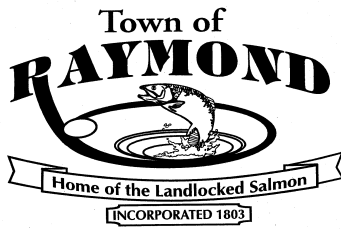


SELECTMEN'S EPACKET
List of Files
February 10, 2015

List of Files	Page 1
Regular Meeting Materials	
Agenda	Page 2-3
Agenda Summary	Page 4-5
Raymond Elementary IRT Project Materials	Page 6-10
RSU#14 Property Transfer Request	Page 11
2015 Annual Town Meeting Ordinance Changes and Warrants	Page 12-22



**BOARD OF SELECTMEN
AGENDA**

February 10, 2015

7:00 pm

Raymond Broadcast Studio
423 Webbs Mills Road

Be the Influence Statement

We, the Raymond Board of Selectmen recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to 'Be the Influence' and to recognize that decisions matter.

SELECTMEN'S REGULAR MEETING

1) Call to order

2) Minutes of previous meeting dated:

- January 6, 2015

3) New Business.

- a) Presentation of Proposed Raymond Elementary IRT Playground Project and Possible FY15-16 Town Budgetary Considerations – Alissa Messer, Project Coordinator and Deb Hutchinson, RES Assistant Principal**
- b) Consideration of Transferring Raymond School Property to RSU #14 – Bill Stockmeyer, RSU#14 Attorney**
- c) Consideration of Proposed Ordinance Changes for 2015 Annual Town Meeting Warrant – Danielle Loring, Planning Assistant**

4) Public Comment This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings

5) Selectmen Comment

6) Town Manager Report and Communications.

- a) Confirm date for next regular meeting:**
 - March 10, 2015
- b) RSU#14 Cost Sharing Public Hearing**
 - February 11, 2015, 6:30 pm @ WHS Auditorium
- c) Sebago Lake Rotary Ice Fishing Derby**
 - February 14th and 15th
- d) Budget-Finance Committee & Selectmen Budget Reviews**
 - February 23rd @ 6:30 pm
 - March 2nd @ 6:30pm

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

7) Fiscal Warrants – February 10, 2015

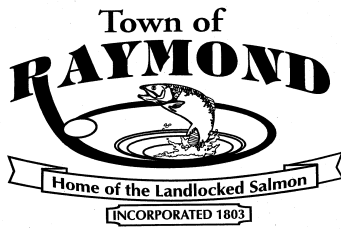
- **Payroll Expense Summary Warrant**
- **Treasurer's Warrant**

8) Executive Session

- a) **Executive Session pursuant to 1 MRSA § 405(6)(A): Town Manager Evaluation and Consideration of Contract Extension**

9) Adjournment.

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

**BOARD OF SELECTMEN
AGENDA SUMMARY**

February 10, 2015

7:00 pm

Raymond Broadcast Studio
423 Webbs Mills Road**Be the Influence Statement**

We, the Raymond Board of Selectmen recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to 'Be the Influence' and to recognize that decisions matter.

SELECTMEN'S REGULAR MEETING**1) Call to order****2) Minutes of previous meeting dated:**

- January 6, 2015

3) New Business.**a) Presentation of Proposed Raymond Elementary IRT Playground Project and Possible FY15-16 Town Budgetary Considerations – Alissa Messer, Project Coordinator and Deb Hutchinson, RES Assistant Principal**

Alissa Messer and Deb Hutchinson will be presenting information regarding a recent application to the IRT and Maine National Guard for a safety improvement project (expansion of existing playground) at the Raymond Elementary School. There are two concerns regarding this project. The first is that the school property had not been transferred from the Town to the school at the time of the RSU#14 formation. This change is necessary to establish proper ownership for a successful IRT application (see next agenda item). The other issue is related to the current proposal for the revised RSU#14 Cost Sharing Formula (CSF) that is being voted on March 18, 2015 and could go into effect July 1st of FY2015-16. The new CSF indicates that any capital improvement projects would be the responsibility of each respective town, meaning that this project would need to be considered as part of the upcoming Municipal budget development process. Attached to the ePacket is information regarding the proposed project and associated costs.

b) Consideration of Transferring Raymond School Property to RSU #14 – Bill Stockmeyer, RSU#14 Attorney

As outlined above, the Raymond school properties were not transferred at the time that Raymond entered into RSU#14. Attached to the ePacket is a request to correct this issue from Assistant Superintendent Donn Davis outlining potential issues that it may cause. RSU#14 Attorney Bill Stockmeyer, who has been working on the title work, will be in attendance to answer any questions regarding the request.

c) Consideration of Proposed Ordinance Changes for 2015 Annual Town Meeting Warrant – Danielle Loring, Planning Assistant

Planning Assistant Danielle Loring will be presenting the warrant articles recommended by the Planning Board for inclusion on the 2015 Annual Town Meeting Warrant. The Planning Board held a Public Hearing regarding the proposed changes on January 14, 2015 in accordance with Article 7 of the Land Use Ordinance and 30-A MRSA §4352 for changes to the following ordinances:

--Land Use Ordinance

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

- Article 9 (Minimum Standards)
 - Article 10.B (Authority and Classification of Site Plans)
 - Article 10.D (Submission Requirements)
 - Article 12 (Definitions)
- Street Ordinance
 - 4.2 (Plans)
 - Shoreland Zoning Provisions
 - Section 14 (Table of Uses)
 - Section 17 (Definitions)

Attached to the ePacket is a memo from Mrs. Loring regarding the Planning Board vote and Report as well as the articles and a description of proposed changes. Staff is requesting a vote from the Selectmen about whether to include the articles in the warrant as well as a vote of recommendation.

4) Public Comment This agenda item is for the public to bring attention to any issues and concerns for future Board of Selectmen meetings

5) Selectmen Comment

6) Town Manager Report and Communications.

- a) Confirm date for next regular meeting:**
 - **March 10, 2015**
- b) RSU#14 Cost Sharing Public Hearing**
 - **February 11, 2015, 6:30 pm @ WHS Auditorium**
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7) Fiscal Warrants – February 10, 2015

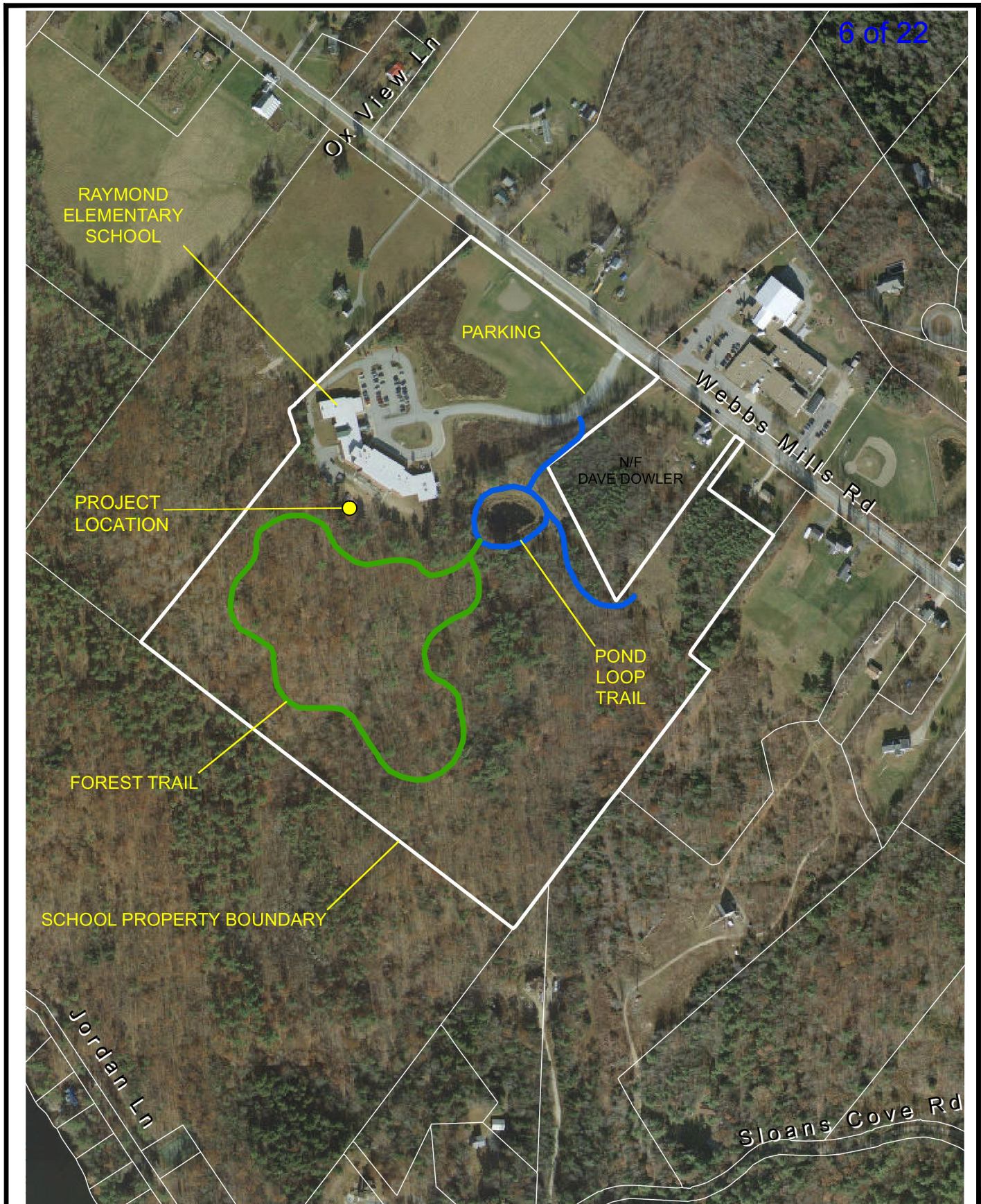
- **Payroll Expense Summary Warrant**
- **Treasurer's Warrant**

8) Executive Session

- a) Executive Session pursuant to 1 MRSA § 405(6)(A): Town Manager Evaluation and Consideration of Contract Extension**

9) Adjournment.

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



RAYMOND ELEMENTARY SCHOOL

PROPOSED TURF PLAY FIELD AND ASSOCIATED SITE IMPROVEMENTS - VICINITY MAP



FAY, SPOFFORD & THORNDIKE
ENGINEERS • PLANNERS • SCIENTISTS
778 MAIN ST, SUITE 8, SOUTH PORTLAND, ME 04106

DRAWN:	AMC	DATE:	12.9.14	FIGURE 2
DESIGNED:	DDA	SCALE:	1" = 400'	
CHECKED:	DDA	JOB NO.	SR-M137	
FILE NAME:	SR-M137 CONCEPT 1			



Current Raymond Elementary School- Safety and Security Issues

Electric Panel



Significant Grading Issues



Lack of appropriate fencing



Lack of fencing



On 1/30/2015 10:18 AM, Donn Davis wrote:

Good Morning Don,

Thank you for speaking with Sandy and me yesterday regarding activities associated with the Town of Raymond releasing certain lots of parcels of land, together with buildings and improvements to the real estate, comprising the Raymond school properties to Regional School Unit #14.

As you are aware, we began discussions regarding the topic in September of 2012 culminating in the development of the final documents and communication to you in July of 2014.

It is important that we secure the deeds as this action is required of the Towns by operation of the State school regionalization law. This is particularly important at this time in light of the fact that folks have been working hard in behalf of the Raymond Elementary School to secure a commitment from the Office of the Assistant Secretary of Defense (Reserve Affairs) to provide Innovative Readiness Training (IRT) which is a request for military assistance. The assistance is for site improvements at the Raymond Elementary School. Should we gain this assistance we will receive approximately \$300,000 worth of services from the military for this \$600,000 +/- project. As I understand things, because the Town of Raymond has already received IRT assistance for other projects, it is important that the deeds clearly indicate that the RSU has "ownership of real estate or property where the training is to take place". Again, as I understand things, this is because the Town of Raymond would not be eligible for further assistance whereas our entity (RSU #14) would. Our response on the application request regarding ownership was: "Yes (Pending signatures-Town of Raymond) The property is in the process of being transferred from the Town of Raymond to RSU #14 as part of the School Consolidation Process".

Please feel free to contact Sandy or me should you wish to discuss further. Please provide us with a timeframe that the Selectpersons will plan to consider this request. Thanks so much. Best regards,

Donn



401 Webbs Mills Road
 Raymond, Maine 04071
 207.655.4742
 Fax 207.655.3024

Memorandum

Date: February 4, 2015
 To: Board of Selectmen
 Cc: Planning Board, Planner Jim Seymour
 From: Danielle Loring, Planning Assistant
 Re: Proposed 2015 Annual Town Meeting Warrant Articles

On behalf of the Planning Board, I am submitting the official report for the proposed 2015 Annual Town Meeting Warrant Articles in accordance with Title 30-A MRSA §4352 and Article 7, Amendments, of the Raymond Land Use Ordinance. A Public Hearing for the proposed amendments was held on January 14, 2015 to allow for comment. This language has been reviewed, revised and approved by Town Attorney Phil Saucier.

Following public hearing the Planning Board voted unanimously to **recommend that each of the four proposed warrant articles be placed on the 2015 Town Meeting warrant**. The Planning Board also voted to recommend each of the four warrant articles for approval:

1. **Proposed Article #1:** Land Use Site Plan Review and Submissions (**VOTE 6/o**)
 - a. Article 10.B (Authority and Classification of Site Plans)
 - b. Article 10.D (Submission Requirements)
Reason: To outline criteria for revised Site Plans, allowing for Staff Review of minor changes and outlining requirements for triggering full Planning Board review. Also requiring half-sized plans as well as digital plan submission.
2. **Proposed Article #2:** Land Use Ordinance Definitions (**VOTE 6/o**)
 - a. Article 9 (Minimum Standards)
 - b. Article 12 (Definitions)
Reason: Moving "Accessory Apartments" under a new section as part of the Minimum Standards and amending the definition to be more consistent with State regulations and Plumbing Code.
3. **Proposed Article #3:** Shoreland Zoning Land Uses and Definitions (**VOTE 6/o**)
 - a. Section 14 (Table of Uses)
 - b. Section 17 (Definitions)
Reason: Make the table more consistent with Land Use Ordinance; reflect additions/changes that have occurred in the past couple of years to other areas of the ordinance; and change "Municipal Use" to "Public Facilities" which is an existing definition and speaks to the use rather than the user.

4. Proposed Article #4: Street Ordinance (VOTE 6/o)

a. 4.2 (Plans)

Reason: Require applicants to provide evidence that affected parties are aware of new Road Maintenance Agreement, by way of notarized documentation. Only effects new roads or expansion of existing private roads.

Town of Raymond Planning Board
Notice of Public Hearing

Wednesday, January 14, 2015, 6:30 pm
(Not Change in Time)
Raymond Broadcast Studio
423 Webbs Mills Road

The Town of Raymond Planning Board will hold a public hearing on Wednesday, January 14, 2015 in accordance with Article 7 of the Land Use Ordinance, and 30-A MRSA §4352 for the purpose of receiving public input on proposed amendments for the following ordinances:

– **Land Use Ordinance**

- 1. Article 9 (Minimum Standards)**
- 2. Article 10.B (Authority and Classification of Site Plans)**
- 3. Article 10.D (Submission Requirements)**
- 4. Article 12 (Definitions)**

– **Street Ordinance**

- 1. 4.2 (Plans)**

– **Shoreland Zoning Provisions**

- 1. Section 14 (Table of Uses)**
- 2. Section 17 (Definitions)**

The complete text will be available online at www.raymondmaine.org and at the Town Office by January 7, 2015.

ARTICLE ____: Shall Articles 10.B (Authority and Classification of Site Plans) and 10.D (Submission Requirements) of the Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 3, 2014, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

The Planning Board recommend Article ____
The Selectmen recommend Article ____

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

RAYMOND LAND USE ORDINANCE

ARTICLE 10 SITE PLAN REVIEW

...

B. AUTHORITY AND CLASSIFICATION OF SITE PLANS

...

~~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.~~

3. Site Plan Amendments and Revisions shall be classified by the Town Planner as follows:

- a. **De Minimis Revisions** which include minor field revisions to an existing site plan that are handled by the Code Enforcement Officer and have little to no effect on the project. No public or abutter notices are required, and a de minimis review may include up to three (3) different entities or separate revisions under one (1) review.
- b. **Staff Review Revisions** include site plan revisions such moving parking spaces, modifying a building orientation, revising landscaping or buffers, or any modification that maintains the area equal or less for structural revisions, or that maintain the minimal intent of other site plan requirements but may modify, revise or alter the location or orientation such that no waiver of a site plan requirement is necessary. No abutter notices are required.
- c. **Minor Site Plan Revisions** include those revisions that maintain the accumulated improvements to an existing site plan for new additions or buildings or site surface changes to that which is at or below the Minor Site Plan review over any 5 year period, or plan revisions that alter the intensity of use, or alter impacts to the site such that

Staff determines that any one of the Site Plan requirements has been substantially altered from that which was originally approved.

d. **Major Site Plan Amendments** are those amendments which will exceed the Minor plan site plan review thresholds to a major site plan review over any 5 year period.

34. 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.

45. 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.

56. 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.

67. 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.

...

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:

...

- c. Fifteen (15) copies of a Site Plan, including seven (7) half size/scaled copies, and an electronic file in both PDF and GIS formats, drawn at a scale of not more than fifty (50) feet to the inch for that portion of the total tract of land subject to site plan review, and showing the following: *[Amended 06/02/09]*
 - a) Name of owner and developer; and interest of the applicant if other than the owner or developer;
 - b) Name of development, scale and meridian arrow, with specific definition

- of representation, date of plan and legend;
- c) Names and addresses of all owners of record of all adjacent property as they appear on Assessor's records;
 - d) 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;

Description:

Article 10 Submission Requirements for Site Plan Review has been amended to require seven half size/scale copies, and an electronic file in both PDF and GIS formats.

Key Changes:

- Article 10 Submission Requirements for Site Plan Review has been amended to require seven half size/scale copies, and an electronic file in both PDF and GIS formats.

ARTICLE ____: Shall Articles 9 (Minimum Standards) and 12 (Definitions) of the Raymond Land Use Ordinance, as adopted May 21, 1994 and amended through June 3, 2014, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

The Planning Board recommend Article ____
The Selectmen recommend Article ____

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

Town of Raymond Land Use Ordinance
ARTICLE 9 MINIMUM STANDARDS

.....

Z. Accessory Apartments

Accessory Apartments, attached or detached, shall be allowed in a residential zone provided that the existing structure and accessory apartment shall not cover the lot by more than fifteen (15) percent. The Appeals Board may grant an additional five (5) percent. If the total number of bedrooms or potential bedrooms exceeds by more than one (1) the number of bedrooms the septic system is designed for, a replacement or expanded system shall be designed and installed before occupancy. The accessory apartment shall not comprise more than 700 s.f. of living space, excluding stairways. Not more than one (1) accessory apartment shall be permitted per parcel.

Description:

A new section, Section Z, is proposed to Article 9 of the Town of Raymond Land Use Ordinances that includes language proposed to be deleted (see Article XX above) from the definition of the term Accessory Apartment. The language is proposed to be removed and amended from the Definition Section of the ordinance and housed in Article 9 as a new Section Z.

Key Changes:

- The language is proposed to be removed from the definitions section and relocated to a new Section Z in Article 9.
- The language in Section Z outlining Accessory Apartment has also been amended to be more consistent with state regulations pertaining to septic design and installation.

ARTICLE 12 – APPLICABILITY AND DEFINITION OF TERMS USED IN THIS ORDINANCE

Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular. The word "shall" is always mandatory. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The word "lot" includes the word "plot" or "parcel". The words "used" or "occupied" as applied to any land or building, shall be construed to include the words, "intended, arranged, or designed to be used or occupied."

.....

Accessory Apartments - ~~Accessory apartments attached or detached, shall be allowed in a residential zone provided that the existing structure and accessory apartment shall not cover the lot by more than thirty (30) percent including the area of the septic system. The Appeals Board may grant an additional five (5) percent. If the total number of bedrooms or potential bedrooms exceed by more than one (1), the number of bedrooms that the existing system is designed for, a replacement or expanded system shall be installed before occupancy. If the total number of bedrooms or potential bedrooms increases by one (1), a replacement or expanded system shall be designed and recorded in the Registry of Deeds. The accessory apartment shall not comprise more than 700 s.f. of living space, excluding stairways. Not more than one (1) accessory apartment shall be permitted per parcel. [Adopted 5/20/06]~~ a separate dwelling unit of no more than 700 square feet, excluding stairways, either attached or detached, and located on the same parcel with a single family dwelling. The apartment shall contain a kitchen and bathroom which are separate from and not used in common with the principal dwelling unit.

Accessory Use or Structure Building - ~~A use or structure on the same lot with and customarily which is incidental and subordinate to the principal use or building structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot.~~

.....

Agriculture- The production, keeping or maintenance for sale or lease, of plants, trees, animals or honeybees, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green-house products. Agriculture does not include forest management and timber harvesting activities.

Description:

Several definitions are missing, inconsistent, or different among the town's ordinances. New or amended definitions have been proposed to resolve this issue.

Key Changes:

- Agriculture definition has been added and is consistent with the Shoreland Zoning definition.
- The definition for Accessory Apartments has been amended with some of the language from the definition migrating to Article 9 Minimum Standards (Land Use Ordinance).
- Accessory Use or Building has been amended to Accessory Use or Structure.

ARTICLE __ : Shall Section 14 (Table of Uses) and Section 17 (Definitions), as adopted May 21, 1994 and amended through June 3, 2014, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

The Planning Board recommend Article __
The Selectmen recommend Article __

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

Shoreland Zoning Provisions

SECTION 14 TABLE OF LAND USES

...

TABLE 1 “LAND USES IN THE SHORELAND ZONE”

	RP	SP	LRR1, LRR2
...			
15.E. Municipal (Adopted 3/18/00) <u>Public Facilities</u>	No	No	PB
...			
16. <u>Accessory</u> Structure accessory to allowed <u>or</u> uses	PB	PB	CEO
16a. <u>Accessory Apartment</u>	<u>No</u>	<u>No</u>	<u>CEO</u>
17. Piers, docks, wharves, bridges, <u>boat launches</u> , and other structures and uses extending over or below the normal high water line or within a wetland.			
A. Temporary	CEO	CEO	CEO
B. Permanent	PB	PB	PB
...			
27. Parking Facilities Areas	No	No	PB

SECTION 17 – DEFINITIONS

Words used in the present tense include the future tense; words used in the singular include

the plural, and words used in the plural include the singular. The word "shall" is always mandatory. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The word "lot" includes the word "plot" or "parcel." The words "used" or "occupied" as applied to any land or building shall be construed to include the words, "intended, arranged, or designed to be used or occupied." Except as specifically defined herein, all words in these Shoreland Zoning provisions shall carry their customary dictionary meanings, unless specifically defined in these Shoreland Zoning provisions or in other provisions of the Raymond Land Use Ordinance. If there are conflicting definitions in these Shoreland Zoning provisions and in other provisions of the Raymond Land Use Ordinance the definition in these Shoreland Zoning provisions shall be used when defining terms in the Shoreland Zoning provisions. When defining terms in other provisions of the Land Use Ordinance, the definitions in these Shoreland Zoning provisions shall not apply.

.....

Accessory Apartment- a separate dwelling unit of no more than 700 square feet, either attached or detached and located on the same parcel with a single family dwelling. The apartment shall contain a kitchen and bathroom which are separate from and not used in common with the principal dwelling unit.

Description:

Several land use categories have been deleted and amended to create more consistency with other ordinances.

Key Changes:

- The term Municipal has been replaced with Public facilities.
- Structure Accessory to an Allowed Use has been changed to Accessory Structure or Use.
- Accessory Apartment has been added to the table and definitions.
- Boat Launches has been added.
- Parking Facilities has been amended to Parking areas.

**Town Meeting Warrant
June 3, 2015**

ARTICLE __: Shall 4.2 (Plans) of the Raymond Street Ordinance, as adopted May 18, 2002 and amended through June 4, 2013, be further amended by adding the underscored language and deleting the language in strikeover type as shown below?

**The Planning Board recommend Article __
The Selectmen recommend Article __**

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

TOWN OF RAYMOND STREET ORDINANCE

....

4.2 Plans

Detailed construction drawings shall be submitted showing a plan view of existing streets within 300 feet of any proposed intersection and profiles and typical cross-sections of the proposed streets. The plans shall include the following information:

.....

- L. For a new private street, or the expansion of an existing street that is to remain private, the application shall include a plan setting forth how the street and associated drainage structures and required buffers and stormwater management facilities are to be maintained. Responsibility for street maintenance may be assigned to a lot owners association or to lot owners in common through provisions included in the deeds for all lots that utilize the private street for access. The applicant shall submit appropriate legal documentation such as proposed homeowners association documents or proposed deed covenants for Board review. This documentation must address specific maintenance activities such as summer and winter maintenance, long-term improvements and emergency repairs and include a mechanism to generate funds to pay for such work. The documentation shall be notarized and referenced on the approved plans.

Description:

Language is proposed to Article 4.2, Section L. of the Town of Raymond Street Ordinance amending the existing language pertaining to required street maintenance documentation to be specifically required for a new private street or the expansion of an existing private street, and be notarized and referenced on any approved plans.

Key Changes:

- The language, "a new street, or expansion of a new street" has been added to 4.2.L.
- Language has been added requiring the street maintenance plan be referenced on the approved plans and notarized.