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# Agenda

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## **BOARD OF SELECTMEN Agenda**

April 14, 2022

6:30pm – Special Meeting

Via Zoom & on YouTube

*Resolution: 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.*

- 1) **Call to order**
- 2) **Minutes of previous meetings**
  - a) April 4, 2022
  - b) April 6, 2022
- 3) **New Business**
  - a) Consideration of Annual Town Meeting Warrant Ordinance Article Recommendations  
– Select Board
  - b) Consideration of Final Approval of Annual Town Meeting Warrant – Select Board
- 4) **Public Comment**
- 5) **Selectman Comment**
- 6) **Adjournment**

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## Previous Minutes - April 4, 2022

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### BOARD OF SELECTMEN Minutes

April 4, 2022

6:30pm – Special and Budget Meeting

Via Zoom & on YouTube

*Resolution: 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.*

**Select Board members in attendance:** Rolf Olsen, Joe Bruno, Teresa Sadak, Samuel Gifford, Lawrence Taylor

**Select Board members absent:** none

**Town Staff in attendance:**

Don Willard – Town Manager  
Charisse Keach – Finance Director  
Nathan White – Public Works Director  
Rita Theriault – HR  
Bruce Tupper – Fire Chief  
Cathy Gosselin – Dep Fire Chief  
Sue Look – Town Clerk

1) **Called to order** at 6:30pm by Chair Sadak

2) **Minutes of previous meetings**

a) March 8, 2022

**Motion** to approve as presented by Selectman Bruno. Seconded by Selectman Taylor.

**Unanimously approved**

3) **New Business**

a) Discussion of New Program Ideas for TIF Review – Select Board

Town Manager Willard and Contract Assessor Lebel will contact our attorney to discuss options from previous meeting.

b) Consideration of Quit Claim Deeds – Sue Carr, Tax Collector

**Motion** to grant a Quit Claim Deed for Map 017 Lot 024-A at 23 Outlaw Ridge, Joseph Jensen III and for Jeffrey L & Cathleen M Proctor by Selectman Bruno. Seconded by Selectman Olsen.

**Unanimously approved**

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*Selectman's Meeting Minutes (Page 1 of 13) April 4, 2022*

**Motion** to grant a Quit Claim Deed for Map 050 Lot 004 at 19 Main St, Jennifer & Kevin Simpson and for Samuel H Knowlton by Selectman Bruno. Seconded by Selectman Gifford.

**Unanimously approved**

c) Consideration of Town Meeting Warrant Article Recommendations – Select Board

Selectman Olsen outlined the process with RVL to consider them becoming a Town entity:

- It began with the Library talking with Chair Sadak (as the Select Board representative to the Library) about whether or not it made sense to have RVL become a Town department.
- The RVL Board came to the conclusion that this would be best for the Library and the Town.
- A Memorandum of Understanding (MOU) was drafted and approved by RVL and then by the Select Board on October 12, 2021.
- The RVL Board will retain the status of 501(c)(3) to continue to fund raise for RVL.
- All assets, except \$15,000 for the group that will continue to fund raise, will be turned over to the Town at the end of the fiscal year if the Town votes to take RVL on as a Town department. All funds will be set aside for RVL use only.
- Part of the discussions was to use the same methodology of determining market wages as used for the rest of the Town employees, and to offer the same benefits package to RVL personnel. The RVL employees will retain their tenure if they move over to be Town employees.
- If RVL becomes a Town department it will be open more hours.
- Some of the monetary assets from RVL will be proposed to be used to offset the additional cost to the Town this year.

When the MOU was discussed and approved at the October meeting there were no budget figures presented, nor discussed.

The State will still allow RVL to retain the free internet access as long as the Board continues as a 501(c)(3).

Librarian Allison Griffin:

- \$252,791 – in the account as of today
- \$18,500 is expected to be raised between now and June 30<sup>th</sup>
- \$14,821 is restricted funds (grants, Community Garden, etc.) which will be expended by the end of the year
- \$15,000 will stay with the RVL Fund Raising Board
- \$194,264 is the estimated amount to be transferred to the Town

Selectman Bruno would like to “soften the blow” this year by using \$85,000 from RVL’s assets to take it down to about \$110,000. RVL’s budget has been around \$150,000 and now we are increasing it to \$201,000. I think you are asking the Town Now we are using some kind of survey to increase wages.

\$6,000 in the current budget has been removed due to some adjustments, making the total budget \$195,000.

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*Selectman’s Meeting Minutes (Page 2 of 13) April 4, 2022*

\$195,876 – budget request for FY 2022-23

\$66,000 – the Town's usual annual support

\$129,846 - increase to the budget

Chair Sadak – If we use \$40,000 of RVL assents there will be about a \$90,000 increase. I say \$50,000.

Selectman Olsen – I would think we would be in the \$40,000 to \$50,000 range to offset the 1<sup>st</sup> year expense. That gives a year of operating to decide how we need to make tweaks.

Selectman Bruno – I say \$65,000.

Selectman Taylor – And we settle on \$60,000 and move on.

The articles below have been adjusted for:

- \$8,081 removed for MMA dues
- \$20,000 removed from Public Safety
- \$10,000 added to Code Enforcement revenue
- \$10,000 added to TIF for Comp Plan

**ARTICLE 3: Referendum Question A:** To see if the Town will vote to:

1. Set the date the 1<sup>st</sup> half of taxes due to October 31, 2022, and the 2<sup>nd</sup> half of taxes due to April 30, 2023; and
2. Set the interest rate for unpaid balances and for abated taxes at four percent (4%) for the fiscal year;
3. Authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. §506, with no interest; and
4. Authorize the Select Board on behalf of the Town to sell and dispose of any property acquired by the Town for nonpayment of taxes pursuant to the policy adopted by the Select Board, as may be amended from time to time, the policy to remain consistent with State statutes and laws; in all cases conveyance to be made by municipal quitclaim deed.

**Motion** to recommend as presented by Selectman Bruno. Seconded by Selectman Taylor.

*NOTE: The State sets the maximum each year:*

- 2022 – 4%
- 2021 – 6%
- 2020 – 8%
- 2019 – 9%
- 2018 – 8%
- 2010-2017 – 7%

**Unanimously approved**

**ARTICLE 4: Referendum Question B:** To see if the Town will vote to raise and appropriate **\$2,166,464** for General Government Services (Administration; Employee Compensation and Training; Insurances, Worker Comp and Benefits; Assessing; Code Enforcement; Parks & Recreation; Technology; and General Assistance).

*The budget figures will be assigned as follows:*

<u>Administration</u>	<u>\$516,490</u>
<u>Employee Compensation and Training</u>	<u>\$55,000</u>
<u>Insurances, Worker Comp, and Benefits</u>	<u>\$934,087</u>
<u>Assessing</u>	<u>\$79,481</u>
<u>Code Enforcement</u>	<u>\$213,412</u>
<u>Parks &amp; Recreation</u>	<u>\$153,334</u>
<u>Technology</u>	<u>\$204,660</u>
<u>General Assistance</u>	<u>\$10,000</u>

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Gifford.  
**Unanimously approved**

**ARTICLE 5: Referendum Question C:** To see if the Town will vote to raise and appropriate **\$1,353,910** for Public Works.

*The budget figures will be assigned as follows:*

<u>Public Works</u>	<u>\$891,519</u>
<u>Town Buildings</u>	<u>\$37,000</u>
<u>Solid Waste</u>	<u>\$381,000</u>
<u>Cemeteries</u>	<u>\$44,391</u>

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Gifford.  
**Unanimously approved**

**ARTICLE 6: Referendum Question D:** To see if the Town will vote to raise and appropriate **\$1,207,714** for Public Safety.

*The budget figures will be assigned as follows:*

<u>Fire/Rescue Department</u>	<u>\$1,168,669</u>
<u>Animal Control</u>	<u>\$39,045</u>

**Motion** to recommend as presented by Selectman Taylor. Seconded by Selectman Olsen.  
The proposed number can not be exceeded if voted, current negotiations notwithstanding.  
**Unanimously approved**

**ARTICLE 7: Referendum Question E:** To see if the Town will vote to authorize the Select Board to dispose of Town owned personal property with value not to exceed **\$35,000.**

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Taylor.  
**Unanimously approved**

**ARTICLE 8: Referendum Question F:** To see if the Town will vote to authorize the Select Board to appropriate from undesignated fund balance (surplus) to meet the unanticipated needs of the community that occur during the fiscal year and/or to adjust the tax rate as the Select Board deem advisable, an amount not to exceed **\$75,000.**

**Motion** to recommend as presented by Selectman Gifford. Seconded by Selectman Taylor.  
**Unanimously approved**

**ARTICLE 9: Referendum Question G:** To see if the Town will vote to authorize the Select Board to transfer funds between appropriation accounts as long as the grand total of all appropriation is not exceeded, any such transfers to be approved only at a properly called public meeting of the Select Board.

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Gifford.  
**Unanimously approved**

**ARTICLE 10: Referendum Question H:** To see if the Town will vote to authorize the Select Board to:

- Allow Town Staff to make application for and execute any documents related to a grant;
- Accept or reject grants, donations and/or gifts of money to the Town of Raymond; and
- Authorize the expenditure of monies awarded, donated and/or gifted for the purposes specified in the grant, donation, and/or gift.

**Motion** to recommend as presented by Selectman Gifford. Seconded by Selectman Olsen.  
**Unanimously approved**

**ARTICLE 11: Referendum Question I:** To see if the Town will vote to authorize the Select Board to appropriate from undesignated fund balance (surplus) to reduce the property tax commitment as the Select Board deem advisable an amount not to exceed \$xxx,000.

**Motion** to recommend \$300,000 by Selectman Olsen. Seconded by Selectman Bruno.

Selectman Bruno – Our policy is not to allow the undesignated fund balance to drop below 15% of the budget and this would take us below. I would like to see this number be closer to \$150,000. The undesignated fund balance level affects our bond rating. We have a \$15,000,000 budget.

Town Manager Willard – Our figures are before the audit.

Chair Sadak, Selectman Taylor and Selectman Gifford are all good with \$200,000.

**Selectman Bruno withdrew his second.**

**Motion** to recommend \$200,000 by Selectman Olsen. Seconded by Selectman Gifford.

**Unanimously approved**

**ARTICLE 12: Referendum Question J:** To see if the Town will vote to appropriate \$420,000 from the tax increment of the Pipeline/RT 302 Tax Increment Financing District for FY 2020-2021 project proposed in the Tax Increment Financing District Development Program (*for details see Addendum 1*).

**Motion** to recommend as presented by Selectman Bruno. Seconded by Selectman Gifford.

**Unanimously approved**

**ARTICLE 13: Referendum Question K:** To see if the Town will vote to appropriate from the Tassel Top Park Enterprise fund the amount of \$109,210 for the administration of activities at the Park, and to allocate all revenues generated by Park operations to be recorded in and retained by the Tassel Top Park Enterprise fund.

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Gifford.

**Unanimously approved**



**ARTICLE 14: Referendum Question L:** To see if the town will vote to raise and appropriate **\$299,550** for Debt Services.

*The budget figures will be assigned as follows:*

<i>2013 Public Works Road Construction Bond</i>	<i>\$212,000</i>
<i>2015 Bond Payment</i>	<i>\$87,550</i>

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Taylor.  
**Unanimously approved**

**ARTICLE 15: Referendum Question M:** To see if the Town will vote to:

1. Authorize the Select Board to enter into a lease purchase agreement for an amount not to exceed **\$500,000** on such terms as they deem advisable for the purpose of purchasing a new Rescue Pumper truck, and
2. Raise and appropriate an amount not to exceed **\$58,064** for the payment due in fiscal year 2022-2023.

*Treasurer's Statement*

*Total Indebtedness as of June 30, 2022:*

<i>Outstanding Principal Balance</i>	<i>\$ 855,000</i>
<i>Authorized but unissued debt</i>	<i>\$ 0</i>
<i>New Debt to be issued if Article 15 passes</i>	<i><u>\$ 500,000</u></i>
<i>Total Debt Outstanding if Article 15 passes</i>	<i><u>\$1,355,000</u></i>

*Costs:*

*The projected interest rate is a maximum rate of 3.49% per annum and for a (10) ten-year term the estimated costs of this lease purchase will be as follows:*

<i>Principal</i>	<i>\$500,000</i>
<i>Interest</i>	<i><u>\$ 80,634</u></i>
<i>Total Debt Service</i>	<i><u>\$580,634</u></i>

*Validity Disclaimer*

*The validity and voters' ratification of the new debt may not be affected by any errors in the above estimates. If the actual amount of the new debt varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the new debt is not affected by reason of the variance.*

*Respectfully,*

*Charisse A. Keach*

*Charisse A. Keach*  
*Finance Director*

**Motion** to recommend as presented by Selectman Gifford. Seconded by Selectman Taylor.

The interest rate will not be set until Town Meeting. There will be monies left in the CIP and there is some equipment that will be sold this year. The total cost is about \$730,000 and there will be a little over \$300,000 in the reserve. It is normally a \$1 buy out at the end of the lease.

**Unanimously approved**

**ARTICLE 16: Referendum Question N:** To see if the town will vote to raise and appropriate \$890,000 for the Capital Improvement Program.

*The budget figures will be assigned as follows:*

<u>Public Works Equipment Reserve</u>	<u>\$225,000</u>
<u>Public Works Paving/Road Reserve</u>	<u>\$410,000</u>
<u>Municipal Facilities Improvements</u>	<u>\$50,000</u>
<u>Technology</u>	<u>\$30,000</u>
<u>Revaluation Reserve</u>	<u>\$100,000</u>
<u>Public Safety Fire Apparatus</u>	<u>\$75,000</u>

**Motion** to recommend as presented by Selectman Taylor. Seconded by Selectman Gifford.  
**Unanimously approved**

**ARTICLE 17: Referendum Question O:** To see whether the Town will vote to carry forward any existing fund balance in the Capital Improvement Program (C.I.P.) accounts, the Healthcare Reimbursement Accounts (H.R.A.), and the Employee Compensation Account.

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Taylor.  
**Unanimously approved**

**ARTICLE 18: Referendum Question P:** To see if the Town will vote to raise and appropriate \$817,347 for the County Tax.

**Motion** to recommend as presented by Selectman Taylor. Seconded by Selectman Bruno.  
**Unanimously approved**

**ARTICLE 19: Referendum Question Q:** To see if the Town will vote to raise and appropriate \$3,000 for Provider Agencies and Regional Transportation.

*The budget figures will be assigned as follows:*

<u>Provider Agencies</u>	<u>\$2,000</u>
<u>Regional Transportation</u>	<u>\$1,000</u>

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Taylor.  
**Unanimously approved**

**ARTICLE 20: Referendum Question R:** To see if the Town will vote to appropriate the total sum of \$1,631,800 from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and any other sources.

**Motion** to recommend as presented by Selectman Taylor. Seconded by Selectman Gifford.  
**Unanimously approved**

**ARTICLE 21: Referendum Question S:** To see if the Town will vote to accept certain State Funds as provided by the Maine State Legislature during the fiscal year beginning July 1, 2022, and any other funds provided by any other entity included but not limited to:

Municipal Revenue Sharing
Local Road Assistance
Emergency Management Assistance
Snowmobile Registration Money
Homestead Exemption
Tree Growth Reimbursement
General Assistance Reimbursement
Veteran's Exemption Reimbursement
Business Equipment Tax Exemption (B.E.T.E.) Reimbursement
State Grant or Other Funds

**Motion** to recommend as presented by Selectman Gifford. Seconded by Selectman Taylor.  
**Unanimously approved**

**ARTICLE 22: Referendum Question T:** To see if the Town will vote to authorize the use of Town employees and/or Town owned equipment or independent contractor(s) hired by the Town for maintenance on private roads in special and certain circumstances where in the public's interest.

**Motion** to recommend as presented by Selectman Taylor. Seconded by Selectman Olsen.  
**Unanimously approved**

**ARTICLE 23: Referendum Question U:** To see if the Town will vote to appropriate the money received from the State for snowmobile registration, not to exceed **\$2,000**, to the Raymond Rattlers Snowmobile Club for maintenance of their network of snowmobile trails, on condition that those trails be open in snow season to the public for outdoor recreation purposes at no charge, and to authorize the municipal officers to enter into an agreement with the Club, under such terms and conditions as the municipal officers may deem advisable, for that purpose.

**Motion** to recommend as presented by Selectman Taylor. Seconded by Selectman Gifford.

Selectman Taylor discussed that \$2,000 seems to be a very small amount. They do keep the trails very well. They haven't asked for more and they have done a good job.

We typically collect around \$2,300 per year. They got some grants last year.

**Unanimously approved**

**ARTICLE 24: Referendum Question V:** To see if the Town will:

1. Accept as a conditional gift from the Raymond Village Library ("RVL") the assets of RVL including the land, building, books and all personal property, and all monetary assets previously raised, minus \$15,000 for start-up costs (total estimated as of April 4, 2022 is approximately \$195,000), as outlined in the Memorandum of Understanding between RVL and the Town of Raymond signed 10/12/2021 (available to view at the Raymond Town Office upon request), such funds to be set aside in a non-lapsing Town account separate from the general fund and to be used for library purposes only;
2. Establish the Library as a Town Department;
3. Appropriate \$xxx from the non-lapsing Town library account to be used for fiscal year 2022-2023 for the new Library Department; and
4. Also, to raise and appropriate \$xxx for the new Library Department?

**Motion** to recommend the article as read with \$50,000 for #3 and \$145,876 for #4 and as presented by Selectman Olsen. Seconded by Selectman Taylor.

Selectman Bruno and Selectman Gifford would prefer to use \$60,000 for #3 and \$135,876 for #4. Would also like to see the figure that is available as of April 1<sup>st</sup>.

**Selectman Taylor withdrew his second**

**Motion** to recommend warrant article as above with \$60,000 for #3 and \$135,876 for #4 by Selectman Olsen. Seconded by Selectman Taylor.

**Unanimously approved**

**ARTICLE 25: Referendum Question W:** To see if the Town will raise and appropriate \$66,000 for the Raymond Village Library, such funds to be raised and appropriated ONLY in the event Article 24 does not pass?

**Motion** to recommend as presented by Selectman Olsen. Seconded by Selectman Gifford.

Should there be a note to skip Article 25 if Article 24 passes? At Open Town Meeting we would do that procedurally. Worst case scenario would be if both articles failed. If both pass, then Article 24 would be used. If one fails and the other passes, then the one that passes will be used.

**Unanimously approved**

Below are sample wordings to increase the tax levy limit:

**ARTICLE 26: Referendum Question X:** *LD1: To see if the Town will vote to increase the property tax levy limit of \$3,401,749.27 established for the Town of Raymond by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.*

OR

*LD1. To see if the Town will vote to increase the property tax levy limit of \$3,401,749.27 established for the Town of Raymond in State law by \$ xxx,000 for a total Levy Limit of \$ xxx.*

**Motion** to recommend the first option by Selectman Taylor. Seconded by Selectman Olsen.

There was some discussion about being close to the limit and probably under this year. Next year we could make an adjustment, if necessary, though we have 2 bonds retiring next year. We will not know how close we are to LD1 until commitment of taxes in September 2022 and the audit. In 2014 the Town voted to increase LD1 by \$500,000 and it carried us for 8 years.

**Unanimously approved**

**ARTICLE 27: Referendum Question Y:** Non-binding referendum. Do you support allowing adult use and medical marijuana establishments to operate in the Town of Raymond and the development of an ordinance to regulate the location and operation of those uses?

**Motion** to make no recommendation by Selectman Olsen. Seconded by Selectman Gifford.

Some discussion about if the Select Board makes a recommendation it could sway the voters and not give a clear view of their opinions. A yes vote by the voters would begin the process to creating an ordinance.

**Voted 4 to 1, motion passed**

**4) Public Comment – none**

**5) Selectman Comment**

What is happening at Sheri Gagnon Park playground? The bleachers were rotting and have been taken out. The playground stuff will be installed when it dries up. We will get an update presented to the Select Board soon.

## 6) Executive Session

- a) Consideration of Town Report Dedication – pursuant to 1 MRSA §405(6)(A)

**Motion** to enter executive session at 7:50pm as listed above by Selectman Olsen.  
Seconded by Selectman Gifford.

**Unanimously approved**

**Motion** to leave executive session at 8:02pm by Selectman Olsen. Seconded by  
Selectman Taylor.

**Unanimously approved**

**Motion** to instruct the Town Clerk to proceed as directed by Selectman Taylor.  
Seconded by Selectman Gifford.

**Unanimously approved**

- b) Discussion of Labor Contracts and Proposals – pursuant to 1 MRSA §405 (6) (D)

**Motion** to enter executive session at 8:04pm as listed above by Selectman Olsen.  
Seconded by Selectman Taylor.

**Unanimously approved**

**Motion** to leave executive session at 8:30pm by Selectman Olsen. Seconded by  
Selectman Bruno.

**Unanimously approved**

## 7) Adjournment

**Motion** to adjourn at 8:31pm by Selectman Olsen. Seconded by Selectman Gifford.

**Unanimously approved**

*Respectfully submitted,*

*Susan L Look, Town Clerk*

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## Previous Minutes - April 6, 2022

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### BOARD OF SELECTMEN Minutes

April 06, 2022

5:00pm – Special Meeting

Via Zoom & on YouTube

*Resolution: 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.*

**Select Board members in attendance:** Rolf Olsen, Joe Bruno, Teresa Sadak, Samuel Gifford,

**Select Board members absent:** Lawrence Taylor

**Town Staff in attendance:**

Don Willard – Town Manager  
Charisse Keach – Finance Director  
Sue Look – Town Clerk

1) **Called to order** at 5:00pm by Chair Sadak

2) **New Business**

a) Consideration of Town Attorney's Rewording of Article 24 for RVL – Sue Look, Town Clerk

**ARTICLE 24: Referendum Question V:** To see if the Town will:

1. Accept as a conditional gift from the Raymond Village Library ("RVL") the assets of RVL including the land, building, books and all personal property, and all monetary assets ~~previously raised as of June 30, 2022~~, minus \$15,000 for start-up costs (total net estimated as of April 4, 2022, is approximately \$195,000), as outlined in the Memorandum of Understanding between RVL and the Town of Raymond signed 10/12/2021 (available for view at the Raymond Town Office upon request), such funds to be set aside in a non-lapsing Town account separate from the general fund and to be used for library purposes only;
2. Establish the Library as a Town Department;
3. Appropriate **\$60,000** from the non-lapsing Town library account to be used for fiscal year 2022-2023 for the new Library Department; and
4. Also, to raise and appropriate **\$135,876** for the new Library Department.

**Motion** to rescind the approval of Article 24 of the Annual Town Meeting Warrant voted at the April 4, 2022, Select Board Meeting by Selectman Olsen. Seconded by

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*Selectman's Meeting Minutes (Page 1 of 2) April 6, 2022*



Selectman Bruno.

**Unanimously approved**

**Motion** to change the wording as suggested above removing crossed out and adding underlined text by Selectman Olsen. Seconded by Chair Sadak.

**Unanimously approved**

**3) Adjournment**

**Motion** to adjourn at 5:02pm by Selectman Gifford. Seconded by Selectman Bruno.

**Unanimously approved**

*Respectfully submitted,*

*Susan L Look, Town Clerk*

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# Annual Town Meeting Warrant

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**Town of Raymond**  
June 14, 2022  
**ANNUAL TOWN MEETING WARRANT**

TO: Nathan White, a constable of the Town of Raymond, in the County of Cumberland and State of Maine.

**GREETINGS:**

In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Raymond, qualified by law to vote in Town affairs, to assemble in the Jordan-Small Middle School Gymnasium of said town on Tuesday, the 14<sup>th</sup> day of June, A.D. 2022 at seven (7:00) o'clock in the forenoon, then and there to act on the articles listed below.

The polls will open as soon as Article 1 has been acted upon and will remain open to vote on Articles 2 through 36 until eight (8:00) o'clock in the evening.

The Registrar hereby gives notice that the Town Clerk's Office will be open for the purpose of registering voters and correcting the list of voters on Friday, June 3, 2022, from 8:30 a.m. to 4:00 p.m.; Tuesday, June 7, 2022, from 8:30 a.m. to 7:00 p.m.; and Wednesday, June 8, 2022, from 8:30 a.m. to 4:00 p.m.; Thursday, June 9, 2022, from 8:30 a.m. to 5:00 p.m.; and Friday, June 10, 2022, from 8:30 a.m. to 5:00 p.m. The Registrar will be in the Jordan-Small Middle School Gymnasium on Election Day, June 14, 2022, until the closing of the polls to register voters and to correct names and addresses.

<b>ARTICLE 1:</b> To elect a moderator by written ballot.
<b>ARTICLE 2:</b> To elect by secret ballot the following Town Officials, namely two (2) Select Board members, for three-year terms; three (3) members for the Budget-Finance Committee, for three-year terms; one (1) member of the RSU School Board of Directors, for a one-year term; and one (1) member for the RSU School Board of Directors, for a three-year term.

**ARTICLE 3: Referendum Question A:** To see if the Town will vote to:

1. Set the date the 1<sup>st</sup> half of taxes due to October 31, 2022, and the 2<sup>nd</sup> half of taxes due to April 30, 2023;
2. Set the interest rate for unpaid balances and for abated taxes at four percent (4%) for the fiscal year;
3. Authorize the Tax Collector or Treasurer to accept prepayments of taxes not yet committed pursuant to 36 M.R.S.A. §506, with no interest; and
4. Authorize the Select Board on behalf of the Town to sell and dispose of any property acquired by the Town for nonpayment of taxes pursuant to the policy adopted by the Select Board, as may be amended from time to time, the policy to remain consistent with State statutes and laws; in all cases conveyance to be made by municipal quitclaim deed.

Select Board recommends Article 3

Budget-Finance Committee recommends Article 3

**ARTICLE 4: Referendum Question B:** To see if the Town will vote to raise and appropriate **\$2,166,464** for General Government Services (Administration; Employee Compensation and Training; Insurances, Worker Comp and Benefits; Assessing; Code Enforcement; Parks & Recreation; Technology; and General Assistance).

*The budget figures will be assigned as follows:*

<i>Administration</i>	<i>\$516,490</i>
<i>Employee Compensation and Training</i>	<i>\$55,000</i>
<i>Insurances, Worker Comp, and Benefits</i>	<i>\$934,087</i>
<i>Assessing</i>	<i>\$79,481</i>
<i>Code Enforcement</i>	<i>\$213,412</i>
<i>Parks &amp; Recreation</i>	<i>\$153,334</i>
<i>Technology</i>	<i>\$204,660</i>
<i>General Assistance</i>	<i>\$10,000</i>

Select Board recommends Article 4

Budget-Finance Committee recommends Article 4

**ARTICLE 5: Referendum Question C:** To see if the Town will vote to raise and appropriate **\$1,353,910** for Public Works.

*The budget figures will be assigned as follows:*

<i>Public Works</i>	<i>\$891,519</i>
<i>Town Buildings</i>	<i>\$37,000</i>
<i>Solid Waste</i>	<i>\$381,000</i>
<i>Cemeteries</i>	<i>\$44,391</i>

Select Board recommends Article 5

Budget-Finance Committee recommends Article 5

**ARTICLE 6: Referendum Question D:** To see if the Town will vote to raise and appropriate **\$1,207,714** for Public Safety.

*The budget figures will be assigned as follows:*

<u>Fire/Rescue Department</u>	<u>\$1,168,669</u>
<u>Animal Control</u>	<u>\$39,045</u>

Select Board recommends Article 6

Budget-Finance Committee recommends Article 6

**ARTICLE 7: Referendum Question E:** To see if the Town will vote to authorize the Select Board to dispose of Town owned personal property with value not to exceed **\$35,000.**

Select Board recommends Article 7

Budget-Finance Committee recommends Article 7

**ARTICLE 8: Referendum Question F:** To see if the Town will vote to authorize the Select Board to appropriate from undesignated fund balance (surplus) to meet the unanticipated needs of the community that occur during the fiscal year and/or to adjust the tax rate as the Select Board deem advisable, an amount not to exceed **\$75,000.**

Select Board recommends Article 8

Budget-Finance Committee recommends Article 8

**ARTICLE 9: Referendum Question G:** To see if the Town will vote to authorize the Select Board to transfer funds between appropriation accounts as long as the grand total of all appropriation is not exceeded, any such transfers to be approved only at a properly called public meeting of the Select Board.

Select Board recommends Article 9

Budget-Finance Committee recommends Article 9

**ARTICLE 10: Referendum Question H:** To see if the Town will vote to authorize the Select Board to:

- Allow Town Staff to make application for and execute any documents related to a grant;
- Accept or reject grants, donations and/or gifts of money to the Town of Raymond; and
- Authorize the expenditure of monies awarded, donated and/or gifted for the purposes specified in the grant, donation, and/or gift.

Select Board recommends Article 10

Budget-Finance Committee recommends Article 10

**ARTICLE 11: Referendum Question I:** To see if the Town will vote to authorize the Select Board to appropriate from undesignated fund balance (surplus) to reduce the property tax commitment as the Select Board deem advisable an amount not to exceed **\$200,000**.

Select Board recommends Article 11  
Budget-Finance Committee recommends Article 11

**ARTICLE 12: Referendum Question J:** To see if the Town will vote to appropriate **\$420,000** from the tax increment of the Pipeline/RT 302 Tax Increment Financing District for FY 2022-2023 project proposed in the Tax Increment Financing District Development Program (*for details see Addendum 1*).

Select Board recommends Article 12  
Budget-Finance Committee recommends Article 12

**ARTICLE 13: Referendum Question K:** To see if the Town will vote to appropriate from the Tassel Top Park Enterprise fund the amount of **\$109,210** for the administration of activities at the Park, and to allocate all revenues generated by Park operations to be recorded in and retained by the Tassel Top Park Enterprise fund.

Select Board recommends Article 13  
Budget-Finance Committee recommends Article 13

**ARTICLE 14: Referendum Question L:** To see if the town will vote to raise and appropriate **\$299,550** for Debt Services.

*The budget figures will be assigned as follows:*

<u>2013 Public Works Road Construction Bond</u>	<u>\$212,000</u>
<u>2015 Bond Payment</u>	<u>\$87,550</u>

Select Board recommends Article 14  
Budget-Finance Committee recommends Article 14

**ARTICLE 15: Referendum Question M:** To see if the Town will vote to:

1. Authorize the Select Board to enter into a lease purchase agreement for an amount not to exceed **\$500,000** on such terms as they deem advisable for the purpose of purchasing a new Rescue Pumper truck, and
2. Raise and appropriate an amount not to exceed **\$58,064** for the payment due in fiscal year 2022-2023.

*Treasurer's Statement*

*Total Indebtedness as of June 30, 2022:*

<i>Outstanding Principal Balance</i>	<i>\$ 855,000</i>
<i>Authorized but unissued debt</i>	<i>\$ 0</i>
<i>New Debt to be issued if Article 15 passes</i>	<i><u>\$ 500,000</u></i>
<i>Total Debt Outstanding if Article 15 passes</i>	<i>\$1,355,000</i>

*Costs*

*The projected interest rate is a maximum rate of 3.49% per annum and for a (10) ten-year term the estimated costs of this lease purchase will be as follows:*

<i>Principal</i>	<i>\$500,000</i>
<i>Interest</i>	<i><u>\$ 80,634</u></i>
<i>Total Debt Service</i>	<i>\$580,634</i>

*Validity Disclaimer*

*The validity and voters' ratification of the new debt may not be affected by any errors in the above estimates. If the actual amount of the new debt varies from the estimate, the ratification by the voters is nevertheless conclusive and the validity of the new debt is not affected by reason of the variance.*

*Respectfully,*

*Charisse A. Keach*

*Charisse A. Keach*  
*Finance Director*

Select Board recommends Article 15  
Budget-Finance Committee recommends Article 15

**ARTICLE 16: Referendum Question N:** To see if the town will vote to raise and appropriate **\$890,000** for the Capital Improvement Program.

*The budget figures will be assigned as follows:*

<u>Public Works Equipment Reserve</u>	<u>\$225,000</u>
<u>Public Works Paving/Road Reserve</u>	<u>\$410,000</u>
<u>Municipal Facilities Improvements</u>	<u>\$50,000</u>
<u>Technology</u>	<u>\$30,000</u>
<u>Revaluation Reserve</u>	<u>\$100,000</u>
<u>Public Safety Fire Apparatus</u>	<u>\$75,000</u>

Select Board recommends Article 16

Budget-Finance Committee recommends Article 16

**ARTICLE 17: Referendum Question O:** To see whether the Town will vote to carry forward any existing fund balance in the Capital Improvement Program (C.I.P.) accounts, the Healthcare Reimbursement Accounts (H.R.A.), and the Employee Compensation Account.

Select Board recommends Article 17

Budget-Finance Committee recommends Article 17

**ARTICLE 18: Referendum Question P:** To see if the Town will vote to raise and appropriate **\$817,347** for the County Tax.

Select Board recommends Article 18

Budget-Finance Committee recommends Article 18

**ARTICLE 19: Referendum Question Q:** To see if the Town will vote to raise and appropriate **\$3,000** for Provider Agencies and Regional Transportation.

*The budget figures will be assigned as follows:*

<u>Provider Agencies</u>	<u>\$2,000</u>
<u>Regional Transportation</u>	<u>\$1,000</u>

Select Board recommends Article 19

Budget-Finance Committee recommends Article 19

**ARTICLE 20: Referendum Question R:** To see if the Town will vote to appropriate the total sum of **\$1,631,800** from estimated non-property tax revenues to reduce the property tax commitment, together with all categories of funds, which may be available from the federal government, and any other sources.

Select Board recommends Article 20  
Budget-Finance Committee recommends Article 20

**ARTICLE 21: Referendum Question S:** To see if the Town will vote to accept certain State Funds as provided by the Maine State Legislature during the fiscal year beginning July 1, 2022, and any other funds provided by any other entity including but not limited to:

Municipal Revenue Sharing
Local Road Assistance
Emergency Management Assistance
Snowmobile Registration Money
Homestead Exemption
Tree Growth Reimbursement
General Assistance Reimbursement
Veteran's Exemption Reimbursement
Business Equipment Tax Exemption (B.E.T.E.) Reimbursement
State Grant or Other Funds

Select Board recommends Article 21  
Budget-Finance Committee recommends Article 21

**ARTICLE 22: Referendum Question T:** To see if the Town will vote to authorize the use of Town employees and/or Town owned equipment or independent contractor(s) hired by the Town for maintenance on private roads in special and certain circumstances where in the public's interest.

Select Board recommends Article 22  
Budget-Finance Committee recommends Article 22

**ARTICLE 23: Referendum Question U:** To see if the Town will vote to appropriate the money received from the State for snowmobile registration, not to exceed **\$2,000**, to the Raymond Rattlers Snowmobile Club for maintenance of their network of snowmobile trails, on condition that those trails be open in snow season to the public for outdoor recreation purposes at no charge, and to authorize the municipal officers to enter into an agreement with the Club, under such terms and conditions as the municipal officers may deem advisable, for that purpose.

Select Board recommends Article 23  
Budget-Finance Committee recommends Article 23



**ARTICLE 24: Referendum Question V:** To see if the Town will:

1. Accept as a conditional gift from the Raymond Village Library ("RVL") the assets of RVL including the land, building, books and all personal property, and all monetary assets as of June 30, 2022, minus \$15,000 for start-up costs (total net estimated as of April 4, 2022, is approximately \$195,000), as outlined in the Memorandum of Understanding between RVL and the Town of Raymond signed 10/12/2021 (available for view at the Raymond Town Office upon request), such funds to be set aside in a non-lapsing Town account separate from the general fund and to be used for library purposes only;
2. Establish the Library as a Town Department;
3. Appropriate **\$60,000** from the non-lapsing Town library account to be used for fiscal year 2022-2023 for the new Library Department; and
4. Also, to raise and appropriate **\$135,876** for the new Library Department.

Select Board recommends Article 24

Budget-Finance Committee recommends Article 24

**ARTICLE 25: Referendum Question W:** To see if the Town will raise and appropriate **\$66,000** for the Raymond Village Library, such funds to be raised and appropriated ONLY in the event Article 24 does not pass?

Select Board recommends Article 25

Budget-Finance Committee recommends Article 25

**ARTICLE 26: Referendum Question X:** LD1: To see if the Town will vote to increase the property tax levy limit of **\$3,401,749.27** established for the Town of Raymond by State law in the event that the municipal budget approved under the preceding articles will result in a tax commitment that is greater than that property tax levy limit.

Select Board recommends Article 26

Budget-Finance Committee recommends Article 26

**ARTICLE 27: Referendum Question Y:** Non-binding referendum. Do you support allowing adult use and medical marijuana establishments to operate in the Town of Raymond and the development of an ordinance to regulate the location and operation of those uses?

**ARTICLE 28: Referendum Question Z:** Shall Article 6(B)(1)(b) “Powers and Duties” and Article 6(D) “Reduction from Minimum Setbacks” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021; and Section 16(G)(2) “Variance Appeals” of the Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 8, 2021, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 2?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 28

Select Board recommends/does not recommend Article 28

*DESCRIPTION: Removal of the Setback Reduction Variance Option*

**ARTICLE 29: Referendum Question AA:** Shall Article 9 “Minimum Standards” and Article 12 “Applicability and Definition of Terms Used in this Ordinance” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021; and Section 17 “Definitions” of the Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 8, 2021, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 3?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 29

Select Board recommends/does not recommend Article 29

*DESCRIPTION: Adoption of Language Specific to Solar Energy Systems*

**ARTICLE 30: Referendum Question AB:** Shall Article 9(A) “Conditional Uses” and Article 12 “Applicability and Definition of Terms Used in this Ordinance” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 4?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 30

Select Board recommends/does not recommend Article 30

*DESCRIPTION: Defining Outdoor Sales and Service, and Amending the Conditional Use Standards*

**ARTICLE 31: Referendum Question AC:** Shall Article 12 “Applicability and Definition of Terms Used in this Ordinance” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021; and Section 17 “Definitions” of the Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 8, 2021; and Article 3 “Definitions” of the Subdivision Regulations, as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 5?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 31

Select Board recommends/does not recommend Article 31

*DESCRIPTION: Correcting Inconsistencies with the Definition of “Structure” and “Setback” Across Multiple Ordinances*

**ARTICLE 32: Referendum Question AD:** Shall Article 10(3)(B)(5)&(6) “Layout” of the Subdivision Regulations, as adopted May 21, 1994, and amended through June 4, 2019, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 6?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 32

Select Board recommends/does not recommend Article 32

*DESCRIPTION: Correcting an Error that Creates Confusion Pertaining to Which Subsection a Twenty-five (25) Unit Subdivision Would Need to Adhere To*

**ARTICLE 33: Referendum Question AE:** Shall Article 4 “District Regulations” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021; and Section 14 “Table of Land Uses” of the Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 8, 2021, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 7?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 33

Select Board recommends/does not recommend Article 33

*DESCRIPTION: Adding the Permission of Solar Energy System Use in Certain Districts*

**ARTICLE 34: Referendum Question AF:** Shall Article 12 “Applicability and Definition of terms Used in this Ordinance” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021; and Section 17 “Definitions” of the Shoreland Zoning Provisions, as adopted May 21, 1994, and amended through June 8, 2021, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 8?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 34

Select Board recommends/does not recommend Article 34

*DESCRIPTION: Defining the Term of Outdoor Storage*

**ARTICLE 35: Referendum Question AG:** Shall Article 13(C)§4 “Space Standards” of the Land Use Ordinance as adopted May 21, 1994, and amended through June 8, 2021, be further amended by adding the underscored language and removing the language in strikeout text as in Addendum 9?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Planning Board recommends Article 35

Select Board recommends/does not recommend Article 35

*DESCRIPTION: Reducing the Cluster Subdivision Minimum Lot Size from 21,780 Square Feet to 20,000 Square Feet*

**ARTICLE 36: Referendum Question AH:** Shall the Business Ordinance as adopted July 14, 2020, be amended by adding the underscored language and removing the language in strikeout text as in Addendum 10?

*(A copy of the full text of the proposed change is available for review and inspection at the Town Clerk’s Office, on the Town’s website at [www.raymondmaine.org](http://www.raymondmaine.org), or at the polling place prior to voting.)*

Select Board recommends/does not recommend Article 36

*DESCRIPTION: Change expiration date from March 1<sup>st</sup> each year to either coincide with State annual licenses or every 2 years from month/year of issuance. Require that the applicant also file their annual Declaration of Personal Property form. Remove the requirement that the Select Board review each license every 5 years. Add language to deal with Changes to a Business – Location and Nature. Add that the Business License is not transferable.*

Given under our hands on the 14<sup>th</sup> day of April AD 2022.

\_\_\_\_\_  
Teresa Sadak, Chair

\_\_\_\_\_  
Rolf Olsen, Vice Chair

I attest that this is a true copy.

\_\_\_\_\_  
Joseph Bruno, Parliamentarian

\_\_\_\_\_  
Susan L Look  
Town Clerk

\_\_\_\_\_  
Samuel Gifford

\_\_\_\_\_  
Lawrence Taylor III

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# Annual Town Meeting Warrant Addendum

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## Town of Raymond Annual Town Meeting Warrant Addendum

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## Addendum 1 - TIF

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### Tax Increment Financing District (TIF) Details

Salaries	\$ 7,700.00
Mapping & GIS	\$ 15,000.00
Planning Services	\$ 30,000.00
Streetlight Fixtures	\$ 6,500.00
Advertising	\$ 4,100.00
Historical Society	\$ 1,800.00
RWPA Milfoil	\$ 15,000.00
Street Flag Replacement	\$ 1,100.00
Hawthorne House	\$ 1,000.00
Undesignated TIF Projects	\$ 100,000.00
Rte 302 Maintenance	\$ 37,000.00
Hydrant Rental	\$ 7,000.00
Supplies General	\$ 3,000.00
Streetlights	\$ 4,800.00
Paving/Roads	\$ 60,000.00
Fiber Network Infrastructure CIP	\$ 100,000.00
Network Hardware Upgrades (PS)	\$ 16,000.00
Comprehensive Plan Update	\$ 10,000.00
<b>Total</b>	<b>\$ 420,000.00</b>

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# Land Use & Shoreland Zoning Ordinance Changes Summary

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## 2022 ZONING AMENDMENTS

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22-01

Land Use Ordinance, Article 6(B)(1)(b) – Powers and Duties  
Land Use Ordinance, Article 6(D) – Reductions From Minimum Setbacks  
Shoreland Zoning Provisions, Section 16(G)(2) – Variance Appeals  
*Removal of the Setback Reduction Variance option*

22-02

Land Use Ordinance, Article 9 – Minimum Standards  
Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
Shoreland Zoning Provisions, Section 17 – Definitions  
*Adoption of language specific to Solar Energy Systems*

22-03

Land Use Ordinance, Article 9(A) – Conditional Uses  
Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
*Defining Outdoor Sales and Service, and amending the Conditional Use Standards*

22-04

Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
Shoreland Zoning Provisions, Section 17 – Definitions  
Subdivision Regulations, Article 3 – Definitions  
*Correcting inconsistencies with the definition of “structure” and “setback” across multiple ordinances*

22-05

Subdivision Regulations, Article 10(3)(B)(5)&(6) – Layout  
*Correcting an error that creates confusion as to which subsection a twenty-five (25) unit subdivision would need to adhere to*

22-06

Land Use Ordinance, Article 4 – District Regulations  
Shoreland Zoning Provisions, Section 14 – Table of Land Uses  
*Adding the permission of Solar Energy System use in certain districts*

22-07

Land Use Ordinance, Article 12 – Applicability and Definition of Terms Used in this Ordinance  
Shoreland Zoning Provisions, Section 17 – Definitions  
*Defining the term Outdoor Storage*

22-08

Land Use Ordinance, Article 13(C) § 4 – Space Standards  
*Reducing the cluster subdivision minimum lot size from 21,780 square feet to 20,000 square feet*



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## Addendum 2 - Setback Variance Hardship Criteria

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22-01

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### PROPOSED AMENDMENT OF

*the*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 6(B)(1)(b)– POWERS AND DUTIES  
ARTICLE 6(D) – REDUCTIONS FROM MINIMUM SETBACKS

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 16(G)(2) – VARIANCE APPEALS  
SECTION 16(G)(2) – VARIANCE APPEALS

**Summary of Changes:** This amendment to the Land Use Ordinance and Shoreland Zoning Provisions would require all applicants for a setback variance to meet the hardship requirements of a variance. The much more forgiving setback reduction option would be removed from both ordinances. A setback variance with less strict hardship criteria would replace the setback reduction in the Shoreland Zoning Provisions. This less strict variance already exists in the Land Use Ordinance.

The proposed text is shown in red with an underline, and revised or removed language is shown in ~~red with a strikethrough~~.

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### LAND USE ORDINANCE

#### Article 6(B)(1)(b) – Powers and Duties

b. Subject to the provisions of this Ordinance, to hear and grant or deny applications for variances from the terms of the Land Use Ordinance. A variance may be granted for lot areas, lot coverage by structure, and setbacks. A variance shall not be granted to permit a use or structure otherwise prohibited, except for nonconforming uses, structures, and lots as described in Subsection d. below. Except as provided in Subsection c below, A variance can only be granted where undue hardship is proven. Undue hardship is defined to mean:

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### LAND USE ORDINANCE

#### Article 6(D) – ~~Reductions From Minimum Setbacks~~Reserved

~~The Board of Appeals may grant reductions from the minimum setback requirements set forth in Article 4 of this Ordinance according to all of the following criteria:~~

1

- ~~1. Setback reduction appeals are only available to reduce the minimum requirements for setbacks of structures from lot boundary lines. Setback reduction appeals shall not be used, and are not available from bodies of water as provided in this Ordinance.~~
- ~~2. Setback reduction appeals may only be granted and are only available for lots with a residential dwelling as the principal structure.~~
- ~~3. The Board of Appeals may grant a setback reduction appeal if the Board finds that granting the setback reduction will not result in unreasonable interference with the privacy interests of the abutting landowners.~~
- ~~4. In granting a setback reduction the Board of Appeals may attach reasonable conditions, which it may deem necessary to serve the purposes of this Ordinance.~~
- ~~5. A setback reduction appeal shall not be granted to enable construction or renovation that will create additional dwelling units.~~
- ~~6. A setback reduction appeal shall not be granted to enable construction or renovation that will result in more than one garage on the lot that is the subject of the appeal.~~
- ~~7. No setback reduction appeal may be granted that will result in impervious surface lot coverage of greater than 15%.~~
- ~~8. Setback reduction appeals may only be granted the minimum extent necessary to accomplish the purpose of the appeal. Setbacks may not be reduced by setback reduction appeal to less than the following absolute minimum setbacks:~~

VR Zone	
Front yard	12 ½ feet
Side yard	10 feet *
Rear yard	10 feet *
R Zone	
Front yard	20 feet
Side yard	10 feet
Rear yard	10 feet
RR Zone	
Front yard	15 feet
Side yard	10 feet
Rear yard	10 feet

(\*) See ordinance. [Adopted 3/18/00] [Amended 5/21/05]

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**SHORELAND ZONING PROVISIONS**

**Section 16(G)(2)– Variance Appeals**

2. **Variance Appeals** – ~~Except as provided in Section 16(G)(2)(f) below, V~~variances may be granted only under the following conditions:
- a. Variance may be granted only from dimensional requirements including but not limited to, lot width, structure height, percent of lot coverage, and setback requirements.
  - b. Variances shall not be granted for the establishment of any uses otherwise prohibited by these ordinance provisions.
  - c. The Board shall not grant a variance unless it finds that:
    - 1) The proposed structure or use would meet the provisions of Section 15 after for the specific provision which has created the non-conformity and from which relief is sought; and
    - 2) The strict application of the terms of these ordinance provisions would result in undue hardship. The term "undue hardship" shall mean:
      - i. that the land in question cannot yield a reasonable return unless a variance is granted;
      - ii. that the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood;
      - iii. that the granting of a variance will not alter the essential character of the locality; and
      - iv. that the hardship is not the result of action taken by the applicant or a prior owner.

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**SHORELAND ZONING PROVISIONS**

**Section 16(G)(2)(f) – Minimum Setback Variance Appeals**

- f. ~~To grant a setback variance for a single-family dwelling only when strict application of the Shoreland Zoning Provisions to the applicant and the applicant's property would cause undue hardship. The term "undue hardship" as used in this subsection means: The Board of Appeals may grant reductions from the minimum setback requirements set forth~~

in Section 15 (A) of these provisions according to all of the following criteria:

- 1) ~~The need for the variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood; Setback reduction appeals are only available to reduce the minimum requirements for setbacks of structures from lot boundary lines. Setback reduction appeals shall not be used, and are not available from bodies of water as provided in these provisions.~~
- 2) ~~The granting of the variance will not alter the essential character of the locality; Setback reduction appeals may only be granted and are only available for lots with an existing residential dwelling as the principal structure. [Amended 07/14/2020]~~
- 3) ~~The hardship is not the result of action taken by the applicant or a prior owner; The Board of Appeals may grant a setback reduction appeal if the Board finds that granting the setback reduction will not result in unreasonable interference with the privacy interests of the abutting landowners.~~
- 4) ~~The granting of the variance will not substantially reduce or impair the use of abutting property; In granting a setback reduction the Board of Appeals may attach reasonable conditions, which it may deem necessary to serve the purposes of these provisions.~~
- 5) ~~That the granting of a variance is based upon demonstrated need, not convenience, and no other feasible alternative is available. A setback reduction appeal shall not be granted to enable construction or renovation that will create additional dwelling units.~~
- 6) ~~This variance is strictly limited to permitting a variance from a set-back requirement for a single-family dwelling that is the primary year-round residence of the petitioner. A variance under this subsection may not exceed 20% of a setback requirement and may not be granted if the variance would cause the area of the dwelling to exceed the maximum permissible lot coverage. A setback reduction appeal shall not be granted to enable construction or renovation that will result in more than one garage on the lot that is the subject of the appeal.~~
- 7) ~~No setback reduction appeal may be granted that will result in impervious surface lot coverage of greater than 15%.~~
- 8) ~~Setback reduction appeals may only be granted the minimum extent necessary to accomplish the purpose of the appeal. Setbacks may not be reduced by setback reduction appeal to less than the following absolute minimum setbacks:~~

~~Front Yard 15 feet~~

~~Side Yard 10 feet~~

~~Rear Yard 15 feet~~

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## Addendum 3 - Solar Energy Systems Performance Standards

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22-02

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### PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 9 – MINIMUM STANDARDS

&

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

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 17 – DEFINITIONS

**Summary of Changes:** This amendment of the Land Use Ordinance and Shoreland Zoning Provisions would create specific performance standards for solar energy systems.

The proposed text is shown in red with an underline.

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### LAND USE ORDINANCE

#### ARTICLE 9 – MINIMUM STANDARDS

##### **AA. Solar Energy Systems**

1. **Purpose** - Solar energy is a renewable and nonpolluting energy resource that can prevent fossil fuel emissions and reduce energy loads. Energy generated from Solar Energy Systems can be used to offset energy demand on the regional grid where excess solar power is generated. The use of solar energy equipment for the purpose of providing renewable energy sources is a power generation priority and is a necessary component of the latest State and Federal energy policies. The standards that follow enable the accommodation of Solar Energy Systems, and equipment to be installed in a safe manner with minimal impacts on the environment and to neighbors. This article shall not apply to solar systems for individual landowners or residents, which can be reviewed and permitted by the Code Enforcement Officer without the need for Site Plan Review.
2. **Submission Requirements** - In addition to the submission requirements of Article 10, all Solar Energy Systems are subject to Site Plan Review and must submit materials as

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outlined below:

- a. Plan and elevation depictions of a typical panel and mounting and any other structures proposed as part of the Solar Energy System.
- b. General specifications of the system including dimensions and number of panels, estimated power generation, description of mountings, and any other information needed to evaluate compliance with this ordinance.
- c. Certification that the Solar Energy System is compliant with the National Electrical Code and State Electrical Code as applicable.
- d. A site plan that meets the requirements of Article 10 of the Land Use Ordinance for the Town of Raymond, Maine with the added requirement of:
  - i. The location of the proposed Solar Energy System and any, fencing, screening, access roads and turnout locations, substations(s), accessory equipment to the system, and all electrical cabling from the system to other structures, substations, or utility grid connections
- e. The applicant shall provide a copy of the site plan review application including a project summary, electrical schematic, and site plan, to the Fire Chief or his/her designee for review and approval. The Fire Chief shall base any recommendation for approval or denial of the application upon review of the fire safety of the proposed system. Based upon the size, location, or on-site fire and life safety hazards, a fire protection water supply may be required at the discretion of the Fire Chief or his/her designee. Upon request, the owner or operator shall cooperate with the Fire Department in developing an emergency response plan.
- f. Any other approvals from local, regional, State, or Federal agencies that may be required. Letters, permits, or approvals from these agencies shall be included as a part of the application and/or review. The Planning Board may choose to accept copies of applications awaiting approval. In this case, any local approval granted by the Planning Board shall be conditioned such that no construction or building permits will be issued until all outstanding approvals have been granted.
- g. Ground Mounted Solar Energy Systems with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall also submit a decommissioning plan including an estimated cost and a guarantee suitable to ensure decommissioning comparable with the performance guarantee format Article 10 § C(6) of this ordinance. The Planning Board may waive this requirement.

**3. Required Notification**

- a. All Solar Energy Systems located within 2 miles of any public or private aircraft launch locations must notify the airport via certified mail that an application has been submitted to the town. This notification must include the location and size of the proposed system.
- b. All Ground Mounted Solar Energy Systems with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall notify abutters in accordance with the requirements of Article 10 § C(1)(G) Public hearings and notification.

**4. Visual Impact Assessment** - When necessary, based on the project's overall size, location, surrounding uses, or other characteristics of the proposed use or site, the Planning Board may require the submittal of a Visual Impact Assessment. The study shall be prepared by a Maine licensed landscape architect or other professionals with experience with visual impact assessments. The Visual Impact Assessment shall at a minimum include the following elements:

- a. A visual description of the project covering all physical elements that may be visible from public viewpoints.
- b. Identification and characterization of publicly accessible scenic resources near, or potentially impacted, by the proposed project. This should include any resources of local, state, or national significance.
- c. Determination of the type and extent of any impact on the identified scenic or historic resources. If a project is deemed to be visible from a scenic resource the Planning Board may require a visualization of the project from a representative point within the resource.
- d. Description of any proposed mitigation measures such as berms, landscaping screens, and buffers, or low visibility materials that may be used to minimize potential visual impacts from the project.

**5. Dimensional Standards**

- a. Height
  - i. Building Mounted Solar Energy Systems shall not be considered as contributing to building height provided that they are erected only to such height as reasonably necessary.



- ii. Ground Mounted Solar Energy Systems shall not exceed the maximum building height restrictions for the zone in which they are located.
  - b. Setbacks - Solar Energy Systems shall meet the structure setbacks of the zone in which they are located except when no other appropriate place on the site exists for the Solar Energy System to operate as determined by the Planning Board. If no other appropriate location on the site for the system exists setbacks shall be:
    - i. Setbacks of 5 feet from a side or rear lot line shared with a right of way or utility corridor provided the system will not impact visibility along a travel way or;
    - ii. Half the required setback in that zone
  - c. Impervious Surface Ratio - All structures, roads, and other impervious surfaces associated with a Solar Energy System shall count towards the maximum Impervious Surface Ratios of the zone in which the system is located. Building Mounted Solar Energy panels do not change the impervious surface of the building to which they are attached. Ground Mounted Solar Panels will not be considered impervious surfaces provided that they meet the following criteria:
    - i. Panels must be positioned to allow water to run off their surfaces.
    - ii. Soil with adequate vegetative cover must be maintained under and around the panels.
    - iii. The area around the panels must be adequate to ensure proper vegetative growth under and around the panels.
- 6. Other Standards**
- a. A licensed electrician shall connect Solar Energy Systems to transmission lines, electrical equipment, or any residence or other structure to which power is being provided.
  - b. Solar Energy Systems must meet all applicable Building and Fire Codes.
  - c. Solar panels are designed to absorb (not reflect) sunlight; and, as such, solar panels are generally less reflective than other varnished or glass exterior housing pieces. However, Solar Energy System design and placement should be prioritized to minimize or negate any solar glare onto nearby properties, roadways, or flight paths to the extent practical.

- d. Exterior lighting shall be limited to fully shielded or cutoff style fixtures, so as not to contribute to light pollution, sky glow, and glare.
- e. For Ground Mounted Solar Energy Systems, all on-site electrical wires connecting the system to other structures or to utility connections shall be installed underground except for 'tie-ins' to public utility company transmission poles, towers, and lines. This standard may be modified by the Planning Board during site plan review if the project terrain is determined to be unsuitable due to reasons of need such as excessive excavation, grading, or similar factors.
- f. For Ground Mounted Solar Energy Systems all means of shutting down the system shall be clearly marked. The owner or operator shall provide to the Code Enforcement Officer and the Fire Department the name and contact information of a responsible person for public inquiries throughout the life of the installation. The owner or operator shall cooperate with the Fire Department to ensure there is safe emergency access to the site.

#### **7. Decommissioning and Abandonment**

- a. A Ground Mounted Solar Energy System with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet, that has reached the end of its useful life or has been abandoned consistent with this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail of the proposed date of discontinued operations and plans for removal. The Code Enforcement Officer may grant a one-time extension of up to an additional 180 days at the request of the owner or operator of the system.
- b. Decommissioning shall consist of:
  - i. Physical removal of all Solar Energy Systems, structures, equipment, security barriers, and transmission lines from the site that will not be used by other approved uses on the site.
  - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
  - iii. Stabilization and/or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

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- c. A Ground Mounted Solar Energy System with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall be considered abandoned when it fails to operate for more than one year. The Planning Board may extend this initial period for an additional twenty-four (24) months at the request of the owner of the system and with the consent of the landowner and/or operator, if different from the system owner.
  - d. Unless waived by the Planning Board as allowed under Article 10 § C(6), an applicant for Site Plan Review of a Ground Mounted Solar Energy System with a physical size based on a projected total surface coverage area that is greater than 10,000 square feet shall submit a method for ensuring the decommissioning of the system. This may take one of the following forms:
    - i. A performance guarantee in the amount of 125% of the expected decommissioning costs, including inflation over the expected life of the system, 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 in the name of the Town of Raymond, or some other form of surety that is acceptable to the Town Manager.
    - ii. A binding, contractual guarantee such as in a lease agreement between a system owner and landowner which requires that the Solar Energy System be decommissioned in accordance with this ordinance and identifies a party responsible for the decommissioning.
    - iii. Other legally enforceable agreements acceptable to the Planning Board.
  - e. If the owner or operator of the Solar Energy System fails to remove the installation in accordance with the requirements of this section within 180 days of abandonment or the proposed date of decommissioning as approved by the Code Enforcement Officer, the Town retains the right to use the performance guarantee or other available means to cause an abandoned, hazardous, or decommissioned Ground Mounted Solar Energy System to be removed.
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## LAND USE ORDINANCE

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

**Solar Energy System** – A device or structural design feature principally used to capture solar energy and convert it to electrical or thermal power. A Solar Energy System consists of one or more free-standing ground-mounted, or building-mounted, solar arrays or modules, or solar-related equipment.

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**Solar Energy System, Ground-Mounted** – A Solar Energy System that is structurally mounted to the ground and is not attached to a permitted building.

**Solar Energy System, Building-Mounted** – A Solar Energy System that is mounted to the roof or sides of a building.

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## **SHORELAND ZONING PROVISIONS**

### **SECTION 17 – DEFINITIONS**

**Solar Energy System** – A device or structural design feature principally used to capture solar energy and convert it to electrical or thermal power. A Solar Energy System consists of one or more free-standing ground-mounted, or building-mounted, solar arrays or modules, or solar-related equipment.

**Solar Energy System, Ground-Mounted** – A Solar Energy System that is structurally mounted to the ground and is not attached to a permitted building.

**Solar Energy System, Building-Mounted** – A Solar Energy System that is mounted to the roof or sides of a building.

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## Addendum 4 - Definition of Outdoor Sales & Service

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22-03

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### PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

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

&

**ARTICLE 9(A) – CONDITIONAL USES**

**Summary of Changes:** Article 9, Section A(3) indicates that a conditional use being applied for will not generate noise, vibrations, fumes, odors, dust, or glare which are detectable at the lot boundaries, and all aspects of the conditional use will be carried on within the structure;

The conditional use of "outdoor sales and service" found in Article 4, Section F(3) for the Commercial District does not have a definition in the ordinance. The proposed amendment will define "outdoor sales and service" and update the ordinance to allow condition uses outside of a structure.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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### LAND USE ORDINANCE

#### **Article 12 – Applicability and Definition of Terms Used in this Ordinance**

**Outdoor Sales and Service:** The regular display by a retailer of stock-in-trade outside of an enclosed structure. The term includes, but is not necessarily limited to, businesses that involve an outside parking or display area for the sale of cars, trucks, motorcycles, campers, farm equipment, recreational vehicles, boats, boat trailers, aquatic recreational vehicles and equipment, or mobile homes; businesses involved in the outdoor sale of used merchandise, other than at flea markets, which is separately defined; and similar outdoor sales activities. For purposes of this chapter, the serving of food by an eating and drinking place at outside tables shall not constitute outdoor sales.

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### LAND USE ORDINANCE

#### **Article 9 - Minimum Standards**

##### **A. Conditional Uses**

The Board of Appeals shall approve, deny, or approve with conditions all applications for a conditional use permit. The applicant shall have the burden of proving that his/her application is

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in compliance with the requirements of this Ordinance. After the submission of a complete application, the Board of Appeals shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

1. Will not depart from the general purpose and intent of the Ordinance, nor from the Town's Comprehensive Plan;
2. Will be compatible with permitted uses within the zone as determined by population; density; design; scale and bulk of any proposed new structures; and intensity of use;
3. Will not generate noise, vibrations, fumes, odors, dust, or glare which are detectable at the lot boundaries, and all aspects of the conditional use will be carried on within the structure; Outdoor Sales and Service may take place outside of a structure as long as all other applicable sections of the ordinance can be met, and the use does not generate noise, vibrations, fumes, odors, dust, or glare which are detectable at the lot boundaries.
4. Will not cause water pollution, sedimentation, erosion, contaminate any water supply, nor reduce the capacity of the land to hold water, so that a dangerous or unhealthy condition may result;
5. Will not adversely impact any deer wintering area or other important plant or wildlife habitat or scenic areas such as views of Sebago Lake or mountains from public places;
6. Will not deny light and air to surrounding properties;
7. Will not depreciate the economic value of surrounding properties;
8. Will have sufficient potable water available for its needs;
9. Will not create a hazard to either pedestrian or vehicular traffic on the roads and sidewalks serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, intensity of use by both pedestrians and also vehicles, and the visibility afforded to pedestrians and the operators of motor vehicles;
10. Will not overburden police, fire, and rescue services, as determined by response time, accessibility to the site of the proposed use, and numbers and types of emergency personnel and equipment presently serving the community. All conditional use applications shall be reviewed and approved by the Fire Rescue Department for compliance with all applicable Fire and Life Safety Codes and Ordinances.

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## Addendum 5 - Correct Inconsistent Definitions

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22-04

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### PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

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

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 17 – DEFINITIONS

&

*The*  
**SUBDIVISION REGULATIONS  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 3 – DEFINITIONS

**Summary of Changes:** This amendment to the Land Use Ordinance, Shoreland Zoning Provisions, and Subdivision Regulations, would match the definition for structure and setback, or similar definitions, across all documents to avoid any inconsistencies.

The proposed text is shown in red with an underline, and revised or removed language is shown in ~~red with a strikethrough~~.

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### LAND USE ORDINANCE

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

**Accessory Structure** – See structure.

**Accessory Use** ~~or Structure~~ - A use ~~or structure~~ which is incidental and subordinate to the principal use ~~or structure~~. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. [Amended 06/03/15]

**Building** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattel. See also “Structure.”

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**Corner Lot** - A lot situated at the intersection of two (2) streets/roads.

**Lot Frontage** - The distance along the front lot lines of a lot, or in the case of an irregular or curved front lot line, the distance along an imaginary straight line connecting the two (2) ends of the front lot line; or in the case of a back lot the frontage shall be measured as described in the definition of Back Lot Driveway and in Article 9 Section T.3 of the Land Use Ordinance.

~~That~~The side of a lot facing a major public water body shall be known as the waterfront, and the side or sides facing a street shall be known as the street front. For corner lots, or lots abutting a street/road on two (2) or more sides, the front of the lot shall be the property line on the street/road for which the lot will have its driveway or access.

**Principal Structure** – See structure.

**Setback** - A line that is a required minimum distance from any lot line or right of way line that establishes the area within which principal and accessory buildings or structures must be erected or placed. Setbacks are measured from the nearest horizontal distance from lot lines, right-of-way lines, the normal high-water line of a water body or tributary stream, and the upland edge of a wetland, to the nearest part of a structure, road, parking space, or other regulated object or area.

**Setback, front** - A line that is a required minimum distance from any front lot line or right of way line used as lot frontage and the nearest part of a structure, or other regulated object or area. For corner lots, the front setback shall apply to any lot line abutting a street or road.

**Structure** - Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, ~~together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls four feet (4') or less in height, fences, mailboxes, lampposts, birdhouses, doghouses, tree houses designed for children's use, bus shelters, subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5, geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C, wells or water wells as defined in Title 32, § 4700-E, subsection 8, or other similar construction. The term includes but is not limited to structures temporarily or permanently located, such as decks, carports, satellite dishes, communications systems, ground-mounted solar energy systems, antennas, pools, etc. For the purpose of this Ordinance, fences and structures such as doghouses, tree houses designed for children's use and bus shelters shall not be considered structures. Antennas shall be considered structures. Utility poles shall be considered structures.~~ Utility poles, wiring, and the aerial equipment normally associated with service drops, including guy wires and guy anchors, shall not be considered structures, ~~for the purpose of~~ however, they must meet the minimum required setbacks from the high-water mark of any pond, lake, stream, or river. [Adopted 5/16/87]

Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted. A deck or



similar extension of the principal structure or a garage attached to the principal structure by a roof, or a common wall is considered part of the principal structure.

3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit. [Adopted 5/16/87]
6. Multi-family dwelling - A structure containing two (2) or more dwelling units. [Adopted 5/16/87]
7. In the Shoreland Zone, Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the conditions of Shoreland Zoning Provisions Section 15 § B(7) are met.

## SHORELAND ZONING PROVISIONS

### SECTION 17 – DEFINITIONS

Accessory structure – See “Structure.”

**Accessory ~~structure or use~~** - a use ~~or structure~~ which is incidental and subordinate to the principal use ~~or structure~~. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. ~~A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.~~

**Building** - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals, or chattel. See also “Structure.”

**Corner Lot** - A lot situated at the intersection of two (2) streets/roads.

**Lot Frontage** - The distance along the front lot lines of a lot, or in the case of an irregular or curved front lot line, the distance along an imaginary straight line connecting the two (2) ends of the front lot line; or in the case of a back lot the frontage shall be measured as described in the definition of Back Lot Driveway and in Article 9 Section T.3 of the Land Use Ordinance.

~~That~~The side of a lot facing a major public water body shall be known as the waterfront, and the side or sides facing a street shall be known as the street front. For corner lots, or lots abutting a street/road on two (2) or more sides, the front of the lot shall be the property line on the street/road for which the lot will have its driveway or access.

**Principal structure** – ~~a structure other than one which is used for purposes wholly incidental or accessory to the use of another structure or use on the same lot. See structure.~~

**Setback** - A line that is a required minimum distance from any lot line or right of way line that establishes the area within which principal and accessory buildings or structures must be erected or placed. Setbacks are measured from the nearest horizontal distance from lot lines, right-of-

way lines, the normal high-water line of a water body or tributary stream, ~~and the~~ upland edge of a wetland, to the nearest part of a structure, road, parking space, or other regulated object or area.

**Setback, front** - A line that is a required minimum distance from any front lot line or right of way line used as lot frontage and the nearest part of a structure, or other regulated object or area. For corner lots, the front setback shall apply to any lot line abutting a street or road.

**Structure** – ~~Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls four feet (4') or less in height, fences, mailboxes, lampposts, birdhouses, doghouses, tree houses designed for children's use, bus shelters, subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5, geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C, wells or water wells as defined in Title 32, § 4700-E, subsection 8, or other similar construction. The term includes but is not limited to structures temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected on or in the ground. The term includes structures temporarily or permanently located, such as decks, carports, patios, and satellite dishes, communication systems, ground-mounted solar energy systems, antennas, pools, etc. Utility poles, wiring, and the aerial equipment normally associated with service drops, including guy wires and guy anchors, shall not be considered structures, however, they must meet the minimum required setbacks from the high-water mark of any pond, lake, stream, or river. Structure does not include fences; poles and wiring and their aerial equipment normally associated with service drops, including guy wires and guy anchors; subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5; geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C; or wells or water wells as defined in Title 32, § 4700-E, subsection 8.~~

Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof, or a common wall is considered part of the principal structure.
3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit.
6. Multi-family dwelling - A structure containing two (2) or more dwelling units.
7. In the Shoreland Zone, Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the conditions of Shoreland Zoning Provisions Section 15 § B(7) are met.

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**SUBDIVISION REGULATIONS**
**ARTICLE 3 – DEFINITIONS**

**Structure** - ~~Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind. For the purposes of this Ordinance, fences and structures such as doghouses, treehouses designed for children's use and bus shelters shall not be considered structures. Antennas shall be considered structures.~~ Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of vegetation, boundary walls, fences, mailboxes, lampposts, birdhouses, doghouses, tree houses designed for children's use, bus shelters, subsurface wastewater disposal systems as defined in Title 30-A, § 4201, subsection 5, geothermal heat exchange wells as defined in Title 32, § 4700-E, subsection 3-C, wells or water wells as defined in Title 32, § 4700-E, subsection 8, or other similar construction. The term includes but is not limited to structures temporarily or permanently located, such as decks, carports, patios, ~~and~~ satellite dishes, communication systems, ground-mounted solar energy systems, antennas, pools, etc. Utility poles, wiring, and the aerial equipment normally associated with service drops, including guy wires and guy anchors, shall not be considered structures, however, they must meet the minimum required setbacks from the high-water mark of any pond, lake, stream, or river.

Structure Terms:

1. Principal Structure - The structure in which the primary use of the lot is conducted.
2. Accessory Structure - A structure of a nature customarily incidental or subordinate to that of the principal structure or the primary use to which the premises are devoted. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof, or a common wall is considered part of the principal structure.
3. Temporary piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that remain in the water for less than seven (7) months in any period of twelve (12) consecutive months.
4. Permanent piers, docks, wharves, breakwaters, causeways, marinas and uses projecting into water bodies. Structures that are not removed from the water annually.
5. Single-family dwelling - A structure containing not more than one (1) dwelling unit.
6. Multi-family dwelling - A structure containing two (2) or more dwelling units.
7. In the Shoreland Zone, Retaining walls that are not necessary for erosion control shall meet the structure setback requirement, except for low retaining walls and associated fill provided all of the conditions of Shoreland Zoning Provisions Section 15 § B(7) are met.

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## Addendum 6 - Administrative Correction

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22-05

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### PROPOSED AMENDMENT OF

### *The* SUBDIVISION REGULATIONS FOR THE TOWN OF RAYMOND, MAINE

#### ARTICLE 10 – 3(B)(5) & (6)

**Summary of Changes:** This amendment to the Subdivision Regulations would correct an error in the ordinance that creates confusion as to which subsection a twenty-five (25) unit subdivision would need to adhere to.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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### SUBDIVISION REGULATIONS

#### ARTICLE 10(3)(B) – LAYOUT

- 5) Single-family subdivisions, including single-family open space subdivisions, containing a maximum of fourteen (14) lots may have one dead-end cul-de-sac street, up to 1,000 feet in length, connecting with existing public streets or streets on an approved subdivision plan for which a bond has been filed. Multi-family subdivisions containing more than four (4) units but less than twenty-five (25) dwelling units may have one dead-end cul-de-sac street, up to 1,000 feet in length, connecting with existing public streets or streets on an approved subdivision plan for which a bond has been filed. If two entrances into a multi-family subdivision with twenty-four (24) units or less is planned, such entrances shall meet the spacing requirements set forth in Article 10, Section 3.B.6 of this Ordinance.
- 6) Single-family subdivisions including single-family open space subdivisions, containing fifteen (15) lots or more and multi-family subdivisions containing ~~more than~~ twenty-five (25) or more dwelling units shall have at least two street connections with existing public streets or streets on an approved subdivision plan for which a bond has been filed. The above-referenced street connections shall connect within the subdivision. Entrances onto existing or proposed collector streets shall be a minimum distance apart of 400 feet. Entrances onto existing or proposed arterial streets shall be a minimum distance apart of 1,000 feet.

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## Addendum 7 - Solar Energy Systems & Outdoor Storage

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22-06

PROPOSED AMENDMENT OF  
*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

ARTICLE 4

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

SECTION 14

**Summary of Changes:** This proposed amendment would allow newly defined uses, Solar Energy Systems, and Outdoor Storage, within certain districts in town.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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**LAND USE ORDINANCE**  
**ARTICLE 4 - DISTRICT REGULATIONS**

**A. Village Residential District (VR) [Amended 5/21/05]**

1. Intent. To provide housing in a compact residential area. The areas encompassed in this district are to be of an urban nature with neighborhood shopping services and facilities to be provided within the district. The district is established to combine the convenience of urban life with the physical amenities of a rural environment. Toward the achievement of these purposes, the following minimum standards are established:
2. Permitted Uses
  - a. One-family dwelling to include modular homes (Type 2 manufactured homes) [Amended 5/21/05]
  - b. Duplex [Adopted 5/21/05]
  - c. Multi-family dwelling
  - d. Schools
  - e. Churches
  - f. Public buildings and facilities
  - g. Agriculture excepting commercial poultry and piggery operations
  - h. Accessory uses and buildings

1

- i. Professional building
- j. Nursing homes
- k. Boarding homes
- l. Bed and breakfast inn not to exceed five (5) rentable rooms
- m. Elderly Housing [Adopted 5/21/05]
- n. [Solar Energy Systems](#)

3. Conditional Uses

- a. General store and neighborhood grocery store not to exceed one thousand (1,000) square feet of retail space including storage
- b. Public utilities and communications facilities
- c. Antique shops
- d. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B, and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.

4. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements:

- a. The minimum lot area shall be forty thousand (40,000) square feet. [Amended 5/21/05]
- b. Minimum Lot Area per Dwelling Unit [Amended 5/21/05]
  - 1) One-family dwelling or modular home – Forty thousand (40,000) square feet per unit
  - 2) Duplex – Twenty thousand (20,000) square feet per unit.
  - 3) Multi-Family Dwelling - Forty thousand (40,000) square feet for the first two units on the lot plus an additional fifteen thousand (15,000) square feet per each additional dwelling unit on the lot.
- c. The minimum lot frontage shall be one hundred (100) feet. [Amended 5/21/05]
- d. The minimum building setbacks shall be as follows:
  - 1) Front - 25 feet
  - 2) Side - 10 feet [Amended 5/21/05]
  - 3) Rear - 20 feet

The minimum front setback in those village areas where buildings have traditionally been sited closer to the road may be reduced to

the average setback of existing principal buildings located within 500 feet and which front on the same road. [Amended 8/7/07]

- e. The maximum building height shall be two and one-half (2.5) stories except for barns.
- 5. Off-street Parking - For each of the principal and conditional uses permitted, off-street parking shall be provided in accordance with Article 9, Section C.
- 6. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.
- 7. Wireless communication facilities subject to the standards contained herein.
- 8. Multi-Family Dwellings - Multi-family dwellings shall also meet the standards of Article 9, Section W. [Adopted 5/21/05]

**B. Mobile Home Park Overlay District (MHOD) [Adopted 5/21/05]**

- 1. Intent. To allow mobile home parks to be developed in a number of environmentally suitable locations within the town.
- 2. Applicability – Properties in the Mobile Home Park Overlay District shall continue to be governed by the regulations applicable in the underlying zoning district, except as specifically modified by this Section.
- 3. Permitted Uses
  - a. Type 1 manufactured housing units in Mobile Home Parks
  - b. Uses allowed in the underlying zoning district
- 4. Space and Bulk Requirements – Mobile home parks shall meet the standards in Article 9, Section K.2, Mobile Home Parks.

**C. Rural District (R)**

- 1. Intent: The Town of Raymond has historically been a rural Town. It is the intent of this Ordinance to protect and preserve appropriate areas of Town from urban sprawl by designating uses and standards that are appropriate to a rural character.
- 2. Permitted Uses

- a. One-family dwelling to include modular Manufactured Homes (Type 1 and 2 manufactured homes)
- b. Church
- c. Public buildings and facilities
- d. Agriculture including commercial poultry and piggery operations that conform to Article 9 of this Ordinance.
- e. Accessory uses and buildings
- f. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.
- g. Bed and breakfast inn not to exceed five (5) rental rooms and not to serve alcohol.
- h. Boarding homes not to exceed five (5) rentable rooms excluding family living space.
- i. Public utility and communication facilities.
- j. Solar Energy Systems

3. Conditional Uses

- a. Cemeteries
- b. Mineral extraction that conforms to Article 9, Section E of this Ordinance.
- c. Public and quasi-public recreation buildings and facilities
- d. Neighborhood grocery store not to exceed one thousand (1,000) square feet of retail space including storage.
- e. Contractors, not having more than five (5) vehicles and pieces of equipment that are not screened from view from the surrounding property and street. When a piece of equipment is located on a trailer or truck, the combination shall be considered a vehicle and an additional piece of equipment. [Adopted 5/21/88]

4. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements subject to modification under Article 8, Section B: [Adopted 5/16/87]

- a. The minimum lot area shall be three (3) acres;
- b. The minimum lot frontage shall be two hundred twenty-five (225) feet;
- c. The minimum building setbacks shall be as follows:
  - 1) Front - 40 feet
  - 2) Side - 20 feet



3) Rear - 20 feet

d. The maximum building height shall be two and one-half (2.5) stories except for barns and poultry houses.

5. 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.
6. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.
7. Wireless Communication Facilities - subject to the standards contained herein.

**D. Rural Residential District (RR)**

1. Intent: The Town of Raymond recognizes that certain areas of Town will experience residential growth due to rapid population growth in the region. It is the intent of this Ordinance to allow these uses while maintaining the basic rural orientation of the community.
2. Permitted Uses
  - a. One-family dwelling to include Manufactured Homes (Type 1 and 2 manufactured homes)
  - b. Church.
  - c. Schools.
  - d. Public buildings and facilities.
  - e. Agriculture excluding commercial poultry and piggery operations.
  - f. Accessory uses and buildings.
  - g. Home occupations that conform to the requirements of Article 9, Section B. A home occupation which conforms to Article 9, Section B and which is specifically permitted by Article 12 of this Ordinance shall be considered a permitted use.
  - h. Bed and breakfast inn not to exceed five (5) rentable rooms and not to serve alcohol.
  - i. Boarding home not to exceed five (5) rentable rooms excluding family living space.
  - j. Public utility and communication facilities.
  - k. [Solar Energy Systems](#)
3. Conditional Uses
  - a. Nursing home.

- b. Neighborhood Grocery Store not to exceed one thousand (1,000) square feet of retail space including storage.
  - c. Cemeteries.
  - d. Funeral parlors.
  - e. Medical arts buildings.
  - f. Mineral extraction that conforms to Article 9, Section E of this Ordinance.
  - g. Public and quasi-public recreation buildings and facilities.
  - h. Contractors, not having more than five (5) vehicles and pieces of equipment that are not screened from view from the surrounding property and street. When a piece of equipment is located on a trailer or truck, the combination shall be considered a vehicle and an additional piece of equipment. [Adopted 5/21/88]
4. Space and Bulk Regulations - The following space and bulk regulations are minimum requirements subject to modification under Article 13, Section B:
- a. The minimum lot area shall be two (2) acres.
  - b. The minimum lot frontage shall be two hundred twenty-five (225) feet;
  - c. The minimum building setbacks shall be as follows:
    - 1) Front - 30 feet
    - 2) Side - 20 feet
    - 3) Rear - 20 feet
5. The maximum building height shall be two and one-half (2.5) stories except for barns.
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.

#### **E. Shoreland District**

A description of the Shoreland districts and Shoreland zoning provisions related to these districts are located in a separate, freestanding portion of this Ordinance.

#### **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 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: [Amended 06/02/09]

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 buildings provided the lower 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. [Amended 06/02/09, 06/08/2021]
- h. Solar Energy Systems

3. Conditional Uses: Outdoor sales and service.

- a. Outdoor sales and service
- b. Outdoor Storage

4. Space and Bulk Regulations [Amended 06/02/09] - The following space and bulk regulations are established as minimum standards for mixed-use and commercial buildings:

- a. There shall be no minimum lot area except that the lot shall meet the provisions of Maine Revised Statute Title 12, Chapter 423-A: MINIMUM LOT SIZE; [Amended 06/02/09]
- b. There shall be no minimum street frontage;
- c. There shall be no minimum front yard setback. 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 side street setback. [Amended 06/03/14]

- 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 minimum side yard setback;
  - f. There shall be no minimum rear yard setback;
  - 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. 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.
  - 6. Signs - Signs shall be permitted in accordance with the provisions of Article 9, Section L.

**G. Industrial District (I)**

- 1. Purpose: To provide for the creation of appropriate districts within the Town of Raymond for industrial facilities, in accordance with the following requirements:
- 2. Permitted Uses:
  - a. Any industrial structure or use, as defined in this Ordinance, which meets all of the following criteria:
    - 1) Primary aspects of the industrial process are carried on within the structure;
    - 2) The noise level of the industrial process does not exceed 50 decibels at any property line; and
    - 3) There are no land, water, or air waste discharges or emissions other than sanitary facilities, which met the requirements of the State's wastewater disposal rules.
  - b. Warehousing ~~and outdoor storage;~~
  - c. Distribution and transportation;
  - d. Research laboratories;
  - e. Retail facilities and services accessory to principal uses.
  - f. Solar Energy Systems
  - g. Outdoor Storage
- 3. Conditional Uses:

- a. Automobile graveyards, automobile recycling businesses, and junkyards conforming with Title 30-A, Sections 3751 – 3760 and all state or local regulations;
  - b. Public utility facilities.
- 4. Location - An industrial district may be created for any land within the Town, except within the Shoreland District, upon application to the Planning Board by an applicant for a specific industrial use thereof upon a showing by the applicant to the satisfaction of the Planning Board under the procedures set forth in this Article 4, Section G., that the proposed industrial use and its location satisfy the requirement set forth below. Following a review of the application, the Planning Board shall recommend to the Town Meeting whether or not the proposed industrial district and use should be approved.
  - a. The proposed use will not result in undue water, noise, or air pollution.
  - b. The proposed location consists of soil types, which are suitable to the construction, and industrial use proposed and will not be subjected to unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.
  - c. The proposed location and use will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed.
  - d. The proposed use will be compatible with the existing uses of any improved land abutting the proposed location and with any identifiable predominant character of surrounding improved lands;
  - e. The proposed location and use meets all of the requirements and procedures for site plan review set forth in Article 10 of this Ordinance.
- 5. Procedure for Creation - The creation of any industrial district shall be in accordance with the following procedure:
  - a. Application for the creation of an industrial district shall be made to the Planning Board. The Planning Board shall hold a public hearing thereon and post a notice of the proposed creation of the industrial district in the municipal office at least 13 days before the public hearing. The notice must be published at least 2 times in a newspaper that complies with M.R.S.A. Title 1, section 601 and that has a general circulation in the Town. The date of the first publication must be at least 12 days before the hearing and the date of the 2nd publication must be at least 7 days before the hearing. That notice must be written in plain English, understandable by the average citizen.

- b. For each parcel within the municipality that is in or abutting the portion of the Town affected by the proposed amendment, a notice shall be mailed by first-class mail at least 13 days before the public hearing to the last known address of the person to whom property tax on each parcel is assessed. Notice also must be sent to a public drinking water supplier if the area to be rezoned is within its source water protection area. The notice must contain a copy of a map indicating the portion of the Town affected by the proposed amendment. The Board of Selectmen shall prepare and file with the Town Clerk a written certificate indicating those persons to whom the notice was mailed and at what addresses, when it was mailed, by whom it was mailed, and from what location it was mailed. This certificate constitutes prima facie evidence that notice was sent to those persons named in the certificate. [Amended 8/7/07]
  - c. Within thirty (30) days following such public hearing, the Planning Board shall submit to the Board of Selectmen and to the applicant its findings and recommendations with respect to the creation of the proposed industrial district, including its recommendations with respect to space and bulk regulations and any conditions which it deems necessary in order to assure that the proposed industrial use will satisfy the requirements set forth in Section 3, above;
  - d. A Town Meeting shall be held not less than fifteen (15) days following the date of such recommendations to see if the Town will vote to create the industrial district proposed upon such conditions as the Planning Board may recommend. If the Planning Board recommends that such industrial district not be created, the Town Meeting may create the same only by a favorable two-thirds (2/3) vote;
  - e. In the event that the Town Meeting does create the proposed industrial district, the Land Use Regulation Map shall be amended in accordance with the provisions of Article 2, Section B.1, to show such district.
- 6. Minimum Standards - There shall be no minimum lot area or minimum street frontage required in any industrial district. Setbacks, provision for visual screening and maximum building heights shall be as provided in the Commercial District, and the minimum standards established under Article 9 of the Ordinance shall be applicable, unless the Planning Board recommends more restrictive or additional requirements in order to assure compliance with the conditions set forth in Section 3, above.
  - 7. Change in Use - Following the creation of any industrial district, the use of such district shall not be changed until the applicant, for any change in use, shall apply

therefore to the Planning Board and the Planning Board shall find that the proposed change is consistent with the provisions and requirements of this Article 9, Section G., with such reasonable conditions as the Planning Board may impose in order to assure compliance with the requirements set forth in Section 3, above. Consistent with this requirement, the Planning Board may permit a change in use to any Principal Use permitted in the Commercial District, excepting one-family dwellings.

8. Where a lot in this district abuts a residential district, the industrial/commercial use shall provide and maintain a fifty (50) foot landscaped buffer strip and visual screening from the abutting residential district boundary. Existing industrial/commercial uses shall meet this requirement by June 1, 1990. New industrial/commercial uses shall meet this requirement within nine (9) months of the first industrial/commercial use of the lot. [Adopted 5/21/88]

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## **SHORELAND ZONING PROVISIONS**

### **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.

#### **A. 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 - Allowed with a permit issued by the Planning Board
- CEO - Allowed with a permit issued by the Code Enforcement Officer

#### **B. 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	SP	LRR1 LRR2
1. Non-intensive recreational uses not requiring structures such as hunting, fishing, and hiking	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes
3. Forest management activities except for timber harvesting	yes	yes	yes
4. Timber harvesting*	CEO <sup>1</sup>	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO <sup>1</sup>	CEO	CEO
6. Fire prevention activities	yes	yes	yes
7. Wildlife management practices	yes	yes	yes
8. Soil and water conservation practices	yes	yes	yes
9. Mineral exploration*	yes <sup>2</sup>	no	yes <sup>2</sup>
10. Mineral extraction including sand and gravel	CEO <sup>3</sup>	no	CEO
11. Surveying and resource analysis	yes	yes	yes
12. Emergency operations	yes	yes	yes
13. Agriculture*	PB	yes	yes
14. Aquaculture	PB	PB	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	PB	CEO



15. E. Public Facilities	no	no	PB
15. F. Elderly Housing	no	no	yes
16. Accessory Structure or uses	PB	PB	CEO
16. A. Accessory Apartment	no	no	CEO
17. Piers, docks, wharves, bridges, boat launches, and other structures and uses extending over or below the normal high water line or within a wetland	.	.	.
17. A. Temporary	CEO <sup>7</sup>	CEO	CEO <sup>7</sup>
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	PB <sup>4</sup>	PB <sup>4</sup>	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	no <sup>5</sup>	no	PB
26. Road and driveway construction*	no <sup>6</sup>	PB	CEO
27. Parking Areas	no <sup>5</sup>	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
<u>35. Solar Energy Systems</u>	<u>no</u>	<u>no</u>	<u>PB</u>

\* There may be additional performance standards in Article 9 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 9. A home occupation that conforms to Article 9 and that is specifically permitted by Article 11 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 12 of the Raymond Land Use Ordinance shall be considered conditional uses that must conform to the standards set forth in Article 9, Section B of the Raymond Land Use Ordinance and that must be reviewed and approved by the Appeals Board.

\*\*\* Allowed single-family structures shall include those units commonly called "modular homes," or "Type 2 Manufactured Homes" as defined in Article 12-Definitions; Manufactured Housing, which the manufacturer certifies are constructed in compliance with Title 10, Chapter 975, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

1. [Reserved, *Deleted 6/7/12*]
2. Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.
3. In RP not permitted in areas so designated because of wildlife value.
4. See further restrictions in Section 15, Subsection 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.
7. Excluding bridges and other crossings not involving earthwork, in which case no permit is required.

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## Addendum 8 - Outdoor Storage

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22-07

### PROPOSED AMENDMENT OF

*The*  
**LAND USE ORDINANCE  
FOR THE TOWN OF RAYMOND, MAINE**

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

&

*The*  
**SHORELAND ZONING PROVISIONS  
FOR THE TOWN OF RAYMOND, MAINE**

### SECTION 17 – DEFINITIONS

**Summary of Changes:** This amendment would define the term Outdoor Storage. Approval of this amendment does not allow the use in any district. See 22-06.

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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#### LAND USE ORDINANCE

##### Article 12 – Applicability and Definition of Terms Used in this Ordinance

**Outdoor Storage** – The commercial keeping or storage of goods, materials, motorized vehicles, boats/water recreational vessels/vehicles, trailers, temporary structures, and any other equipment associated with the principal use of a building outside permanently or seasonally, for a fee.

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#### SHORELAND ZONING PROVISIONS

##### Section 17 – Definitions

**Outdoor Storage** – The commercial keeping or storage of goods, materials, motorized vehicles, boats/water recreational vessels/vehicles, trailers, temporary structures, and any other equipment associated with the principal use of a building outside permanently or seasonally, for a fee.

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## Addendum 9 - Minimum Lot Size

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22-08

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### PROPOSED AMENDMENT OF

### *The* **LAND USE ORDINANCE FOR THE TOWN OF RAYMOND, MAINE**

#### ARTICLE 13(C) § 4

**Summary of Changes:** This amendment would change the minimum lot size requirement to 20,000 square feet instead of the current 21,780 square feet (one-half acre).

The proposed text is shown in red with an underline and revised or removed language is shown in ~~red with a strikethrough~~.

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### LAND USE ORDINANCE

#### ARTICLE 13(C) § 4 – SPACE STANDARDS

##### 4. Space Standards

- a. Shore frontage and shore setback requirements shall not be reduced below the minimum shore frontage or shore setback required in the zoning district.
- b. Distances between residential structures in multi-family open space subdivisions shall be a minimum of the height of the tallest structure.
- c. In areas outside of the LRR1 and LRRII Districts, the required minimum lot size or minimum land area per dwelling unit for the building envelope may be reduced in open space subdivisions to no less than ~~one-half acre~~20,000 square feet. The required minimum lot size or minimum land area per ~~sd~~dwelling unit for the building envelope may be reduced in open space subdivisions within the LRR1 and LRRII Districts to one acre and one and one-half acres, respectively. If the lot area is reduced, the total open space in the development shall equal or exceed the sum of the areas by which the building lots are reduced below the minimum lot area normally required in the zoning district notwithstanding the net residential density allowed by subparagraph C.2, above, of this performance standard.
- d. Minimum road frontage requirements of the Land Use Ordinance and Subdivision Regulations may be waived or modified by the Planning Board provided that:
  - 1) Any applicable provisions regarding Roads in the Street Ordinance are satisfied.

- 2) Adequate access and turnaround to and from all parcels by fire trucks, ambulances, police cars, and other emergency vehicles can be ensured by private roads and /or common driveways.
  - 3) No common driveway shall provide access to more than three (3) lots, except as provided in Article 13, Section C.6.
- e. A reduction of required setback distances may be allowed at the discretion of the Board, provided that the front, side, and rear setbacks shall be no less than twenty-five feet or that required for the applicable zoning district, whichever shall be less. For the perimeter of a multi-family cluster development, site setback shall not be reduced below the minimum front, side and rear setbacks required in the zoning district unless the Planning Board determines a more effective design of the project can better accomplish the purposes of this performance standard.

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## Addendum 10 - Business License

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### Town of Raymond Business License Ordinance

Adopted 7/14/2020

Revised 6/??/2022

#### Section 1. Purpose.

The purpose of this Ordinance is to provide reasonable regulations for businesses, other than home occupations, operating in the Town of Raymond and to protect and promote the health, welfare and safety of Town residents and the general public.

#### Sec. 2. License required; expiration.

- (a) The Board of Selectmen are authorized to grant, grant subject to conditions, or deny licenses for any business in accordance with the terms of this Ordinance. The Town Clerk is authorized to renew licenses and refer any license renewal applications to the Board of Selectmen for public hearing and action if, in the Town Clerk's judgment, the application merits such scrutiny.
- (b) Any such license shall expire:
- For businesses requiring a State of Maine License which requires annual inspections (Liquor Licenses, Daycares, etc.) on March 1 of each year annually after issuance using the same expiration month/day as the State License; or
  - For all other businesses, every 2 years after issuance;
- unless otherwise provided therein, except that a license for which a renewal application filed prior to ~~March 1~~ the expiration date shall continue in effect until the Town Clerk or the Board of Selectmen, if Board action is required under Section 7, has acted on the renewal application.
- (c) No person shall operate or conduct any business, except for home occupations, without first obtaining a license therefore, nor shall any person operate or conduct any business except in compliance with the terms of this Ordinance and any conditions imposed upon the license issued.

#### Sec. 3. Application.

- (a) Any person who owns, operates, or conducts any business in the Town of Raymond shall make an application for a license to conduct such business by submitting the following to the Town Clerk:
- (1) A description of the business which the applicant proposes to operate or conduct and the location at which the licensed activity or business will occur.
  - (2) A statement that the applicant has secured or is in the processing of securing all state or local permits required for the licensed business, provided that any license issued by the Board of Selectmen prior to the receipt of such other permits shall not authorize the operation of the business until all such other permits are obtained.
  - (3) A statement that the business and the premises are in compliance with all local ordinances other than this Ordinance.
  - (4) Evidence of satisfactory resolution of any public health, safety or welfare problems occurring in the operation of that or a similar business at the same location in the

Raymond Business License Ordinance

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Revised 6/??/2022

immediately preceding year, including but not limited to neighborhood complaints, disorderly customers, and excessively loud or unnecessary noise that initiate complaints to or require a response from the sheriff's department, fire department or other municipal regulatory body or employee.

- (5) A nonrefundable application processing fee as specified in Town Fee Schedule ~~unless the applicant has previously received a license under this Ordinance for the same business at the same location and the license had been applied for prior to the last day of February of the expiration year.~~
- (b) The Board of Selectmen may require further documentation of any of the information provided in the license application whenever the Board determines that such documentation is needed to process the application.

**Sec. 4. - Denial; imposition of conditions for issuance.**

- (a) Failure to provide any of the information required by Section 3 to the Town Clerk in a timely manner shall be cause for a denial of a license application.
- (b) The Board of Selectmen shall consider information provided by the applicant, the code enforcement officer, the town manager, the sheriff's department, the fire chief or any other municipal employee or the general public in determining whether to issue, issue subject to conditions, or deny any license requested. The Board of Selectmen may deny a license application if it finds that:
- (1) The applicant does not have the legal right to occupy the premises for which the license is sought;
  - (2) Required state or local permits have not been obtained or applied for;
  - (3) The business or the premises are not in compliance with other local ordinances;
  - (4) Any public health, safety or welfare problems which occurred in the operation of the business or a similar business on the premises during the immediately preceding year were not satisfactorily resolved and are likely to recur;
  - (5) The applicant for the license has, during the immediately preceding year, committed or permitted, in the course of conducting a business subject to this Ordinance, an act or omission which constitutes a violation of this Ordinance;
  - (6) The applicant is delinquent in paying any personal or real property tax assessed by the Town, unless there is pending at the time of application for the license a request for abatement of the tax or an appeal of the tax assessment;
  - (7) The licensed location has had three or more documented and relevant disturbances as verified by the sheriff's department within the previous licensing period, which documentation shall be provided to the Town Clerk by the sheriff's department;
  - (8) The applicant owes any fine, penalty or judgment to the Town as a result of any violation of this Ordinance and the fine, penalty or judgment, with any accrued interest, has not been paid in full; or
  - (9) The applicant owes any amount to the Town for services rendered by the Town or by Town employees to the applicant or the applicant's property, is in default on any performance guarantee or contractual obligation to the Town, or is otherwise delinquent in any financial obligation to the Town.
- (c) The Board of Selectmen may also impose conditions on the operation of any licensed business, such as restrictions on the hours of operation, a requirement of trash removal at

specified intervals, or implementation of particular forms of crowd control, where the public interest so requires.

- (d) When the Board of Selectmen denies a license, written notice of the decision shall be provided to the applicant within ten days thereof, which shall set forth the reasons for the denial. The licensee shall receive written notice in the same manner of any conditions imposed upon the license whenever conditions are imposed, and any such conditions shall be noted on the license records maintained by the Town Clerk.

**Sec. 5. - Effective date; payment of full fee required.**

- (a) A license issued pursuant to this Ordinance shall be effective as of the date issued or as of the date payment of the appropriate license fee is received by the Town Clerk, whichever is later.
- (b) Payment in full of the license fee is required prior to the issuance of a license.

**Sec. 6. - Inspections.**

- (a) A licensee, as a condition of receipt of a license under this Ordinance, must also allow any Town official who is authorized to determine compliance with federal, state or town law or ordinance and who presents valid identification to enter at any reasonable time any portion of the licensed premises which the licensee has the right to enter or occupy.
- (c) Failure to allow entry required by this section shall constitute a violation of this Ordinance and shall constitute cause for nonrenewal, suspension or revocation of this license.

**Sec. 7. - Renewals.**

- (a) The Town Clerk is authorized to renew, without further action by the Board of Selectmen, the license of any person holding a license pursuant to this Ordinance, referred to as the "licensee," upon receipt of the required fee and of a written statement from the licensee that there has been no material change in the information provided in the licensee's previous application. The Town Clerk may not renew a license, but must refer the application to the Board of Selectmen, if:
  - (1) The license has been suspended or revoked by the Board of Selectmen during the preceding licensing cycle;
  - (2) The Town Clerk has received, during the past licensing cycle, any written complaint from any person charging that the licensee has violated the terms of this Ordinance or any other section of this Code or Town ordinance;
  - (3) The applicant is delinquent in paying any personal or real estate property tax assessed by the Town and/or the applicant has not filed a current list of business personal property with the Town Assessors office in accordance with the Declaration of Personal Property Form, effective April 1<sup>st</sup> immediately preceding the renewal date of the license, unless there is pending at the time of application for the license a request for abatement of the tax or an appeal of the tax assessment; or
  - (4) The licensed location has had three or more documented and relevant disturbances as verified by sheriff's department within the previous licensing cycle.

~~(b) Notwithstanding the provisions in Section 7(a) above, a license must be reviewed and renewed by the Board of Selectmen every five years.~~



**Sec. 8. - Suspension or revocation.**

- (a) The Board of Selectmen, upon notice and after hearing, for cause, may suspend or revoke any license issued pursuant to this Ordinance. The term "cause" shall mean the violation of any license condition, any section of this Ordinance, any condition constituting a threat to the public health or safety, or the revocation or suspension of any state or local license that is a condition precedent to the issuance of a license pursuant to this Ordinance. The term "cause" shall also include any of the grounds for denying a license application under Section 4. Licenses may be temporarily suspended without prior notice and hearing if, in the judgment of the code enforcement officer, the town manager, or the Board of Selectmen, the continued operation of the licensed business constitutes an immediate and substantial threat to the public health and safety, provided the licensee receives written notification of the suspension and the reasons therefore, prior to its taking effect, and a hearing is scheduled as soon as possible thereafter.

**Sec. 9. - Violation and Penalties.**

- (a) Any person who operates or conducts any business for which a license is required under this Ordinance without first obtaining such license commits a civil violation and shall be subject to a fine not to exceed \$100.00 for the first day the offense occurs. The second day the offense occurs, the fine amount shall not exceed \$250.00. The third day and subsequent days thereafter, the fine amount shall not exceed \$500.00. Each day such violation continues shall be considered a separate violation.
- (b) All fines shall be recovered upon complaint for use by the Town and shall be placed in the town treasury.

**Sec. 10. - Enforcement.**

The code enforcement officer shall investigate any alleged violation of this Ordinance. Upon verification of the alleged violation, the Board of Selectmen may initiate any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, attorney fees, and costs, that may be appropriate and necessary to enforce the provisions of this Ordinance in the name of the Town.

**Sec. 11. – Changes to a Business.**

- (a) Change of Location – Requires a new inspection and updated contact information for the application.
- (b) Change of Nature of Business or Adding to an Existing Business – Requires a new application for a Business License.

**Sec. 12. - License not to be transferable.**

- (a) No license shall be transferred to any person, to any location, or to any other vehicle or device, and no license fee shall be refunded if the licensed activity is ceased prior to the expiration of the license, except that, in the case of death, bankruptcy or receivership of any licensee, the duly appointed executor or administrator of the deceased licensee or the duly appointed trustee or receiver of the bankrupted licensee or licensee receivership may retain

the license and operate under the same for the benefit of the estate with the written permission and approval of the Board of Selectmen until such time as such operation is no longer needed to benefit the estate. In the interim, between the death of the licensee and the appointment of an executor or administrator, or in cases where no administration of the estate of a deceased licensee is contemplated, the widow or widower or person designated by all of the heirs of the deceased licensee may take over the license upon written notice to the Town Clerk. Duly appointed and qualified guardians and conservators of the estate of a licensee may retain the license of their ward during the term of office upon written notice to the Town Clerk.