicant shall be required to maintain all improvements and provide for snow removal on streets and sidewalks until acceptance of said improvements by the legislative body.

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- e. The performance guarantee shall not be released by the Town Manager until:
- 1) The inspecting engineer has completed a final inspection of the project and has submitted a written report stating that all required public improvements as defined above have been completed in accordance with approved plans and specifications;
 - 2) The Town Manager and Code Enforcement Officer have examined the site, have reviewed the inspecting engineer's report and concur with the inspecting engineer's findings.
 - 3) Performance guarantees collected on phased work segments shall be released in the same manner as outlined above, upon the completion of each phase.

D. Submission Requirements

1. When the owner of the property or the owner's authorized agent makes formal application for Site Plan Review, the application shall contain at least the following exhibits and information except to the extent any of these submission requirements are modified by the provisions of Section C.2.b pertaining to Staff Site Plan Review and Section C.3.b pertaining to Minor Site Plan Review above:

- a. A fully executed and signed application for Site Plan Review;
- b. A narrative description explaining how the submissions and the proposed plans meet all submission requirements and ordinance provisions that pertain to the applicant's project.

For any project located in the Commercial District, the applicant shall also submit a narrative which explains how the submissions and the proposed plans comport with the Raymond Design Guidelines, and where the submissions and the proposed plans do not comport with the Raymond Design Guidelines, the reasons why the applicant is proposing an alternative design.

- c. Fifteen (15) copies of a Site Plan drawn at a scale of not more than fifty (50) feet to the inch for that portion of the total tract of land ~~being proposed for development~~ subject to site plan review, and showing the following: *[Amended 12/2/08]*
 - 1) Name of owner and developer; and interest of the applicant if other than the owner or developer;

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- 2) Name of development, scale and meridian arrow, with specific definition of representation, date of plan and legend;
- 3) Names and addresses of all owners of record of all adjacent property as they appear on Assessor's records;
- 4) Current zoning boundaries and one hundred (100) year flood plain boundaries including surrounding areas to a distance of three hundred (300) feet from the perimeter of the site;
- 5) Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property;
- 6) A surveyed topographic map of the site showing existing and proposed contours at no more than two (2) foot intervals;
[Amended 3/ 20/99]
- 7) Location of watercourses, wetlands, marshes, surface water, rock outcroppings, wooded areas, single trees with a diameter of ten (10) inches measured three (3) feet from the base of the trunk;
- 8) Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of one hundred (100) feet from the property line, indicating whether existing buildings on the tract are to be retained, modified or removed;
- 9) Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow, existing within two hundred (200) feet of the subject property;
- 10) Existing soil conditions and soil suitability test results for septic waste disposal. The Planning Board also may require submission of a high intensity soils map;
- 11) Locations of proposed buildings and uses thereof;
- 12) Proposed traffic circulation system including streets, parking lots, driveways and other access and egress facilities, curb lines, sidewalk lines, and existing streets, including the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours;

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- 13) Location of existing and proposed public utility lines indicating whether proposed lines will be placed underground;
- 14) A storm water management plan, prepared by a registered professional engineer, shall be designed so that the post-development storm water runoff does not exceed the pre-development storm water runoff for the 24-hour duration, 2-, 10-, and 25-year frequency storm events. The storm water plan shall be prepared in accordance with “*Stormwater Management for Maine: Volume III BMP’s Technical Design Manual*”, latest edition, prepared by the Maine Department of Environmental Protection, which is incorporated herein by reference and made a part thereof. The storm water plan shall include the following information for the pre- and post-development conditions: drainage area boundaries, hydrologic soils groups, ground cover type, time of concentration flow paths, modeling methodology, calculations, and background data. The Board may require review and endorsement of the stormwater plan and calculations by the Cumberland County Soil and Water Conservation District or some other third party qualified to conduct such review, the cost of which shall be borne by the Applicant. *[Amended 12/2/08]*

~~Except for Minor Developments and Minor Modifications, for which Planning Board approval is not required, all Projects subject to Site Plan Review shall include the following:~~

- a) Phosphorus export calculations based on “Phosphorus Control in Lake Watersheds: A Technical Guide to Evaluating New Development (latest edition), issued by Maine DEP. or,
- b) Any project which requires a Stormwater Permit from the State of Maine DEP shall submit A Stormwater Management Plan designed in accordance with Section 4 of the State of Maine Chapter 500 Stormwater Regulations, Stormwater Standards (June 6, 2006, and as amended). *[Adopted 12/2/08]*

For Minor Developments and Minor Modifications, subject to CEO review only, the Stormwater Management Plan must demonstrate conformance with the Storm Water Quality and Phosphorus Control provisions (point system) described in Article 9, section U.5 of this ordinance.

- 15) Location and design of proposed off-street parking and loading areas indicating number and size of stalls;

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- 16) Proposed location and direction of, and time of use of outdoor lighting;
- 17) Existing and proposed planting, fences and walks, including all landscaping and screening, and indicating existing trees to be retained and areas to be left undisturbed including design features intended to integrate the proposed new development into the existing landscape to enhance aesthetic assets and to screen objectionable features from neighbors;
- 18) Location, size, design, and manner of illumination of signs;
- 19) Disposal of sewage, trash, solid waste, oily waste, hazardous waste or radioactive waste showing disposal facilities, receptacles or areas;
- 20) Perimeter boundaries of the site giving complete descriptive lot data by bearings, distances, and radii of curves including the name and seal of the registered land surveyor who prepared the plan;
- 21) Description and plan of capacity and location of means of sewage disposal and evidence of soil suitability for such disposal (test pit locations shall be shown on the plans) approved by a registered engineer or soils scientist;
- 22) A statement of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed, the number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by this Article 10, Section F.1 for the uses proposed, the number of employees expected per shift, and the total floor area of proposed commercial or industrial uses;
- 23) Description and plan of a "phase development concept" detailing the areas and sequence of phasing;
- 24) A notarized statement by the developer explaining how the developer intends to comply with the performance guarantee requirement of Article 10, Section C.3.a; *[Amended 3/20/99]*
- 25) When a proposed use is over a State-designated sand and gravel aquifer, information on the amount and types of waste to be

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generated or materials to be stored, used, transported, or applied on an annual basis, and the precautions, safeguards or methods that will be used to minimize the potential for groundwater contamination;

- 26) Location of existing trails used for hiking, walking, bicycling, snowmobiling, and horseback riding, as well as any portion of any Town- designated greenbelt, which occurs on the property.
- 27) An erosion and sedimentation control plan shall be prepared in accordance with the “*Maine Erosion and Sediment Control: Best Management Practices*”, latest revision, prepared by the Maine Department of Environmental Protection, which is incorporated herein by reference and made a part thereof. The plan shall be prepared either by a professional civil engineer or by a Certified Professional in Erosion and Sediment Control (CPESC). At a minimum, the following items shall be discussed and provided:
[Amended 12/2/08]
- a) The name, address, and telephone number of the applicant.
 - b) The name, address, and telephone number of the person responsible for implementing the plan.
 - c) A vicinity map showing the location of water bodies that may be affected by erosion and sedimentation from the project.
 - d) Existing and proposed drainage patterns, including drainage channels that drain to surrounding water bodies.
 - e) A sequence of work that outlines how the project will be constructed and specifically addressing how soil disturbance will be minimized during the construction process.
 - f) Clear definition of the limits of work and any buffer areas that will remain undisturbed and an indication of how these areas will be protected during construction.
 - g) Description of temporary and permanent erosion control practices that will be used.
 - h) Identification of the locations of the temporary and permanent erosion control practices.
 - i) Identification of how, where and when collected sediment will be disposed.
 - j) Dust control measures.
 - k) Inspection and maintenance procedures, including schedule and frequency.
 - l) Description of when and how temporary and permanent erosion and sedimentation control practices, as applicable, will be removed.

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The Board may require the review and endorsement of this plan by the Cumberland County Soil and Water Conservation District at the applicant's expense.

2. Upon request, the Planning Board may waive the necessity of providing any of the foregoing planning information that is not relevant to the proposed development.

Subject: Materials for April 7 BOS meeting - Part II
From: "Hugh Coxe" <hcoxe@newenglandplanning.com>
Date: Wed, 1 Apr 2009 23:50:53 -0400
To: "'Laurie Cook'" <laurie.cook@raymondmaine.org>
CC: "'Karen Strout'" <karen.strout@raymondmaine.org>

Lillie,

Attached is a proposed warrant article for creation of a Stream Protection district within the ordinances an on the zoning map. The Planning Board would like to have this included in the packet to the BOS, along with the proposed revised zoning map which is currently on the town website (on the PB page under "ordinance Amendments"), for their consideration.

I am continuing to work on the other Planning Board warrant articles which I will send tomorrow morning for inclusion in the BOS packets.

Let me know if you have any questions. Thanks.

Hugh

Hugh M. Coxe
New England Planning Concepts
117 West Main Street
Yarmouth, ME 04096
hcoxe@newenglandplanning.com
(207) 847-9299
(207) 807-1617 *mobile*

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Town of Raymond
Town Meeting Warrant – June 2, 2009

ARTICLE ___: Shall Article 2, Section A of the Town of Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through December 2, 2008, and Section 9.A, Section 13, Section 14, Sections 15.A.1, 15.B.2, 15.I, 15.K, 15.L, and Section 17 "Shoreland Zone" and "Stream" definitions of the Town of Raymond Shoreland Zoning Provisions, as adopted May 21, 1994 and amended through December 2, 2008, be further amended by adding the underscored language and deleting the language in strikeover type, as shown below and shall the Land Use Map adopted December 2, 2008 as part of the Land Use Ordinance of the Town of Raymond, Maine be superseded and replaced by a new Land Use Regulation Map being that map entitled *Town of Raymond, Maine Official Land Use Map* prepared by New England Planning Concepts in March 2009 and filed in the office of the Town Clerk on June 2, 2009 and being that map that includes Stream Protection (SP) districts?

[Note: The use of the word "Article" within the ordinance does not indicate a separate warrant article.]

Raymond Land Use Ordinance

ARTICLE 2 - ESTABLISHMENT OF DISTRICTS

A. Districts

To implement the provisions of this Ordinance, the Town of Raymond is hereby divided into the following districts:

Established Districts

1. Village Residential District (VR)
2. Manufactured Housing Overlay District (MHOD) *[Adopted 5/21/05]*
3. Rural District (R)
4. Rural Residential District (RR)
5. Shorelands - This district is hereby divided into the following sub-districts.
 - a. Resource Protection District (RP)
 - b. Stream Protection District (SP)
 - c. Limited Residential - Recreation District I (LRR1)
 - d. Limited Residential - Recreation District II (LRR2)
6. General Commercial (C)
7. Industrial (I)

Raymond Shoreland Zoning Provisions

SECTION 9. DISTRICTS AND ZONING MAP

A. Official Raymond Land Use Map

4.1.09 DRAFT Article ___ for June 2, 2009 Raymond Town Meeting Warrant
Page 1 of 8

Town of Raymond
Town Meeting Warrant – June 2, 2009

The areas to which these ordinance provisions are applicable are hereby divided into the following districts as shown on the Official Raymond Land Use Map, which is made a part of these ordinance provisions:

1. Resource Protection (RP)
2. Stream Protection (SP)
3. Limited Residential/Recreation (LRR1)
4. Limited Residential/Recreation II (LRR2)

Note: Article IV of the Raymond Land Use Ordinance contains a description of Raymond's other zoning districts.

SECTION 13. ESTABLISHMENT OF SHORELAND DISTRICTS

A. Resource Protection District (RP).

The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone:

1. Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) as of January 1, 1973.
2. Flood plains along rivers and flood plains along artificially formed great ponds along rivers, defined by the 100 year flood plain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent flood plain soils.
3. Areas of two or more contiguous acres with sustained slopes of 20% or greater.
4. Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during normal spring high water.
5. Land areas along rivers subject to severe bank erosion and undercutting.
6. Other land areas designated as Resource Protection on the Official Raymond Land Use Map.

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B. Stream Protection District (SP).

The Stream Protection District includes all land areas within one hundred (100) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, or river, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a wetland. Where a stream and its associated shoreland area are located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

C. Limited Residential/Recreational I District (LRR1).

The Limited Residential/Recreational I District include those areas suitable for moderate residential and recreational development as designated on the Official Raymond Land Use Map. It includes areas other than those in the Resource Protection or Stream Protection Districts.

D. Limited Residential/Recreational II District (LRR2).

The Limited Residential/Recreational II District includes those areas suitable for low-density residential and recreational development as designated on the Official Raymond Land Use Map. It includes areas other than those in the Resource Protection or Stream Protection Districts.

SECTION 14. TABLE OF LAND USES

All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. If a specific land use activity is not included in Table 1, the Board of Appeals shall make a determination about the applicability of these shoreland zoning provisions to said activity when so requested by a landowner or municipal official. The district designation for a particular site shall be determined from the Official Raymond Land Use Map.

Key to Table 1:

- Yes - Allowed (no permit required but the use must comply with all applicable State and local standards and ordinances.
- No - Prohibited
- PB - Requires permit issued by the Planning Board

Town of Raymond
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- CEO - Requires permit issued by the Code Enforcement Officer

Abbreviations:

- RP - Resource Protection
- SP – Stream Protection
- LR/R-I - Limited Residential/Recreational I
- LR/R-II - Limited Residential/Recreational II

TABLE 1 “LAND USES IN THE SHORELAND ZONE”

| LAND USES | RP | <u>SP</u> | LRR1 LRR2 |
|--|------------------|------------|------------------|
| 1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking | yes | <u>yes</u> | yes |
| 2. Motorized vehicular traffic on existing roads and trails | yes | <u>yes</u> | yes |
| 3. Forest management activities except for timber harvesting | yes | <u>yes</u> | yes |
| 4. Timber harvesting* | CEO1 | <u>yes</u> | yes |
| 5. Clearing of vegetation for approved construction and other allowed uses | CEO1 | <u>CEO</u> | yes |
| 6. Fire prevention activities | yes | <u>yes</u> | yes |
| 7. Wildlife management practices | yes | <u>yes</u> | yes |
| 8. Soil and water conservation practices | yes | <u>yes</u> | yes |
| 9. Mineral exploration* | yes ² | no | yes ² |
| 10. Mineral extraction including sand and gravel | CEO ³ | no | CEO |
| 11. Surveying and resource analysis | yes | <u>yes</u> | yes |
| 12. Emergency operations | yes | <u>yes</u> | yes |
| 13. Agriculture* | PB | <u>yes</u> | yes |
| 14. Aquaculture | PB | <u>PB</u> | PB |
| 15. Principal structures and uses | . | . | . |
| 15. A. Single family residential | no | no | CEO |
| 15. B. Two family residential | no | no | CEO |
| 15. C. Multi-family residential | no | no | no |
| 15. D. Small non-residential facilities for education, scientific, or nature interpretation purposes | PB | <u>PB</u> | CEO |
| 15. E. Municipal [Adopted 3/18/00] | no | no | PB |
| 15 F. Elderly Housing [added May 21, 2005] | no | no | yes |
| 16. Structure accessory to allowed uses | PB | <u>PB</u> | CEO |

Town of Raymond
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| | | | |
|---|-----|-----|-----|
| 17. Piers, docks, wharves, bridges and other structures and uses extending over or below the normal high water line or within a wetland | . | . | . |
| 17. A. Temporary | CEO | CEO | CEO |
| 17. B. Permanent | PB | PB | PB |
| 18. Conversions of seasonal residences to year-round residences | no | no | CEO |
| 19. Home occupations** | no | no | yes |
| 20. Private sewage disposal systems for allowed uses | no | no | CEO |
| 21. Essential services | PB4 | PB4 | PB |
| 22. Service drops, as defined, to allowed uses | yes | yes | yes |
| 23. Public and private recreational areas involving minimal structural development | PB | PB | PB |
| 24. Personal campsites | CEO | CEO | CEO |
| 25. Campgrounds | no5 | no | PB |
| 26. Road and driveway construction* | no6 | PB | CEO |
| 27. Parking facilities | no5 | no | PB |
| 28. Marinas | no | PB | PB |
| 29. Filling and earthmoving of less than 10 cubic yards | CEO | CEO | yes |
| 30. Filling and earthmoving of more than 10 cubic yards | PB | PB | CEO |
| 31. Signs* | yes | yes | yes |
| 32. Uses similar to allowed uses | CEO | CEO | CEO |
| 33. Uses similar to uses requiring a CEO permit | CEO | CEO | CEO |
| 34. Uses similar to uses requiring a PB permit | PB | PB | PB |

* There may be additional performance standards in Article IX of the Raymond Land Use Ordinance beyond those in Section 15 of these shoreland zoning provisions.

** Home occupations are those land uses that conform with the requirements of Article IX. A home occupation that conforms to Article IX and that is specifically permitted by Article XI of the Raymond Land Use Ordinance shall be considered a permitted use in the Limited Residential/Recreation I and II Districts. All other home occupations not specifically listed in the definitions of home occupations in Article XII of the Raymond Land Use Ordinance shall be considered conditional uses that must conform to the standards set forth in Article IX, Section B of the Raymond Land Use Ordinance and that must be reviewed and approved by the Appeals Board.

1. In RP not permitted within 100 feet of the normal high water line of great ponds, except to remove safety hazards.
2. Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.

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3. In RP not permitted in areas so designated because of wildlife value.
4. See further restrictions in Section 15.M.2.
5. Except for Panther Run's floodplain, in which case a permit is required from the Planning Board.
6. Except to provide for permitted uses within the district, or where no reasonable alternative route or location is available outside the RP area, in which case a permit is required from the Planning Board.

SECTION 15. LAND USE STANDARDS

All land use activities within the shoreland zone shall conform to the following provisions, if applicable. An asterisk (*) found next to the section headings listed below indicates that there may be additional performance standards in Article IX of the Raymond Land Use Ordinance.

A. Minimum Lot Standards and Setbacks

1. Lots shall meet or exceed the following minimum lot size requirements:
 - a. Limited Residential/Recreational I - two (2) acres; ~~and~~
 - b. Limited Residential Recreational II - three (3) acres;
 - c. Resource Protection and Stream Protection – For purposes of determining minimum lot size requirements for land within the RP and SP districts, those districts shall be treated as overlay districts such that the minimum lot size of the underlying zoning district in which the land is located shall determine minimum lot size.

B. Principal and Accessory Structures

2. Principal or accessory structures and expansions of existing structures that are permitted in the Resource Protection, Stream Protection, Limited Residential/Recreational I, and Limited Residential/Recreational II Districts, shall not exceed thirty-five (35) feet in height. This provision shall not apply to structures such as transmission towers, windmills, antennas, and similar structures having no floor area.

I. Signs*

Town of Raymond
Town Meeting Warrant – June 2, 2009

The following provisions shall govern the use of signs in the Resource Protection, Stream Protection, Limited Residential/Recreation I and Limited Residential/Recreation II Districts:

1. Signs and billboards relating to goods and services sold on the premises shall be permitted, provided that such signs shall not exceed six (6) square feet in area and shall not exceed two (2) signs per premises. Billboards and signs relating to goods or services not sold or rendered on the premises shall be prohibited.
2. Name signs shall be permitted, provided such signs shall not exceed two (2) signs per premises.
3. Residential users may display a single sign not over three (3) square feet in area relating to the sale, rental, or lease of the premises.
4. Signs relating to trespassing and hunting shall be permitted without restriction as to number provided that no such sign shall exceed two (2) square feet in area.
5. Signs relating to public safety shall be permitted without restriction.
6. No sign shall extend higher than twenty (20) feet above the ground.
7. Signs may be illuminated only by shielded, non-flashing lights.

K. Septic Waste Disposal*

1. All plumbing shall be connected to public collection and treatment facilities when such facilities are available.
2. All subsurface sewage disposal systems shall be installed in conformance with the "State of Maine Subsurface Wastewater Disposal Rules" (Rules) and Town regulations. The State's Rules, among other standards, require that:
 - a. The minimum setback for new subsurface sewage disposal systems, shall be no less than one hundred (100) horizontal feet from the normal high-water line of a perennial water body.
 - b. Replacement systems shall meet the standards for replacement systems as contained in the Rules.
3. Where daily sewage flow exceeds 2,000 gallons, the minimum setback for new subsurface sewage disposal systems shall be 300 feet from the normal high-water line of a perennial water body.

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4. The minimum setback distances from water bodies for all new subsurface sewage disposal systems shall not be reduced by variance.
5. Privies shall not be permitted in the Resource Protection, Stream Protection, Limited Residential/Recreation I and Limited Residential/Recreation II Districts.
6. All development or construction within 250 horizontal feet of normal high water line of a perennial water body shall meet the requirements of the regulations adopted by the Portland Water District on June 3, 1988; these regulations are to be enforced by the Town of Raymond.

L. Essential Services

1. Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.
2. The installation of essential services is not permitted in the Resource Protection or Stream Protection District, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where permitted, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.

SECTION 17. DEFINITIONS

Shoreland zone - the land area located within six hundred (600) feet, horizontal distance, of the normal high water line of any great pond or river; within 250 feet, horizontal distance, of the upland edge of freshwater wetland; within one hundred (100) feet, horizontal distance, of the normal high water line of a stream; or within an area designated on the Official Raymond Land Use Map as a Resource Protection, Stream Protection, Limited Residential/Recreation I, or Limited Residential/Recreation II district.

Stream - a ~~perennial~~-free-flowing body of water, ~~other than a river, from the outlet of a great pond or the confluence of two (2) perennial streams~~ as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-minute series topographic map, to the point where the body of water becomes a river or flows to another water body or wetland within the shoreland area.

Subject: Materials for April 7 BOS meeting
From: "Hugh Coxe" <hcoxe@newenglandplanning.com>
Date: Wed, 1 Apr 2009 17:23:47 -0400
To: "Laurie Cook" <laurie.cook@raymondmaine.org>
CC: "Karen Strout" <karen.strout@raymondmaine.org>

Lillie,

Attached is the final version of the Raymond Open Space Plan. The Conservation Commission would like to have this included in the packet to the BOS, along with the attached proposed warrant article seeking adoption of the plan at Town Meeting, for their consideration. The RCC would also like to have the plan posted on the web after the BOS has reviewed the plan and mad a determination as to whether it will be included in the warrant for town meeting.

I am also preparing the Planning Board warrant articles (and accompanying material) which I will send this evening and/ or tomorrow morning, for inclusion in the BOS packets.

Let me know if you have any questions. Thanks.

Hugh

Hugh M. Coxe
New England Planning Concepts
117 West Main Street
Yarmouth, ME 04096
hcoxe@newenglandplanning.com
(207) 847-9299
(207) 807-1617 *mobile*

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Raymond Open Space Plan



**Raymond Conservation Commission
April, 2009**

Raymond Open Space Plan

“Maine’s principal advantage in today’s global economic competition is our Quality of Place. We have majestic mountains, unbroken forests, open fields, wild rivers, pristine lakes, a widely-celebrated coast, picturesque downtowns, lively arts and culture, authentic historic buildings, and exceptional recreational opportunities. We must learn to think of them as the basic infrastructure of Maine’s future prosperity.”

Quality of Place and Job Growth: A New and Needed Maine Investment Strategy, 2nd Report of the Governor's Council on Maine's Quality of Place, (May 2008)

Acknowledgements

The Raymond Open Space Plan was prepared by the Raymond Conservation Commission with consulting assistance from Hugh Coxe of New England Planning Concepts and Marisa Sowles and Judy Colby-George of Spatial Alternatives, Inc. Each member of the RCC provided invaluable guidance and assistance throughout the planning process and facilitated communications and contact with the citizens of Raymond.

Thanks also go to the Comprehensive Plan Implementation Committee, the Planning Board, Board of Selectman, Kevin Woodbrey, Sean Carr and the Raymond citizens, who participated in workshops and the Open Space Planning process.

Funding for the Open Space Plan was provided by the Town of Raymond.

The Raymond Conservation Commission members are John Rand, Co-Chair, Elizabeth Algeo, Co-Chair, William J Fraser, Mark Gendron, Russ Hutchinson, Peter Marciniuk, James Ross, Kimberly Rowe, Ben Severn, Louise Van Winkle.

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Introduction

Why do an Open Space Plan?

In 2004 the Town of Raymond approved their Comprehensive Plan which set out town policies for safeguarding water quality, protection of shared natural resources, conservation of prime forest and agriculture land, preservation of the Town's scenic areas, increase of open space, and the creation of trails. The plan gave the Raymond Conservation Commission (RCC) the responsibility for implementing strategies to achieve those policies; specifically, the RCC was tasked with creating an Open Space Plan for the prioritization of open space purchases. Creating an inventory of Raymond's natural resources and open spaces was the first step in that planning process.

Open Space Plan Goals

- Develop Open Space Plan that engages the community
- Inventory and identify our most valuable Natural Resources
- Support and promote working forests and agriculture
- Link open spaces
- Maintain and create trail systems for recreation (hiking, skiing, biking, snowmobiling, hunting, ATV [where appropriate])
- Preserve our community character - one of exceptional land and water quality, recreational opportunity and natural resources that are vital to the local economy

What are the key recommendations of the Open Space Plan?

1. Engage in discussions with landowners to begin a conversation about land protection and explore which of numerous methods of protection would best meet the needs of the landowner and the Town.
2. Determine the requirements for securing town funds for land conservation.
3. Identify opportunities and processes to apply for state and federal grants.
4. Build partnerships in order to leverage funding opportunities, conservation capacity, and experience.
5. Provide information for landowners and citizens about working forest and farmland and open space values in Raymond.

Raymond Open Space Plan

Who developed the Open Space Plan?

The RCC is comprised of eight to ten citizens of the Town and was supported for this effort by the Town's Contract Planner.

How did the Open Space Planning process work?

The Open Space Planning process has three primary objectives: 1) to develop an Open Space and Natural Resources Inventory, 2) to identify and prioritize the functional values associated with the town's open space and natural resource areas, and 3) to recommend policies to promote conservation of the town's important open spaces.

To achieve these objectives, the RCC gathered and mapped a broad set of data to create an inventory of many of the town's natural resources. The RCC then analyzed the information to assess the natural resources based on their importance to the ecology and the socio-economics of the town. In early 2007 the RCC developed a 25 minute presentation on the natural resources which ran for several months on the public access channel. In December 2007 the RCC held a public workshop to gather input and to discern community values about natural areas. The information gathered from the public workshop was integrated into the mapping and inventory information to depict the natural resources of the town in a manner that reflected the importance of their functions and their value to the community.



Following the inventory and analysis, the RCC turned its attention to developing policy recommendations and strategies. In March 2009 the RCC held another public workshop to gather input about the inventory, the maps, and the proposed recommendations in the draft plan. The RCC incorporated key messages and themes from that workshop into the plan and the recommendations were revised to reflect the feedback.

Inventory and Analysis of Open Space and Natural Resources

The inventory of natural resources for Raymond consists of a series of maps created from data maintained by state environmental agencies. The maps identify the location, extent and type of known natural resources present throughout Raymond. In order to manage and organize this vast body of information, and for analytic purposes discussed later, the various resources were grouped into six resource categories:

- Recreational
- Water Quality
- Habitat
- Environmental/ Health & Safety
- Land Productivity, and
- Vistas.

With the exception of the Vista category, each of these categories is comprised of two or more mapped natural resources.

In some instances, mapped resources include land areas adjacent to some other resource because the land is an important contributor to the functions of the adjacent resource. For example, streams are part of the water quality category, but so is some of the land area adjacent to the stream (i.e., the riparian corridor) because the use and condition of that land influences the water quality of the adjacent primary resource – the stream.



No one single category is been prioritized over another in the inventory. Each are linked and generally described as follows:

1. **Recreational** resources provide places for outdoor recreation including hiking, biking, picnicking, skiing, snowmobiling, hunting, bird watching, boating, fishing, and swimming
2. **Water Quality** resources provide clean surface and ground water and the land resources necessary for preserving clean water and include streams, ponds, rivers, the adjacent riparian uplands and land overlying aquifers.
3. **Habitat** resources protect plant and animal habitat and include natural areas, rare & endangered habitats, and larger areas of unfragmented forest land.

Raymond Open Space Plan

4. **Environmental, Health & Safety** resources protect people and property from natural hazards like flooding, water supply contamination, and property loss and include flood prone areas, wellhead protection areas, water supply reservoirs, steep slopes and areas with unsuitable soils for development.
5. **Land Productivity** resources provide natural resource-based commodities and include areas such as farms and timber stands that are actively managed and very often critical to local economies.
6. **Vistas** are the natural areas and open spaces in town that are important or high value scenic resources and may be viewed from lakes, public roads and other publicly accessible locations.

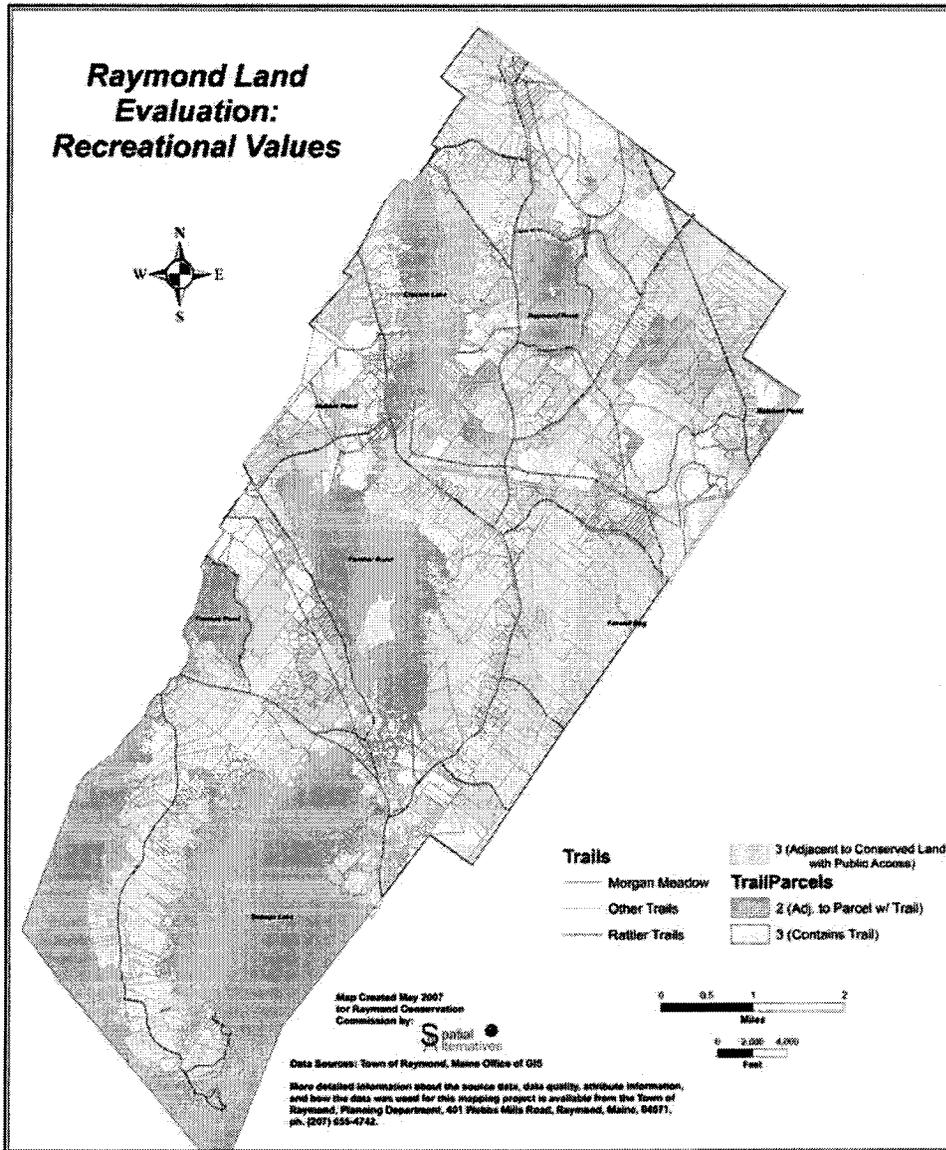
Table 1 sets out each of the functional categories and the resources which were identified and mapped in association with that category.

Table 1

| Recreational | Water Quality | Habitat | Environmental, Health & Safety | Land Productivity | Vistas |
|--|--|-----------------------------------|---|--------------------------|---------------|
| <i>Public water access</i> | <i>Proximity to Streams</i> | <i>Unfragmented Forested Land</i> | <i>Aquifer Recharge</i> | <i>Forest Land</i> | |
| <i>Trails</i> | <i>Proximity to Lakes, Ponds, Rivers</i> | <i>Deer Wintering Area</i> | <i>Steep Slopes</i> | <i>Farm Land</i> | |
| <i>Proximity to Settled Areas</i> | <i>Highly Erodable Soils</i> | <i>Waterfowl Habitat</i> | <i>Flood Plains</i> | | |
| <i>Adjacency to Publicly Accessible Conserved Land</i> | | <i>Rare Animal Location</i> | <i>Wellhead Protection</i> | | |
| | | <i>Rare Plant Location</i> | | | |
| | | <i>Adjacent to Conserved Land</i> | | | |

Maps

The inventory maps were created using the best publicly available map data that currently exists for each resource category. Generally, the data came either from Raymond’s existing data (such as parcel maps) or from the Maine Office of GIS¹. Where more than one resource exists at the same location, both are depicted so as to display each of the multiple “layers” of resources on the map. All maps show lakes, some streams, major roads, a bar scale, compass and legend to orient the viewer.

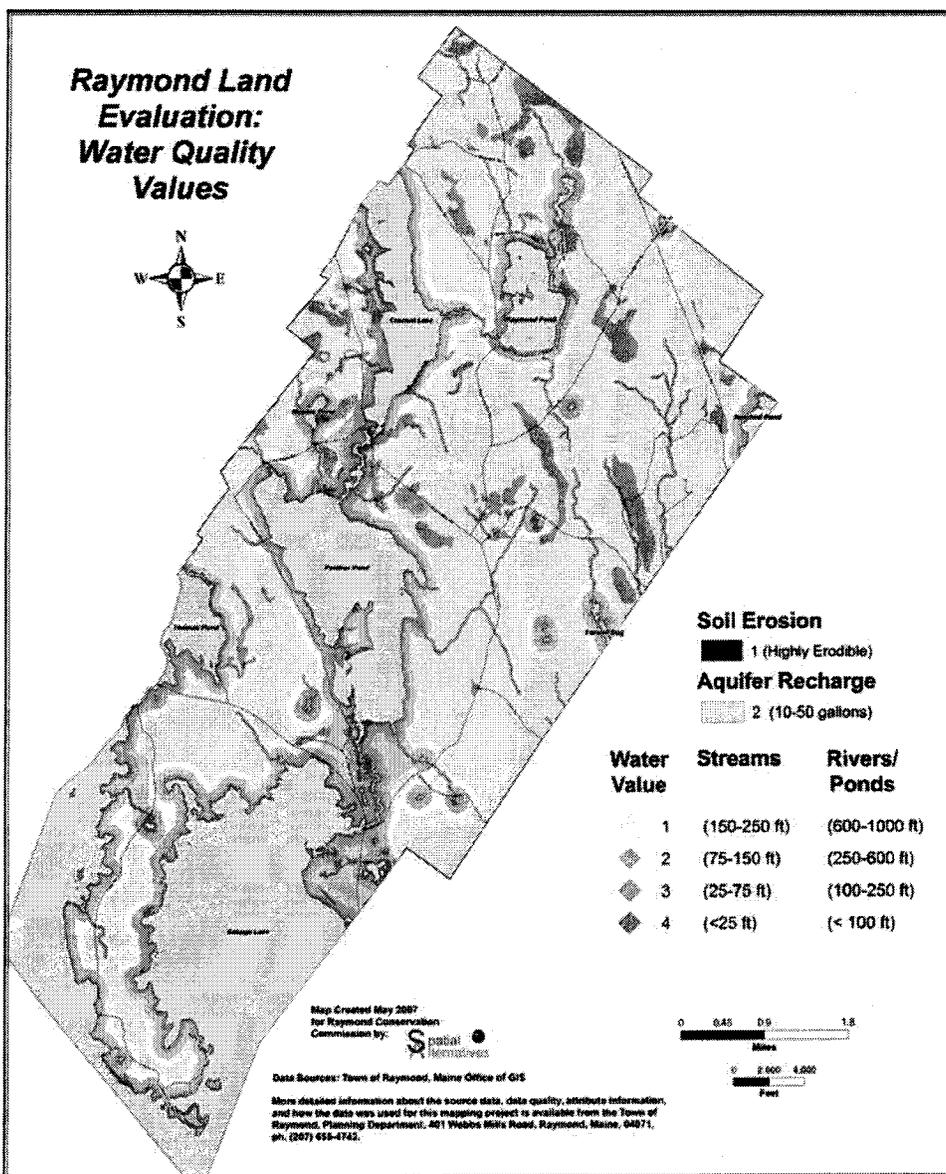


The *Recreation* inventory map (Map 1) includes all conserved land with public access and all parcels adjacent to such conserved land². The map also depicts publicly used trails in town. These do not include all of the recreational trails; only those that are generally recognized as publicly accessible trails.

Map 1

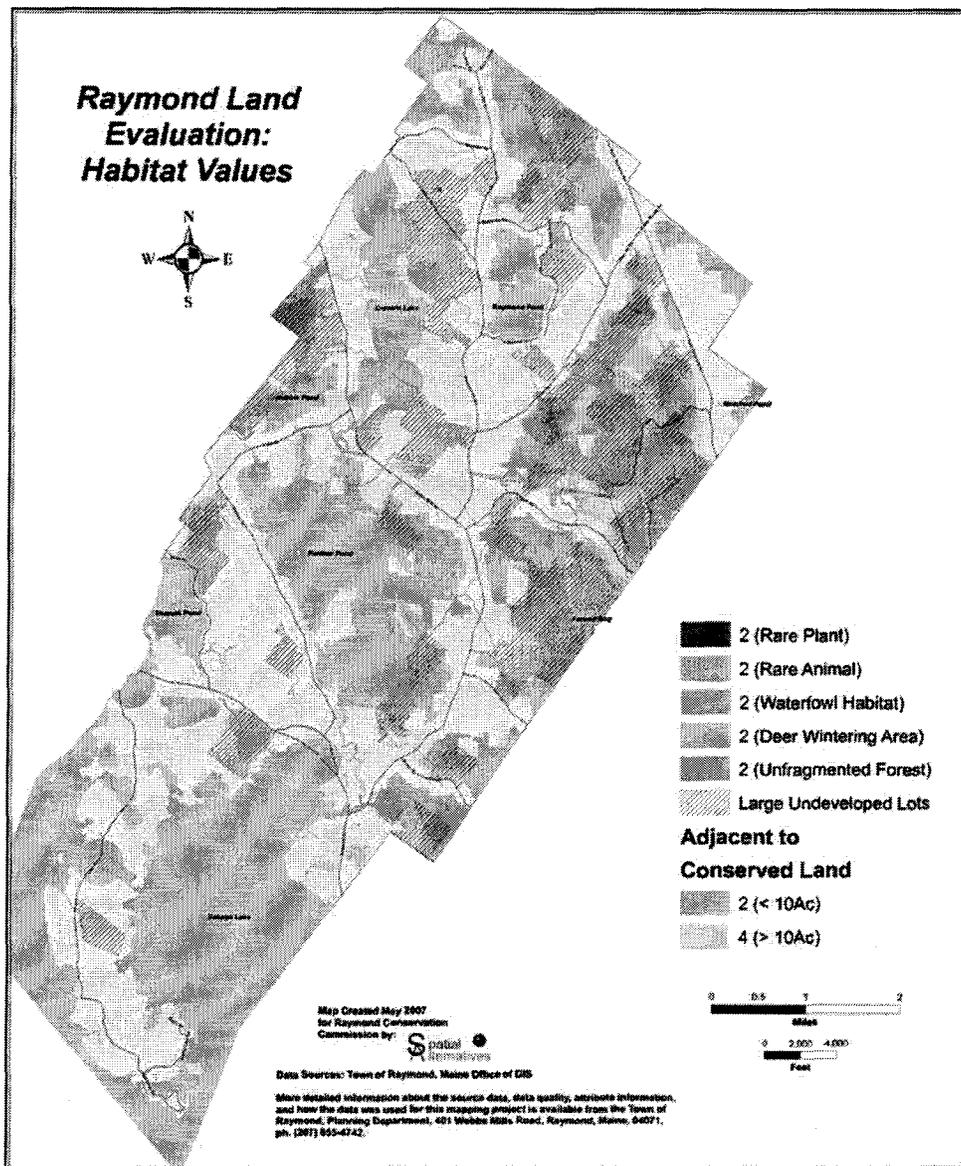
¹ A more detailed description of the source of the data, the proper use of the data, and limitations of the data, is included in the appendix in a document entitled *Description of Raymond Open Space Plan Data*.

² Conservation land depicted on this and other maps in this report is publicly owned land which includes a conservation easement or other protections from development.



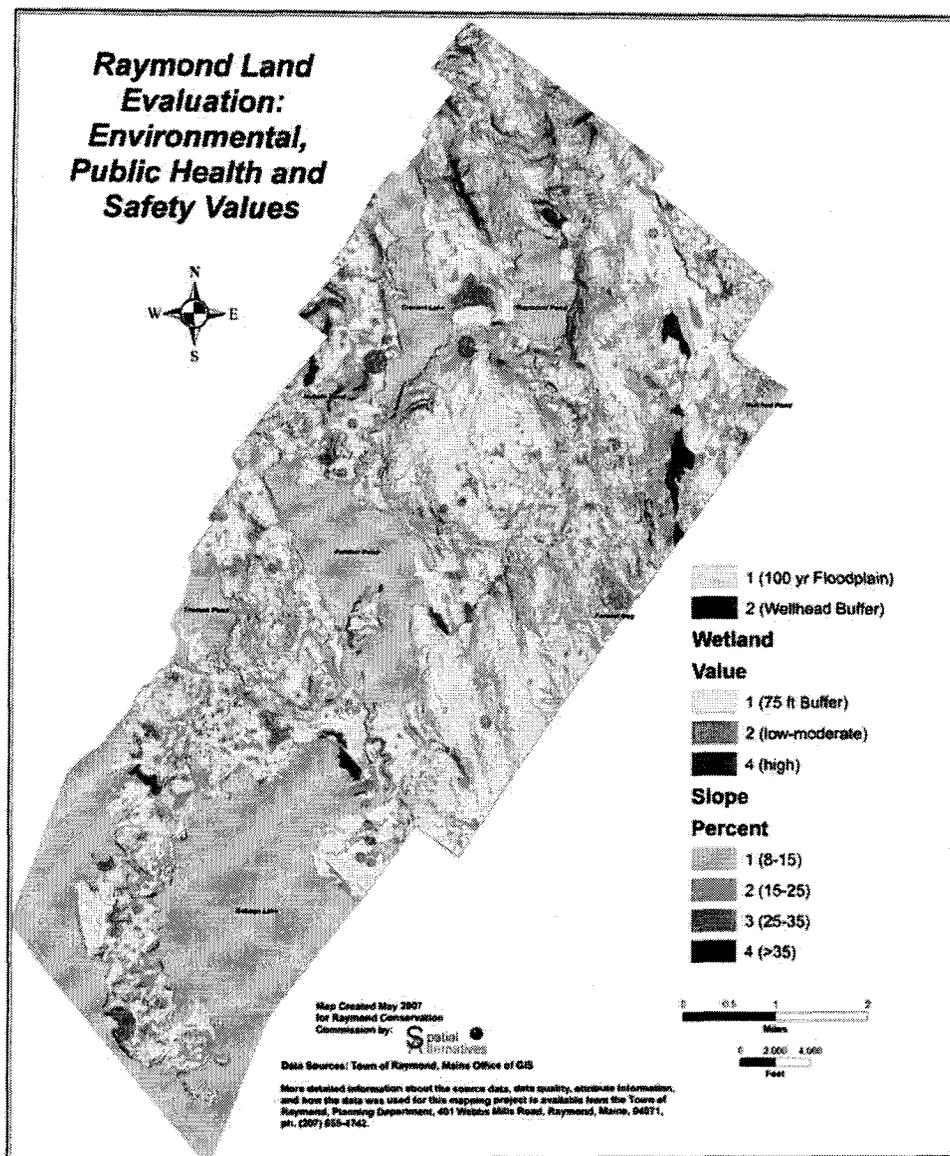
Map 2

The *Water Quality* inventory map (Map 2) shows all mapped streams, rivers, lakes, and ponds along with various buffers from those resources. The map also depicts aquifers, categorized by their likely capacity, and highly erodable soils – as those are soils most likely to cause water quality impacts through any disturbance associated with development activity.



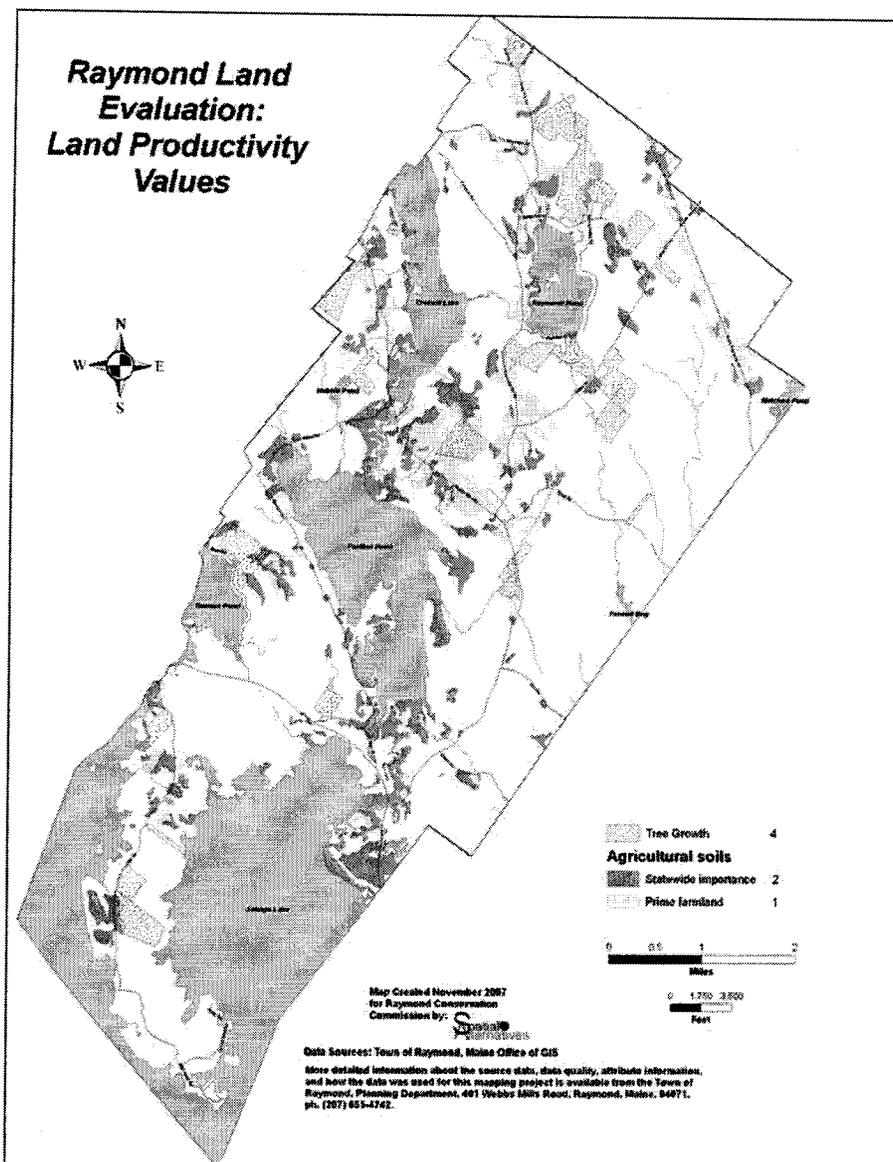
Map 3

The *Habitat* resource inventory map (Map 3) depicts the approximate locations of several types of habitat features. Approximate locations where rare animals or plants have been previously identified, or are known to occur, locations of state-identified waterfowl habitat, and deer wintering areas are shown on the map. Also depicted are open fields and undeveloped blocks – large contiguous areas of land with little or no development or roads. The Map also includes parcels adjacent to conserved land as those areas provide the large contiguous areas that some animals require for habitat.



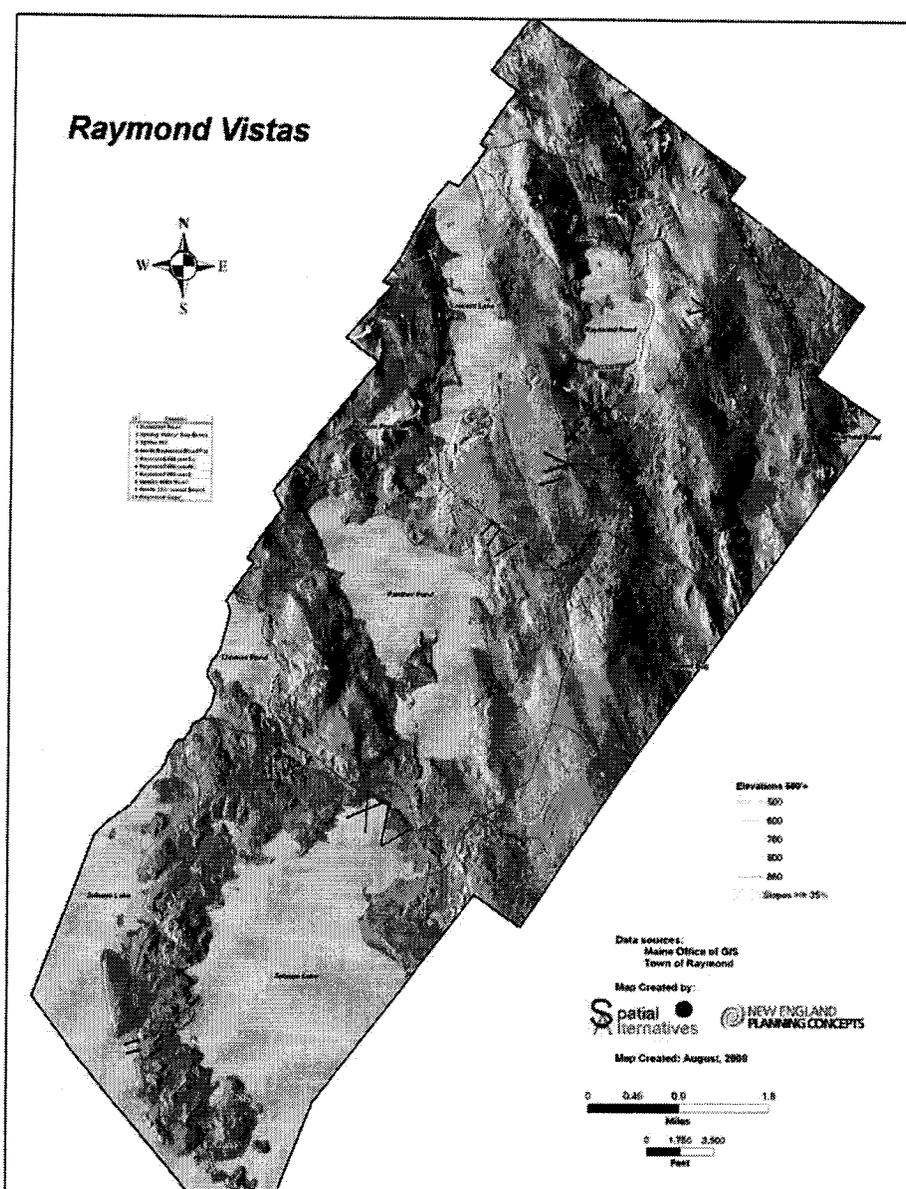
Map 4

The *Environmental, Health And Safety* inventory map (Map 4) includes locations of well buffers - protection areas for public water supply wells (wells that serve institutions, businesses, etc.) - flood plains categorized by the severity of the storm that would likely cause flooding, and slopes of 8% or greater and which are further categorized by their steepness. Also included are the known state-mapped wetlands in Raymond according to their classification based on a system developed by the Maine State Planning Office. Under that system each wetland is rated based on the combinations of ecological functions it serves or the human values it produces. The map further depicts a buffer of 75 feet around wetlands.



Map 5

The *Land Productivity* inventory map (Map 5) shows the location of parcels enrolled in the Farmland taxation program – indicating the land is actively used for agricultural purposes - and parcels enrolled in the Tree Growth taxation program – indicating the land is actively used for silvicultural purposes. Agricultural soils characterized by the National Resource Conservation Service as soils of “statewide importance” or soils that constitute “prime farmland” are depicted on the map as well.

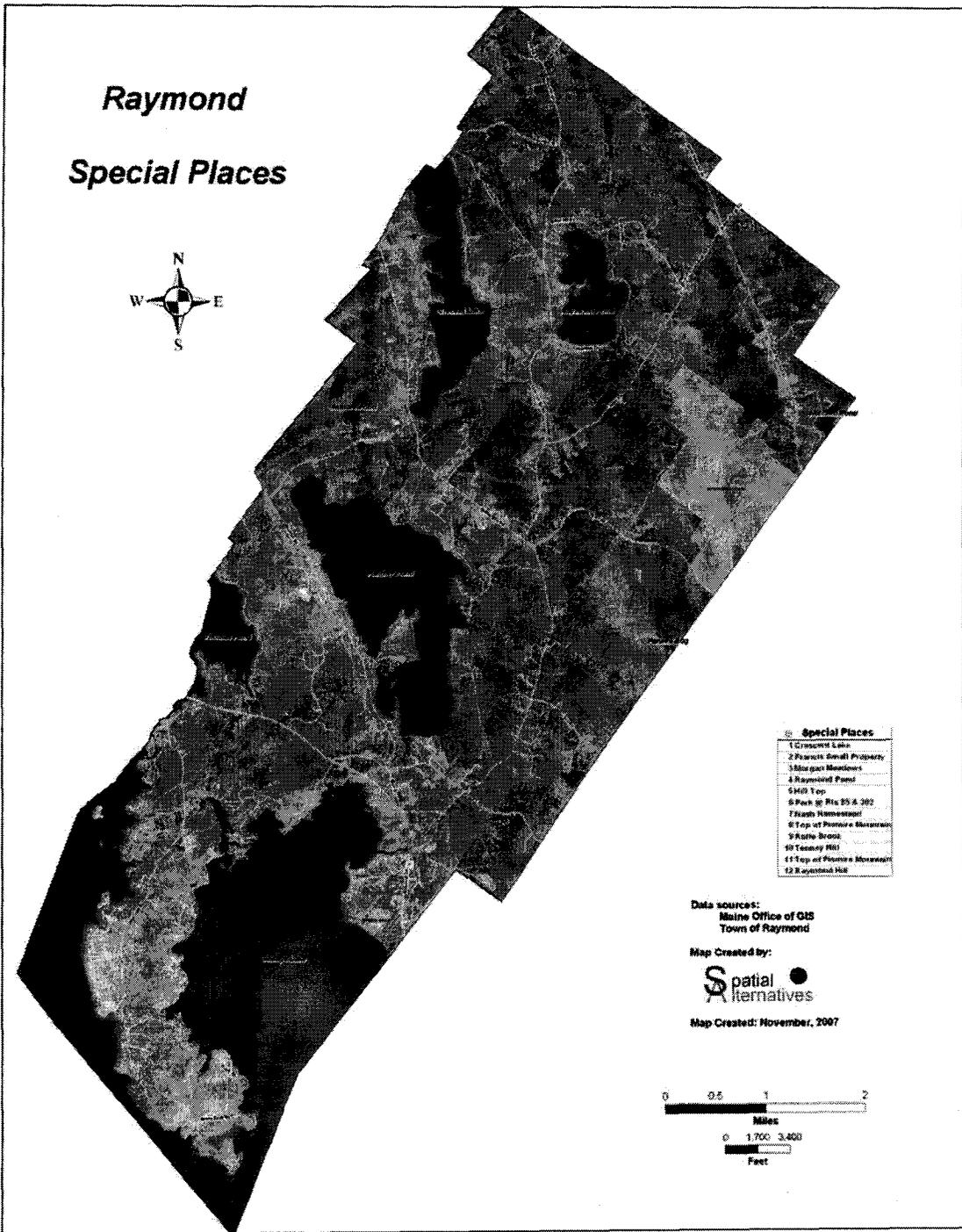


Map 6

The *Scenic Vistas* inventory map (Map 6) shows the higher elevation areas in town and the areas that have the steepest slopes as a way of depicting areas most visible from lakes, public roads and other publicly accessible locations throughout town. The map also identifies the locations along roads (road corridors) in town that provide a publicly accessible place from which important or high value scenic resources may be viewed.

The *Special Places* map (Map 7) was prepared to show locations in Raymond selected by residents who attended a public workshops in December 2007 and March 2009. Not all in attendance participated, but the residents that did, identified the approximate location of

places that are of special significance to them or their family.



Map 7

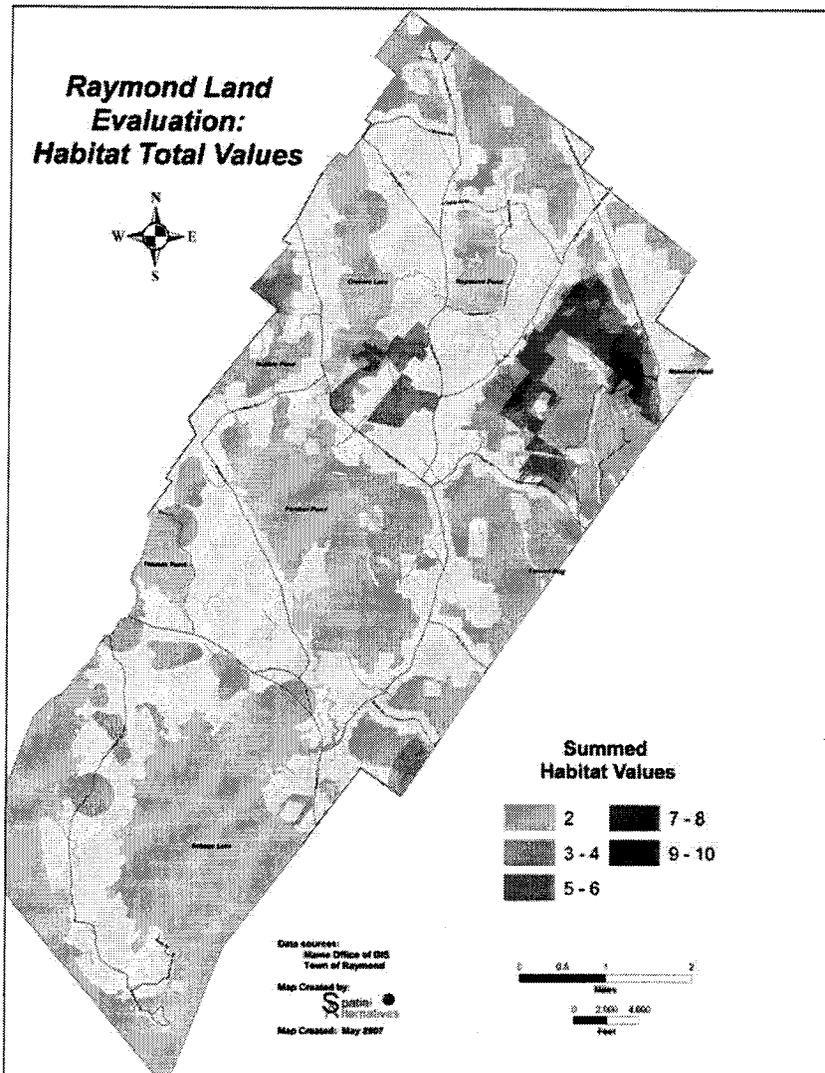
Value Analysis

The data collected in the inventory provides the basis for analyzing the relative values of the resources and to map variations in value throughout the town. To better understand this process, it is useful to consider an example. The *Habitat Total Values* map (Map 8) depicts

gradations in the total “score” for habitat functions, with the higher scoring areas in darker green, the lower scoring areas in progressively lighter shades of green, and those areas with relatively limited habitat identified in white. Further detail for this methodology is provided in the appendix.

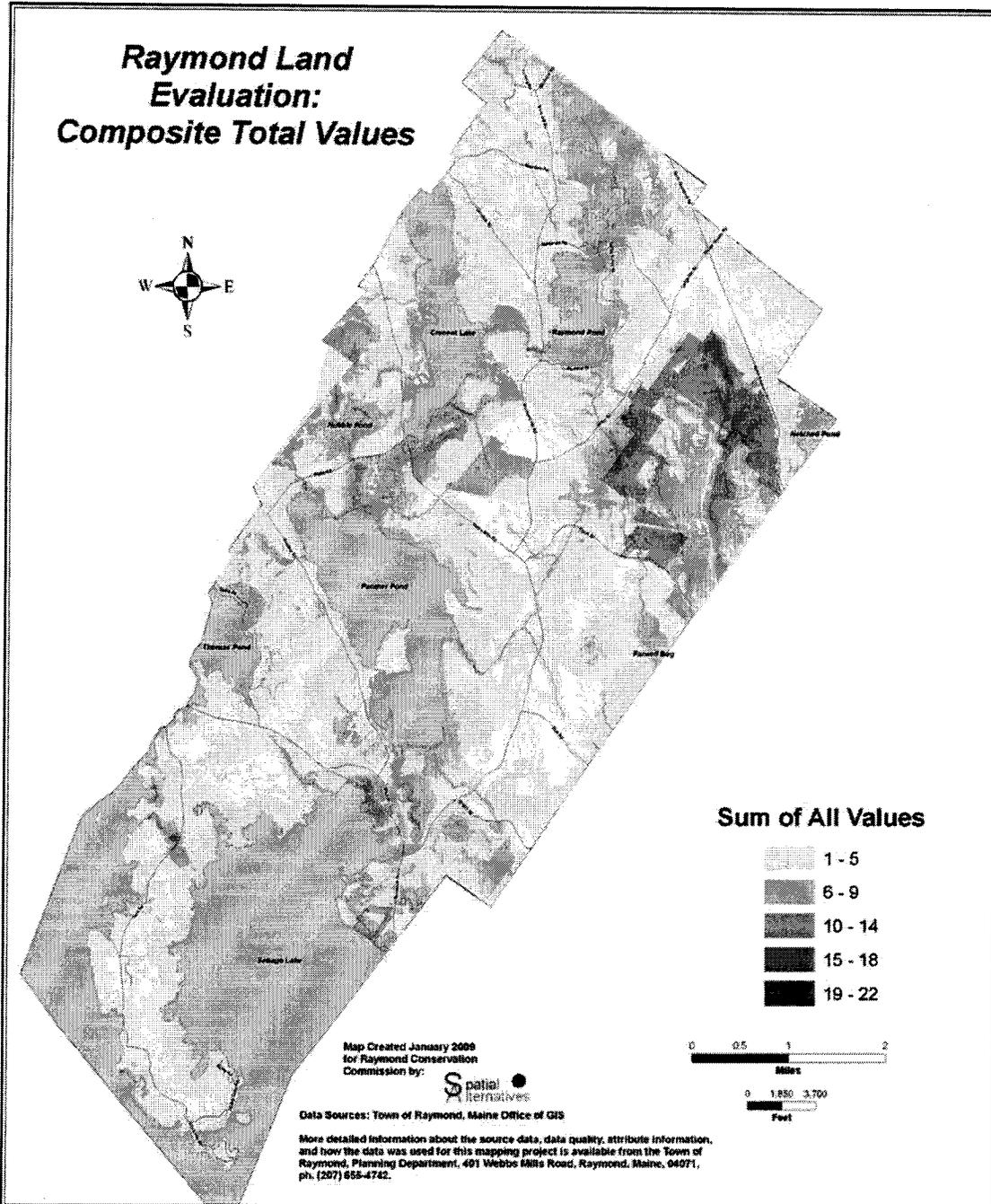
This same value mapping process was repeated for each resource category resulting in six *Total Value* maps which are provided in the appendix.

Finally, the six *Total Value* maps were combined to produce a *Composite Total Values* map (Map 9) depicting the range of total scores of all the resource categories. The areas on the map with the lowest total



Map 8

scores appear as the lightest shades and those with the highest scores appear as the darker shades. This map reflects the cumulative scores based on each category of resources being equal –there is no distinction between the relative values to the community of any of the six functional categories of resources.



Map 9

Community Input

After the inventory maps were complete, the RCC held a public workshop to unveil the inventory of Raymond's open space and natural resources. The workshop was open to anyone who wished to attend but the committee also sent written invitations to all owners of the larger parcels of land in town since most of the resources identified in the inventory are on those larger parcels. Over 40 people with varied interests and perspectives attended and participated in discussions and activities to gauge the concerns and values of the community.



The workshop provided an opportunity for citizens to view the six resource category maps, to learn how the maps were developed, to learn what information was collected for the inventory, and to discuss the planning process and the goals of the RCC.

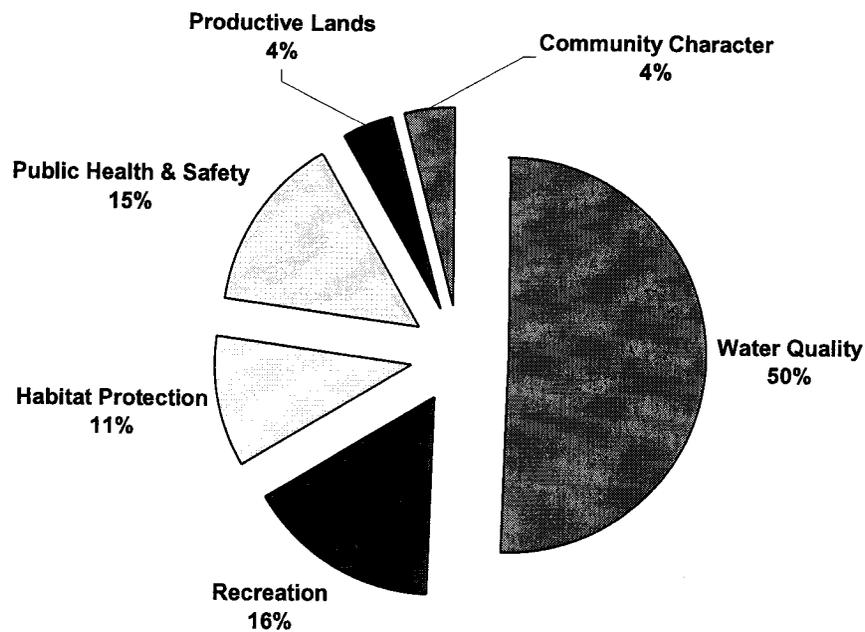
Following a presentation on the functions of open space and natural resources, the historic and recent growth patterns in Raymond, and the planning process and results to date, everyone broke into smaller groups to discuss open space planning, public open space purchases, strategies for conserving land, and priorities for conservation. Participants were also asked to indicate their conservation priorities through a "value voting" exercise³.

Although the results of the voting exercise should not be viewed as statistical certainty they do provide insight into the preferences, values and concerns of Raymond citizens. Water quality was far and away the resource category receiving the most votes with 50% of the total. Recreation resources and environmental, health & safety resources garnered the next most support with 16% and 15% respectively. Habitat protection received 11% and productive lands and community character received 4% each.

³ In this exercise everyone had 20 make-believe \$5000 bills to put on any or all of the inventory maps representing the six categories of resources as a way of indicating their priorities for conservation. Detailed agendas, discussion questions, and workshop results are contained in the appendices to this plan.

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Open Space Categories - Voting Results



Finally, everyone was given the opportunity to identify areas in town that are exceptional to them in some way, whether it be where they walk, ride or ski, a dramatic view, a quiet spot, a choice fishing hole or any other place that has special significance. These locations are shown on the *Special Places* map (Map 7) and are part of an inventory of places that give the community its character and its appeal.

Several themes arose in the small group discussions and during other opportunities for public comment. Many people identified the water quality of Raymond's lakes, streams and rivers as the greatest asset of the town for reasons of health, natural beauty, habitat quality, economic opportunity, property value and more. As one person put it "everything else in town follows from pristine water." Some felt that water quality was also the resource most at risk in town.

Many people observed that as the town has changed, the attitudes and practices concerning access to land have changed. There were interesting and important discussions concerning the rights of landowners and how those might balance with community interest in retaining its character and access to open lands and waterfronts. Concepts around location of development were also a frequent topic of discussion and particularly how the town might find ways to encourage development to occur in such a way that the most highly valued open space resources are preserved.

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The RCC took the information from the December 2007 workshop and along with the resource category maps identified high priority areas for land protection.

In March 2009 the RCC held another public workshop to gather input about the prioritization methodology and mapping and to discuss draft recommendations. The workshop was open to anyone but, as with the December 2007 workshop, the committee sent written invitations to all owners of the larger parcels of land in town. About a dozen people attended, most of who own larger tracts, or are involved in forest management. While some participants indicated they would have a different ranking of priorities -- in particular they would not have ranked water quality as high but would assign higher priority to productivity of open space lands and to recreational opportunities -- in general participants appeared to find the inventory and maps useful and a good representation of the location of highly valued natural resource areas in Raymond.

Most discussion at the March 2009 workshop was about the proposed recommendations or related themes. Many of the participants expressed a preference for conservation easements, rather than fee purchases, as a tool for land conservation. Generally, most participants indicated they would not like to see the town own land for conservation purposes such as preservation of habitat or scenic resources, but that it might be appropriate for the town to purchase land for active recreational purposes such as fields and parks. Most also preferred that town funds only be used in instances when it is clear there is a priority community need or when town funds can be used to leverage significant outside funding.

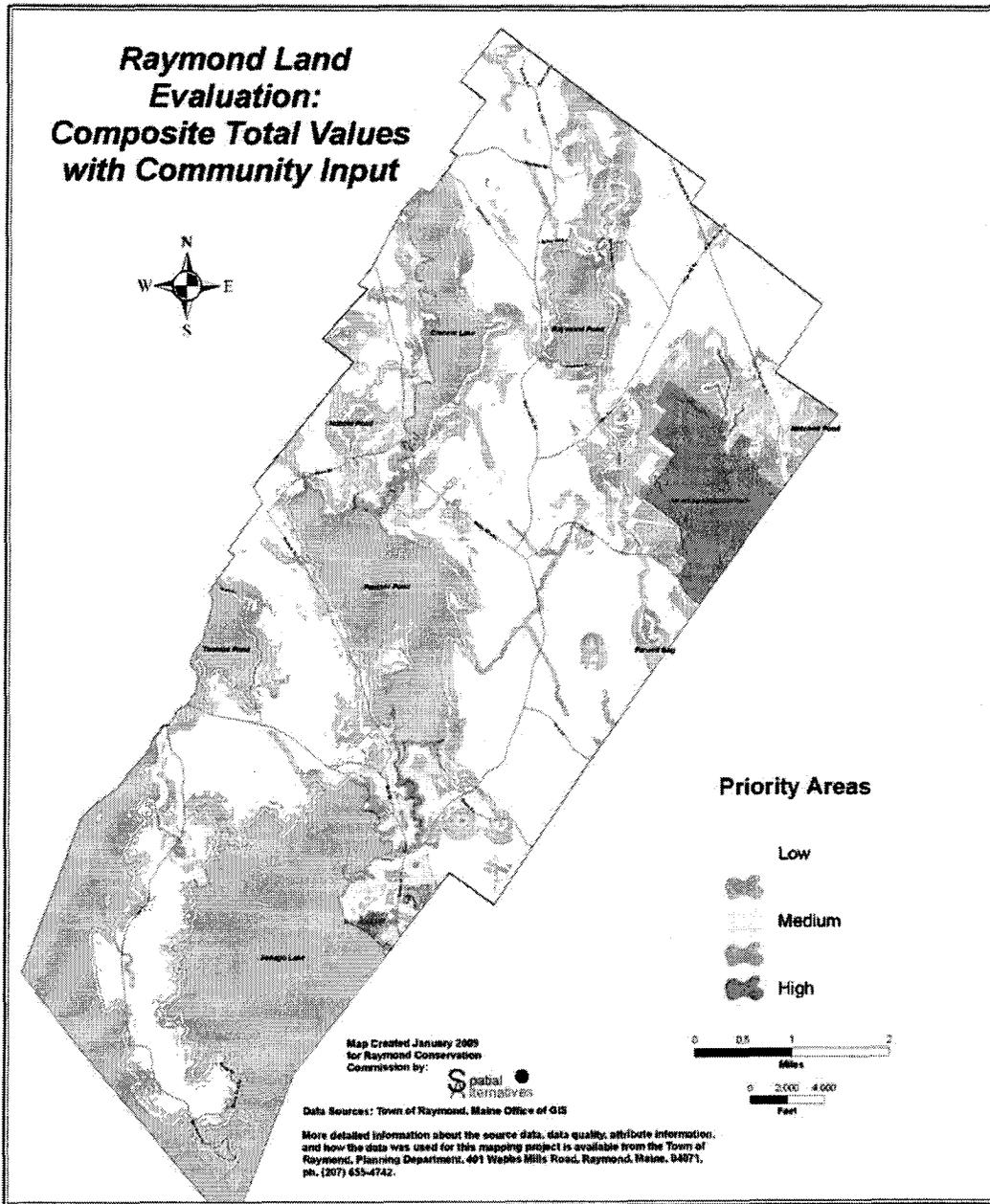
Participants from the workshop generally concurred that private stewardship of undeveloped land is preferable to public stewardship, but also acknowledged that without a conservation easement, or similar restriction on the use of the land, long term preservation is not secure. Those participants also voiced strong opinions that no new regulations be adopted that are more restrictive than those currently in place and that the town not do anything to discourage forestry and, preferably, do things to promote or encourage it.

Several people suggested the town could help keep forest land open and working by addressing tax policies. They expressed the opinion that many landowners believe that the way land is valued and taxed, unfairly burdens landowners and often does not account for the benefits or values the community gets from that open land (in the form of recreation, habitat preservation, water quality preservation, scenic beauty, etc.) . Several participants expressed the view that at the very least, tax policy should not push landowners into developing or selling their land.

Following the March 2009 workshop, some recommendations were revised or supplemented to reflect the input of the participants.

Priority Areas of Open Space and Natural Resources

By providing a sense of community priorities for each resource category, the input from the public workshop allowed for mapping of the town's natural resources based on the inventory data and the values of the community. This value based mapping appears as the *Composite Total Values with Community Input* ("Values with Community Input") map (Map 10).



Map 10

Raymond Open Space Plan

The *Values with Community Input* map was developed by weighting each inventory category (recreation, water quality, habitat, etc.) by the percentage of the value voting it received at the workshop. The resulting values were then depicted on the map in a color scale ranging from green to yellow to red. The areas on the map with the lower total scores appear in green, medium scores in yellow, higher medium in orange, and the higher scores appear as the red shades.

The *Values with Community Input* map is a generalized depiction that prioritizes areas by the open space and natural resources values to the town. The map does not indicate that areas without color are without natural resource value. The map does indicate that, based on the information available, and according to the values identified in this planning process, the areas depicted in color on the map are likely to be of higher priority for conservation. The map is intended to be a tool for prioritization for open space conservation decision making. It is not intended to be used in regulatory reviews and is not a substitute for detailed onsite land and resource analysis.

The map shows some distinct regions of town that seem to rise above others in importance as natural areas to the town. Those areas are largely, though not exclusively, associated with water bodies and include the areas around Gay Brook, Bartlett Brook, Tenny's River, Nubble Pond & Brook, Panther Run, and the shores of Raymond Pond, Notched Pond, Crescent Lake, Panther Pond, Thomas Pond, and Sebago Lake. The area around Morgan Meadow and Farwell Bog also stands out. The RCC will use this map as it continues in its efforts to identify priority land for protection in Raymond.

Methods for Protecting Raymond's Priority Special Places

Conserving priority land identified by the Open Space Plan will require working closely with land owners who are, or would be, willing sellers of land, or conservation easements that restrict future development on land, at market or other negotiated prices. This Open Space Plan does not recommend the town direct conservation efforts toward any parcel of land unless the landowner is a willing seller.

While there are numerous approaches for securing conservation land, the following basic ownership structures, funding sources, and conservation strategies are identified for protecting land in Raymond:

1. Generally land would be conserved either through the transfer of a **fee ownership** in the land, or through the transfer of a **conservation easement**, from the owner to a conservation entity.
2. Under a transfer of **fee ownership**, the owner transfers the complete "bundle of rights" in the land including development rights. Land conserved through a fee transfer could be owned and managed by a qualified land trust such as Loon Echo Land Trust or the Small Woodlot Owners Association of Maine, or by a designated governmental agency.
3. The typical **conservation easement** spells out the purpose and extent of conservation and any right retained by the landowner such as timber harvest and/or agriculture but extinguishes development rights. A conservation easement could be held by a qualified land trust such as Loon Echo Land Trust or the Small Woodlot Owners Association of Maine, or by a designated governmental agency.
4. Acquisition of conservation land or a conservation easement could be by **purchase** or **donation** from the owner of the land. Purchase could be at an appraised market price or could be at a lesser negotiated price, sometimes referred to as a "bargain sale."
5. Funding for the purchase of land or a conservation easement could come from **public funds, private funds**, or a **mix** of the two. Public funding sources may include competitive bid **grants** such as the Land for Maine's Future fund, the Outdoor Heritage Fund or other state or federal grant sources. Private funding sources include **grants** and **donations** from land trusts, foundations (i.e The Maine Community Foundation), or other private individuals or entities.
6. Some public funding from the town is already in place through the **Raymond Open Space Fund** which currently has a balance of approximately \$45,000. Supplemental town funds for land conservation could be raised at Town Meeting either through a bond, specific warrant article, or general fund surplus.

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7. The town's **Open Space Fund** could be used to supplement or leverage any public or private funds for purchase of land or conservation easements, or to purchase land that meets a priority community need.

It is likely that any conservation project may use elements from each of the above methods and could also use other approaches or resources.



Implementation

In order for Raymond to plan for, and be ready to implement in a timely manner, land conservation projects that meet the goals of supporting working lands, linking open spaces, creating trail systems, and preserving the community character, the following recommendations are made:

Open Space Plan Goals

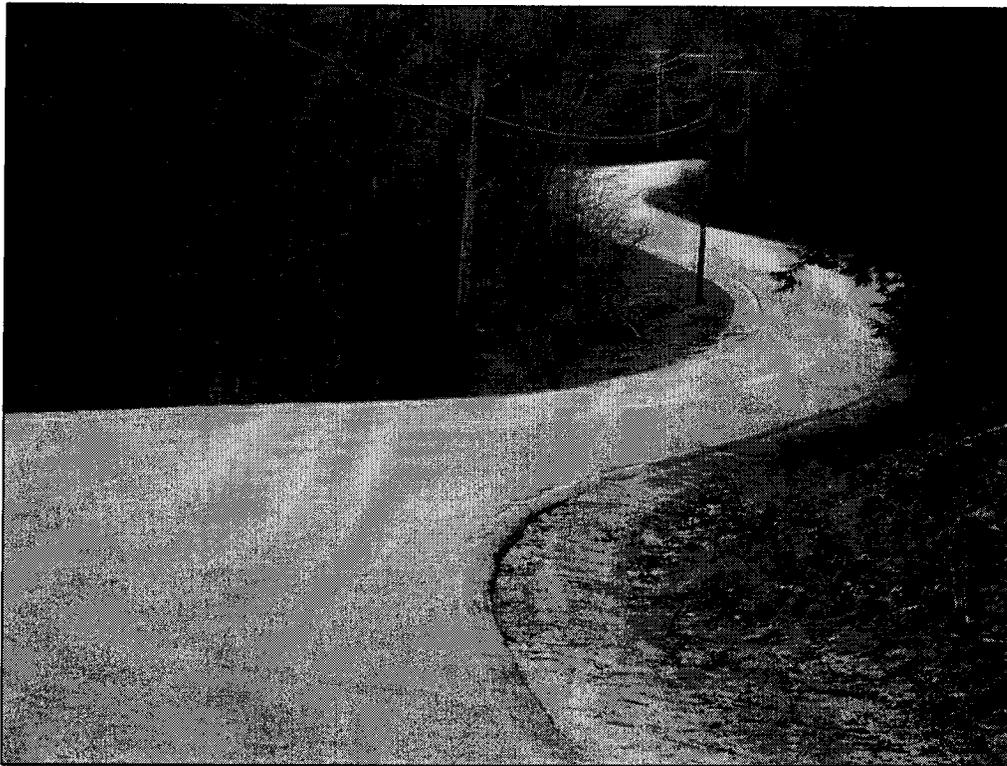
- Develop Open Space Plan that engages the community
- Inventory and identify our most valuable Natural Resources
- Support and promote working forests and agriculture
- Link open spaces
- Maintain and create trail systems for recreation (hiking, skiing, biking, snowmobiling, hunting, ATV [where appropriate])
- Preserve our community character - one of exceptional land and water quality, recreational opportunity and natural resources that are vital to the local economy

working land open and working (such as tax reduction programs and technical or business assistance).

1. Engage in discussions with owners of land identified as higher priority for conservation to begin a conversation about land protection and explore which methods of protection would best meet the needs of the landowner and the Town.
 2. Engage with the Selectmen and the Budget Committee to identify the course of action for raising town funds and to identify concerns and information requirements that the boards may have in order to effectively respond to them.
 3. Identify the time line and application process for state, federal, and private grant funding cycles and the level of effort to prepare a winning proposal.
 - a. Apply for grants or acquisition funds from private foundations and/or federal and state public funds (including the Land & Water Conservation Fund, the Maine Outdoor Heritage Fund, and Land For Maine's Future)
 4. Work cooperatively with neighboring towns, land trusts (such as Loon Echo Land Trust) and regional or statewide conservation entities in order to leverage funding opportunities and conservation capacity and experience.
 - a. Build relationships for information sharing and joint planning between and among the RCC and these groups.
 5. Assemble and provide information for landowners about incentives and technical assistance designed to keep
6. Make the Open Space Plan and maps readily available to the Raymond landowners and citizens so they can view them and become familiar with the information.

Appendices

- A. All maps (11" X 17")
- B. Functions and values matrix
- C. Public workshop materials
- D. Additional information on Conservation Strategies and Funding
- E. Description of Raymond Open Space Plan Data
- F. Maine Landowner Liability Law
- G. Recommendations for additional study and information gathering



The Committee wishes to acknowledge several sources that served as inspiration from which portions of the plan's structure and content were taken - *Beginning with Habitat: An Approach to Conserving Maine's Landscape for Plants, Animals and People (2003)*; *Collaborative Land Use Planning in the Mt. Agamenticus Region (2006)*; *Readfield Open Space Plan (2006)*; *Royal River Region Conservation Plan (2005)*; *The Greening of Falmouth (2005)*; and *From The River To The Bay: A Parks, Recreation & Open Space Plan For Brunswick, Maine (2002)*; and *the Casco Open Space Plan (2006)*.

**Town of Raymond
Town Meeting Warrant – June 2, 2009**

ARTICLE __: Shall the town adopt the Raymond Open Space Plan, dated April 2009?