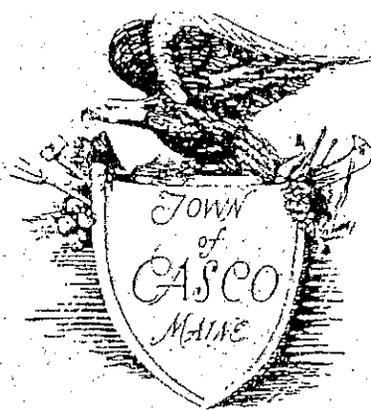


Subdivision Ordinance

Town of Casco



June 18, 1994

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ARTICLE 1

TITLE AND PURPOSE

1.1 Title

This document shall be known and may be cited as the "Subdivision Ordinance of the Town of Casco," adopted on March 12, 1988.

1.2 Purpose

The purpose of this Ordinance shall be to assure the comfort, convenience, safety, health and welfare of the people of Casco by ensuring that the subdivision of land for residential, commercial and industrial use takes place in a controlled, orderly, and environmentally sound manner; that subdivisions are served by adequate infrastructure, including properly designed and constructed streets, drainage systems and utilities; and that growth will not excessively burden town services or facilities or impose unreasonable costs on the community. These purposes are consistent with the Comprehensive Plan of the Town.

ARTICLE 2

AUTHORITY AND ADMINISTRATION

2.1 Authority

- 2.1.1 This Ordinance has been prepared in accordance with the provisions of the Maine Revised Statutes, Title 30, Section 4956, and all amendments thereto.
- 2.1.2 This Ordinance shall be known and may be cited as the "Subdivision Ordinance of the Town of Casco."

2.2 Administration

- 2.2.1 Whenever a subdivision of three (3) or more lots is proposed for a parcel or assembly of parcels of land, and before any contract or offer for the conveyance of the proposed development or any portion thereof shall have been made, and before any plat of subdivision into three or more lots shall have been recorded by the registry of deeds, and before any permit for the erection of a structure within such development shall be issued, and before any improvements, including the installation of roads or utilities, shall be undertaken, and before the sale of a third lot shall have been made from a parcel for which a subdivision plat has not been approved, the developer or his authorized agent shall obtain the endorsement of the Planning Board for Final Approval of such development. All development shall be executed in strict conformance with approved plans.
- 2.2.2 The Planning Board of the Town of Casco shall administer this Ordinance. Administrative provisions pertaining to Planning Board membership, meeting dates, rules of order, and other procedures are contained in the Casco Planning Board regulations, which the Planning Board is authorized to amend from time to time; provided, further, the Appendices attached hereto may also be amended from time to time by the Planning Board. A majority vote of those present and voting shall be required for the passage or denial of any motion before the Planning Board.
- 2.2.3 The provisions of this Ordinance shall pertain to all land within the boundaries of the Town.

2.2.4 As to any intended development, the sub-divider shall adhere to the following procedures:

- A. Applicants shall submit to the Planning Board a sketch plan for an informal preapplication discussion.
- B. Applicants proposing a Minor Subdivision as defined herein shall submit to the Planning Board a Final Plan.
- C. Applicants proposing a Major Subdivision as defined herein shall submit to the Planning Board a Preliminary Plan and, upon Preliminary Plan approval, a Final Plan.
- D. Applicants proposing an amendment to a previously approved plan shall comply with the procedures in Article 7.

ARTICLE 3

DEFINITIONS

- 3.1 In general, words and terms used in this Ordinance shall have their customary dictionary meanings, unless defined below or in Article 2 of the Casco Zoning Ordinance. These specific definitions shall control in this Ordinance and in the Casco Zoning Ordinance.

Applicant

The record owner, or a person having sufficient right, title or interest to have standing under Maine law.

Arterial Street/Road

For the purpose of this Ordinance, Route 302, Route 122, Route 11, Route 85, State Park Road, Quaker Ridge Road, Leach Hill Road, Mayberry Hill Road and Heath Road.

Calendar day

Includes all days of the week including Saturday, Sunday and holidays.

Complete Application

An application that has been determined by the Planning Board to be complete upon a ruling that the application contains all required submission materials and a dated receipt is issued.

Comprehensive Plan

Any part or element of the overall plan and policy for development of the Town as defined in the Maine Revised Statutes, Title 30, Section 4961, and all amendments and revisions thereto.

Construction Drawings

Drawings showing the location, profile, grades, size and type of drains, sewers, water mains, pavements, cross section of streets, and miscellaneous structures.

Engineer

Consulting engineer licensed by the State of Maine.

Final Subdivision Plan

The final drawings on which the sub-divider's plan of the subdivision is presented to the Planning Board for approval

and which, if approved, shall be filed for record with the Town and the Cumberland County Registry of Deeds.

High Intensity Soil Survey

A soil survey conducted by a Maine Certified Soil Scientist, meeting the standards of the National Cooperative Soils Survey, which identifies soils types down to 1/8 acre or less at a scale equivalent to subdivision plan submitted.

Legislative Body

Town Meeting

Major Subdivision

Any subdivision containing five (5) or more lots.

Minor Subdivision

Any subdivision containing not more than (4) lots.

Municipality or the Town

Town of Casco, Maine

Net Residential Area

The net area of a parcel or site that is generally suitable, in its natural state, for residential development. The net residential area shall be determined by subtracting unsuitable or marginal areas from the gross area of the parcel.

- A. The following land areas shall be considered unsuitable for development and 100 percent of these areas shall be deducted from the gross land area.
 1. Land with sustained slopes of twenty five (25) percent or more.
 2. Land that is cut off from the main parcel by a road, by existing land uses or where no means of access has been provided, so that the land is isolated and unavailable for building purposes or common uses.
 3. Land situated below the normal high water mark of any water body, or of any inland wetland as defined herein.
 4. Land within the 100-year flood plain as identified by federal Flood Boundary and Flood way Maps or federal Flood Insurance Rate Maps.
 5. Land where topsoil has been removed without a

permit, or where topsoil removal has taken place without acceptable reclamation procedures.

6. Land within a Resource Protection Subdistrict.
7. Land which has been created by filling or draining a pond or wetland.
8. Land subject to rights-of-way, or easements, excluding gas pipeline or power line utility right-of-ways but including easements or rights-of-way necessary for required improvements.
9. Land area consisting of unreclaimed gravel pits.
10. Land that has been clear cut as defined.
11. Very Poorly Drained Soils as measured from a high intensity soils map* prepared by a Maine Certified Soils Scientist in accordance with the National Cooperative Soil Survey Classification. These soils include but are not limited to the following (previously used mesick soil names in parenthesis):

Burnhan	Searsport (Scarboro)
Biddeford	Sebago
Chocorua	Togus
Halsey	Washburn
Medomak (Saco)	Washkish
Ossipee	Whately
Peacham (Whitman)	Vassalboro
Rifle	

- B. The following land areas shall be considered marginally suitable for development and fifty (50) percent of these areas shall be deducted from the balance of A. above.

1. Poorly Drained Soils and Somewhat Poorly Drained Soils as measured from a high intensity soils map* prepared by a Maine Certified Soils Scientist in accordance with the National Cooperative Soil Survey Classification. These soils include but are not limited to the following (previously used mesic soil names in parenthesis):

Atherton	Moosilauke (Walpole)
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Aurelie	Naskeag
Brayton (Ridgebury)	Naumberg (Au Gres)
Cabot	Roundabout (Raynham)
Charles (Limerick)	Rumney
Colonel	Scantic
Easton	Swanton
Fredon	Swanville (Canandaigua)
Lamoine	Telos
Lyme (Leicester)	Westbury
Monarda	

- C. Fifteen (15) percent of the area remaining after subtracting A and B above from the gross land area shall be deducted as an allowance for roads and parking, whether or not the actual area devoted to roads is greater or less than fifteen (15) percent.
- D. No building or structure shall be sited in areas treated as 100 percent deductions from the parcel's net residential area. Siting of structures in areas treated as fifty (50) percent deductions shall be discouraged but permitted where the applicant/developer demonstrates that measures will be taken to minimize erosion, sedimentation, and seasonal wetness, that these areas are stable for the siting of structures; and that the proposed subsurface waste disposal systems will comply with the Maine State Plumbing Code.
- *E. In cases where the requirement of a high-intensity soils map is waived, deductions for unsuitable soils shall be determined in the following manner:
1. One hundred (100) percent of land areas with a water table within six (6) inches of the surface for three (3) or more months a year shall be deducted. In making this determination, the Planning Board shall consult medium-intensity soils maps, perform site visits, consult experts and review other available information.
 2. If the applicant wishes to contest the Planning Board's determination of unsuitable soils on the site using the above method, the applicant may submit for the Board's consideration a high-

intensity map prepared by a registered soils scientist in accordance with the National Cooperative Soil Survey Classification.

Net Residential Density

The number of dwelling units allowed per net residential area.

Official Submittal Date

The date upon which the Planning Board issues a receipt indicating a complete application has been submitted.

Open Space

Land set aside for passive and/or active use, including recreation purposes, preservation of environmentally sensitive areas, common open space in cluster subdivision, undevelopable land and buffers.

Person

Includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

Planning Board

The Planning Board of the Town created under Section 1917, Title 30 of the Maine Revised Statutes, as amended.

Preapplication

The initial stage before the formal submission of a subdivision application whereby the subdivider submits a sketch plan, the Planning Board makes an on-site visit and asks questions regarding the proposed subdivision.

Preliminary Subdivision Plan

The preliminary drawing indicating the proposed layout of the subdivision to be submitted to the Planning Board for its consideration.

Public Improvements.

Shall mean roads, utilities, and other infrastructures.

Resubdivision

The division of an existing subdivision or any changes in the plan for an approved subdivision which affect the lot lines, including land transactions by the subdivider not indicated on the approved plan.

Sidewalk

A paved way for pedestrian traffic which is constructed parallel to a road.

Sketch Plan

A drawing indicating the proposed layout of the subdivision to be submitted to the Planning Board as part of the preapplication conference.

Street or Road

For the purpose of this Ordinance and for determining minimum road frontage requirements, a road is considered to be: (a) any public way maintained by public authority, excluding a limited access highway; (b) a private way fifty (50) feet in width; or (c) a private way shown on a recordable plan, approved by the Planning Board. Approval of private or minimum road frontage requirements shall in no way be construed to imply acceptance by the Town of Casco for the purposes of maintenance, improvement or other Town services.

Street Classifications

Major Streets

Streets that serve subdivisions with ten (10) or more lot/units or which serve as connectors/collectors between Major or Minor Streets.

Minor Streets

Streets that serve as internal roads within subdivisions with nine (9) or less lots/units.

Commercial and Industrial Streets

Streets that serve commercial or industrial developments.

Arterial Street

A street or road that is used primarily for fast or heavy traffic, including State Routes 302, 121, 85 and 11 as well as the State Park Road, Point Sebago Road, Leach Hill Road, Quaker Ridge Road, Mayberry Hill Road and the Heath Road.

Structure

Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, exclusive of

vegetation, boundary walls, fences, mailboxes, lampposts, bird houses, antennae, or similar construction. An outdoor swimming pool is a structure.

Subdivision

A subdivision is the division of a tract or parcel of land into 3 or more lots or dwelling units within any 5-year period, including dividing a built-upon parcel to create a new lot, which period begins after September 22, 1971, whether accomplished by sale, lease, development, buildings or otherwise. The following shall not be considered to create a lot for the purposes of this Section: (1) division by device; (2) division by condemnation; (3) division by order of court; (4) division by gift to a person related to the donor by blood, marriage or adoption, unless the intent of such gift is to avoid the objectives of this section; and (5) division by transfer of any interest in land to the owner of land abutting thereon.

In determining whether a tract or parcel of land is divided into 3 or more lots, the first dividing of such tract or parcel shall be considered to create the first 2 lots and the next dividing of either of said first 2 lots, by whomever accomplished shall be considered to create a 3rd lot, unless both such dividings are accomplished by a subdivider who shall have retained one of such lots for his own use as a single-family residence for a period of at least 5 years prior to such 2nd dividing.

For the purposes of this section, a tract or parcel of land is defined as all contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of the land on both sides thereof.

Working Day

Includes days when the Casco Town Office is open for business.

ARTICLE 4

PREAPPLICATION CONFERENCE

4.1 Procedure

- 4.1.1 At least fifteen (15) working days prior to the Planning Board meeting at which the applicant wishes to be heard, the applicant shall submit a letter of intent to appear before the Planning Board. Only applicants who submit said letter shall be placed on the meeting agenda.
- 4.1.2 At said meeting, the applicant shall submit for informal discussion twelve (12) copies of a sketch plan and other data relative to the proposed subdivision as recommended in Appendix B.
- 4.1.3 At the preapplication conference, the Planning Board and the applicant shall arrange for a joint inspection of the site with the Planning Board or individual appointed by the Chairman of the Planning Board to act as the Board's representative for such inspection.
- 4.1.4 The preapplication conference shall be an informal discussion at which the applicant shall describe his proposed project and the Planning Board shall ask questions. The preapplication conference and site walk do not constitute a review by the Planning Board of the substance of the application but rather informational and exploratory sessions. The submittal or discussion of the preapplication sketch plan shall not be considered the initiation of the review process for the purpose of bringing the plan under the protection of Title 1, M.R.S.A., Section 302.
- 4.1.5 At the preapplication conference, the Planning Board also will classify the sketch plan into one of two categories as defined below:
- A. Minor Subdivision: 4 lots or less
 - B. Major Subdivision: 5 lots or more.
- 4.1.6 Upon making this classification, the Planning Board shall give the applicant an application form (see Appendix A), the appropriate submission checklist(s) (see Appendix C, D, and E), and indicate additional items that will be required for subsequent review.

ARTICLE 5

MINOR SUBDIVISIONS

5.1 Procedure

- 5.1.1 Within six (6) months of the Planning Board's classification of the proposal as a Minor Subdivision, the applicant shall submit an application for approval of a Final Plan. The Final Plan shall approximate the layout shown on the sketch plan plus any recommendations made by the Planning Board. Substantial redesign of the sketch plan or failure to meet the six (6) month deadline shall require resubmission of the sketch plan to the Planning Board.
- 5.1.2 At least fifteen (15) working days prior to the Planning Board meeting at which the applicant wishes to be heard, the applicant shall submit a letter of intent to appear before the Planning Board. Only applicants who timely submit this letter of intent shall be placed on the upcoming meeting agenda.
- 5.1.3 At least ten (10) working days prior to said meeting, the applicant shall submit to the town office twelve (12) copies of the application and all required documentation (See Appendix C for list of required Minor Subdivision submissions.) Applications and required materials received less than ten (10) working days prior to said Planning Board Meeting shall be removed from that meeting's agenda, and automatically placed on the agenda for the next regularly scheduled Planning Board meeting.
- 5.1.4 The application for a Minor Subdivision shall be accompanied by a fee as prescribed in the Town Fee Schedule and payable by check to the Town of Casco.
- 5.1.5 Submitting an application and required documentation to the town office or to a municipal employee does not constitute receipt of an application by the municipal reviewing authority nor a determination by that same body that a completed application has been filed for the purposes of Title 30 M.R.S.A., Section 4956, Subsection 2, Paragraph C-1.
- 5.1.6 At least ten (10) calendar days prior to said meeting,

the applicant shall notify all owners within 500 feet of the property lines of the proposed subdivision, with proof of mailing required. Owners of abutting properties shall be those listed in the most recent tax records of the Town of Casco. Notice of the meeting shall also be placed by the Town in a newspaper of general circulation in the Town of Casco at least two (2) times and the first date of the publication shall be at least ten (10) calendar days prior to the public hearing. Failure to receive notice shall not invalidate the public hearing.

- 5.1.7 The applicant, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Final Plan. At said meeting, the Planning Board shall rule as to whether the application is complete or incomplete. Completeness shall be judged by determining whether the application includes all required submissions and whether these submissions contain adequate information to allow the Planning Board to properly review the subdivision under this Ordinance.
- 5.1.8 If ruled complete, the Planning Board shall issue the applicant a dated and signed "Notice of Completed Application." (See Appendix F.) Only after an application is ruled complete and this dated notification is issued shall the Planning Board act on the substance of the application and begin a full evaluation of the proposed subdivision.
- 5.1.9 If the application is ruled incomplete, the Planning Board shall issue a signed and dated "Notice of Incomplete Application" (See Appendix G.), stating the specific additional materials needed to make the application complete.
- 5.1.10 Within (60) calendar days of the issuance of a dated receipt indicating application completeness, or within such other time limit that may be mutually agreed to by both the Planning Board and the applicant, the Planning Board shall make findings of fact and conclusions relative to the standards of this Ordinance. If the Planning Board finds all the standards of this Ordinance have been met, it shall approve the Final Plan. If the Board finds that that any of the standards of this Ordinance have not been met, the Planning Board shall either deny the application or approve the application

with conditions to ensure that all of the standards will be met by the subdivision. The reasons for any conditions or the grounds for denial shall be stated in writing and in the records of the Planning Board, and a copy provided the applicant.

5.1.11 After the Final Plan has had the approval entered upon it, the original mylar and one (1) copy of the plan shall be returned to the applicant. Three (3) copies, including the sepia copy, shall be retained by the Town to be maintained in the Subdivision Plan file.

5.1.12 The performance guarantee, if required, with the terms and conditions as previously set by the Selectmen, shall be filed with the Town Manager before the Final Plan is released for recording by the applicant.

5.1.13 The applicant shall file the Final Plan with the Cumberland County Registry of Deeds and shall provide the Town Manager with a receipt from the Registry stating the date of the filing and giving the book and page numbers. Any Plans not so filed within sixty (60) calender days following the date of their signing by the Planning Board shall become null and void, unless the Planning Board finds before the expiration of the sixty calender days that there is good cause for an extension, which shall not exceed 120 calender days. No building permits for an approved plan will be issued until the Plan has been registered with the Registry of Deeds and a letter from the applicant has been submitted to the Town stating that all permanent monuments have been placed as required in this Ordinance.

ARTICLE 6

MAJOR SUBDIVISIONS

6.1 Preliminary Plan Procedures

- 6.1.1 Within six (6) months of the Planning Board's classification of the proposal as a Major Subdivision, the applicant shall submit an application for approval of a Preliminary Plan. The Preliminary Plan shall approximate the layout shown on the sketch plan plus any recommendations made by the Planning Board. Substantial redesign of the sketch plan or failure to meet the six (6) month deadline shall require resubmission of the sketch plan to the Planning Board.
- 6.1.2 At least fifteen (15) working days prior to the Planning Board meeting at which the applicant wishes to be heard, the applicant shall submit a letter of intent to appear before the Planning Board. Only applicants who timely submit this letter of intent shall be placed on the upcoming meeting agenda.
- 6.1.3 At least ten (10) working days prior to said meeting, the applicant shall submit to the town office twelve (12) copies of the application and all required documentation. (See Appendix D for list of required Major Subdivision, Preliminary Plan submissions.) Applications and required materials received less than ten (10) working days prior to said Planning Board Meeting shall be removed from that meeting's agenda, and automatically placed on the agenda for the next regularly scheduled Planning Board meeting.
- 6.1.4 The application for a Preliminary Plan approval shall be accompanied by a Preliminary Plan fee as prescribed in the Town Fee Schedule and payable by check to the Town of Casco.
- 6.1.5 In addition, applicants shall be responsible for costs of all outside engineering, planning, legal and similar professional consulting services that in the judgment of the Planning Board are necessary for the thorough review of applications for subdivision approval. In the case of projects of 20 lots/units or more, the applicant may be required to post a cash escrow equal to \$100 per lot/unit

in a noninterest bearing account with the Town. Any part of this escrow payment in excess of the final costs for the review shall be returned to the applicant or his agent within thirty (30) days of the date the Planning Board makes its ruling on the Final Plan. Any bills for outside consulting services on projects not requiring this escrow payment, or fees for outside consulting services over and above the escrow amount, shall be paid by the applicant prior to the signing of the Final Plan.

- 6.1.6 Submitting an application and required documentation to the town office or to a municipal employee does not constitute receipt of an application by the municipal reviewing authority nor a determination by that same body that a completed application has been filed for the purposes of Title 30 M.R.S.A., Section 4956, Subsection 2, Paragraph C-1.
- 6.1.7 At least ten (10) calender days prior to said meeting, the applicant shall notify all owners within 500 feet of the property lines of the proposed subdivision, with proof of mailing required. Owners of abutting properties shall be those listed in the most recent tax records of the Town of Casco. Notice of the meeting shall also be placed by the Town in a newspaper of general circulation in the Town of Casco at least two (2) times and the first date of the publication shall be at least ten (10) calender days prior to the public hearing. Failure to receive notice shall not invalidate the public hearing.
- 6.1.8 The applicant, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Preliminary Plan. At said meeting, the Planning Board shall rule as to whether the application is complete or incomplete. Completeness shall be judged by determining whether the application includes all required submissions and whether these submissions contain adequate information to allow the Planning Board to properly review the subdivision under this Ordinance and to make an informed decision based on the merits of the proposal.
- 6.1.9 If ruled complete, the Planning Board shall issue the applicant a dated and signed "Notice of Completed Application." (See Appendix F.) Only after an application is ruled complete and this dated notification

is issued shall the Planning Board act on the substance of the application and begin a full evaluation of the proposed subdivision.

- 6.1.10 If the application is ruled incomplete, the Planning Board shall issue a signed and dated "Notice of Incomplete Application" (See appendix G.), stating the specific additional materials needed to make the application complete.
- 6.1.11 Within (60) calender days of the issuance of a dated receipt indicating application completeness, or within such other time limit that may be mutually agreed to by both the Planning Board and the applicant, the Planning Board shall make findings of fact and approve, approve with conditions, or deny the Preliminary Plan. The reason for any required conditions or the grounds for denial shall be stated in the records of the Planning Board and a copy provided the applicant.
- 6.1.12 Approval of a Preliminary Plan shall not constitute approval of the Final Plan, but rather shall be deemed an expression of approval of the design of the Preliminary Plan as a guide to the preparation of the Final Plan. The Final Plan shall be submitted for approval of the Planning Board upon fulfillment of the requirements of this Ordinance and the conditions, if any, of the Preliminary Plan approval. Prior to approval of the Final Plan, the Planning Board may require additional changes as a result of further study of the subdivision or as a result of new information received.

6.2 Final Plan Procedures

- 6.2.1 Prior to submittal of the Final Plan application, the following approvals shall be obtained in writing, where appropriate.
 - A. Maine Department of Environmental Protection if the proposed subdivision constitutes a development as defined in the Site Location of Development Act, M.R.S.A. Title 38, Section 481-490, as amended;
 - B. Maine Department of Environmental Protection if proposed activities require review under the Great Ponds Act, Freshwater Wetlands Act, Alteration of Stream,

Rivers and Brooks, wastewater discharge licensing, air quality regulations, or in any other activity that falls within the Department's jurisdiction;

C. The servicing water utility or servicing sewerage district if an existing public water service or public sewage sewer system is to be used;

D. The Maine Department of Human Services if the applicant proposes an Engineered System as defined;

E. Water quality tests by the State Department of Human Services, if requested by the Planning Board; and

F. Completed HHE 200 forms completed by a licensed site evaluator showing each lot suitable for subsurface waste disposal if individual septic systems are to be used.

6.2.2 Within six (6) months of the Planning Board's approval of the Preliminary Plan the applicant shall submit an application for the approval of a Final Plan. The Final Plan shall conform to the layout shown on the Preliminary Plan plus any recommendations made by the Planning Board.

Substantial redesign of the Preliminary Plan or failure to meet the six (6) month deadline shall require resubmission of the Preliminary Plan to the Planning Board. The applicant may be granted an extension, not to exceed six (6) months, by the Planning Board if a letter is submitted prior to the initial deadline explaining the need for additional time.

6.2.3 At least fifteen (15) working days prior to the Planning Board meeting at which the applicant wishes to be heard, the applicant shall submit a letter of intent to appear before the Planning Board. Only applicants who timely submit this letter of intent shall be placed on the upcoming meeting agenda.

6.2.4 At least ten (10) working days prior to said meeting, the applicant shall submit to the town office twelve (12) copies of the application and all required documentation.

(See Appendix E for list of required Major Subdivision Final Plan submissions.) Applications and required materials received less than ten (10) working days prior to said Planning Board Meeting shall be removed from that meeting's agenda, and automatically placed on the agenda

for the next regularly scheduled Planning Board meeting.

- 6.2.5 The application for Final Plan approval shall be accompanied by a Final Plan fee as prescribed in the Town Fee Schedule and payable by check to the Town of Casco.
- 6.2.6 Submitting an application and required documentation to the town office or to a municipal employee does not constitute receipt of an application by the municipal reviewing authority nor a determination by that same body that a completed application has been filed for the purposes of Title 30 M.R.S.A., Section 4956, Subsection 2, Paragraph C-1.
- 6.2.7 At least ten (10) calendar days prior to said meeting, the applicant shall notify all owners within 500 feet of the property lines of the proposed subdivision, with proof of mailing by certified mail, return receipt required. Owners of abutting properties shall be those listed in the most recent tax records of the Town of Casco. Notice of the meeting shall also be placed by the Town in a newspaper of general circulation in the Town of Casco at least two (2) times and the first date of the publication shall be at least ten (10) calendar days prior to the public hearing. Failure to receive notice shall not invalidate the public hearing.
- 6.2.8 The applicant, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Final Plan. At said meeting, the Planning Board shall rule as to whether the application is complete or incomplete. Completeness shall be judged by determining whether the application includes all required submissions and whether these submissions contain adequate information to allow the Planning Board to properly review the subdivision under this Ordinance and to make an informed decision based on the merits of the proposal.
- 6.2.9 If ruled complete, the Planning Board shall issue the applicant a dated and signed "Notice of completed Application." (See Appendix F.) Only after an application is ruled complete and this dated notification is issued shall the Planning Board act on the substance of the application and begin a full evaluation of the proposed subdivision.

- 6.2.10 If the application is ruled incomplete, the Planning Board shall issue a signed and dated "Notice of Incomplete Application" (See Appendix G.), stating the specific additional materials needed to make the application complete.
- 6.2.11 Prior to Final Plan approval, the Planning Board may grant approval to permit the Plan to be divided into two or more sections and may impose such conditions upon the phases as it deems necessary to insure the orderly development of the subdivision. Each phase shall be reviewed by the Planning Board, both as a potentially independent subdivision and as a section of the total subdivision. Each section shall constitute at least twenty-five (25) percent of the total lots contained in the approved Final Plan. The Planning Board may require all public or quasi-public improvements servicing a phase to be completed before the issuance of occupancy permits.
- 6.2.12 Within (60) calender days of the issuance of a dated receipt indicating application completeness, or within such other time limit that may be mutually agreed to by both the Planning Board and the applicant, the Planning Board shall make findings of fact and conclusions relative to the standards of this Ordinance. If the Planning Board finds all the standards of this Ordinance have been met, it shall approve the Final Plan. If the Board finds that any of the standards of this Ordinance have not been met, the Planning Board shall either deny the application or approve the application with conditions to ensure that all of the standards will be met by the subdivision. The reason for any required conditions or the grounds for denial shall be stated in writing and in the records of the Planning Board, and a copy provided the applicant.
- 6.2.13 The performance guarantee with the terms and conditions as previously set by the Selectmen shall be filed with the Town Manager before the Final Plan is released for recording by the applicant.
- 6.2.14 The applicant shall file the Final Plan with the Cumberland County Registry of Deeds and shall provide the Town Manager with a receipt from the Registry stating the date of the filing and giving the page and book numbers. Any Plans not so filed within sixty (60) calender days

following the date of their signing by the Planning Board shall become null and void, unless the Planning Board finds before the expiration of the sixty calendar days that there is good cause for an extension, which shall not exceed 120 calendar days. No building permits for an approved plan will be issued until the Plan has been registered with the Registry of Deeds and a letter from the applicant has been submitted to the Town stating that all permanent monuments have been placed as required in this Ordinance.

ARTICLE 7

MODIFICATIONS AND INSPECTION

7.1 Amendments to Previously Approved Subdivision Plan

- 7.1.1 Prior to making any change, erasure, modification or revision to a Final Subdivision Plan which has been approved by the Planning Board and endorsed in writing on the plan, the plan must be resubmitted to the Planning Board for its review and approval of the proposed modifications.
- 7.1.2 To be placed on the meeting agenda, the request for a subdivision amendment shall be submitted at least ten (10) working days prior to the next scheduled Planning Board meeting. A public hearing may be held concerning a subdivision amendment as prescribed in Article 6, Section 1, paragraph 7 of this Ordinance.
- 7.1.3 All amended plans must be signed by the Planning Board and recorded in the Registry of Deeds within sixty (60) calendar days of the date of approval. Any amended plan not so filed or recorded within sixty (60) days of the date upon which such plan is approved shall become null and void, unless prior to expiration of the sixty (60) days period the particular circumstances of said applicant warrant the Planning Board to grant an extension, which shall not exceed two (2) additional periods of sixty (60) calendar days. The applicant shall provide the Town Manager with a receipt from the Registry of Deeds within that time limit stating that the plan has been filed and giving the book and page numbers.

7.2 Plan Revisions After Approval

- 7.2.1 No changes, erasures, modifications, or revisions shall be made in any Final Plan after approval has been given by the Planning Board and endorsed in writing on the Plan unless the Plan is first resubmitted and the Planning Board approves any modification as outlined in Section 7.1 of this Ordinance. In the event that a Final Plan is recorded without complying with this requirement, such plan shall be null and void. When the Planning Board determines that a recorded plan is in violation of this

section, the Planning Board shall file an affidavit in the Cumberland County Registry of Deeds to that effect stating that under this Ordinance the plan is null and void.

7.3 Public Acceptance of Streets and Recreation Areas

- 7.3.1 The approval by the Planning Board of a Subdivision Plan shall not be deemed to constitute or be evidence of any acceptance by the town of any street, easement or other open space shown on such Plan.
- 7.3.2 When a park, playground or other recreation area shall have been shown on the Plan, approval of the Plan shall not constitute an acceptance by the Town of Casco of such areas. The Planning Board shall require the Plan to be endorsed with appropriate notes to this effect.

7.4 Time Limit for Construction

If the construction of the public improvements required by 5 sub-division approval is not commenced within one (1) year of the date of approval of the Final Subdivision Plan, then the approval of that Final Subdivision Plan shall be null and void. This one (1) year period for commencement of construction of the subdivision's required public improvements shall not be extended or affected in any way by any amendments, changes, erasures, modifications or revisions to a final sub-division plan subsequent to the Planning Board's approval and signing of that Final Subdivision Plan. The Planning Board shall have the authority for good cause shown, to grant extensions of one (1) year increments to the one (1) year period for commencement of construction by approving a waiver with conditions if appropriate.

7.5 Inspection

Inspection of required improvements shall conform to the requirements of Article 6 of the Casco Zoning Ordinance.

ARTICLE 8

GENERAL REQUIREMENTS

- 8.1 In reviewing applications for the subdivision of land, the Planning Board shall evaluate the subdivision using the following criteria in accordance with M.R.S.A. Title 30, Section 4956, Subsection 3. The subdivision:
- 8.1.1 Is in conformance with goals, policies and recommendations of the Comprehensive Plan of the Town;
 - 8.1.2 Will not result in undue water or air pollution. In making this determination, the Planning Board shall at least consider:
 - A. The elevation of the land and its relation to floodplains;
 - B. The nature of soils and subsoils and their ability to adequately support waste disposal;
 - C. The slope of the land and its effect on effluents; and
 - D. The applicable State and local health and water resources regulations;
 - 8.1.3 Has sufficient water available for the reasonably foreseeable needs of the subdivision;
 - 8.1.4 Will not cause an unreasonable burden on an existing water supply;
 - 8.1.5 Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
 - 8.1.6 Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of highways or public roads existing or proposed;
 - 8.1.7 Will provide for adequate sewage waste disposal;
 - 8.1.8 Will not cause an unreasonable burden on the ability of the Town to dispose of solid waste and sewage if municipal services/facilities are to be utilized;

- 8.1.9 Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, rare and irreplaceable natural areas, or any public rights for physical or visual access to the shoreline.
- 8.1.10 Is in conformance with the Casco Zoning Ordinance, including Shoreland Zoning Standards, and with other pertinent state and local codes and ordinances;
- 8.1.11 The subdivider has adequate financial and technical capacity to meet the above standards;
- 8.1.12 Whenever situated, in whole or in part, within 250 feet of any pond, lake, or river, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water;
- 8.1.13 Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
- 8.1.14 IN ALL INSTANCES, THE BURDEN OF PROOF SHALL REST UPON THE APPLICANT (A) TO MAKE ALL REQUIRED SUBMITTALS AND (B) TO DEMONSTRATE COMPLIANCE WITH ALL APPLICABLE APPROVAL STANDARDS.

ARTICLE 9

REQUIRED IMPROVEMENTS AND DESIGN STANDARDS

9.1 Required Improvements

- 9.1.1. The following are required improvements for all subdivisions: monuments, streets (if included), landscaping, sewage disposal, water supply and storm water drainage.
- 9.1.2 The following improvements/amenities may in certain instances be required by the Planning Board if necessary to satisfy the approval standards in Articles 8 and 9: buffer strips, sidewalks, open space right-of-way dedication and lighting.
- 9.1.3 Prior to the Town's release of the Final Subdivision Plan for recording by the subdivider, the subdivider of a Major or Minor Subdivision shall also file with the town, prior to Final Plan approval, a performance guarantee acceptable to the Board of Selectpersons and meeting the Performance Guarantees of the Casco Zoning Ordinance, Article 6, Section 6.4 Notwithstanding anything to the contrary in Article 6, Section 6.4 of the Casco Zoning Ordinance, all such performance guarantees shall be in an amount equal to the full amount of all required public improvements as determined by a binding contract to complete the public improvements, or as determined by an independent contractor or registered engineer. The Planning Board shall recommend in writing to the Board of Selectpersons an amount for such performance guarantees and the Board of Selectpersons may, for good cause shown and at their discretion, waive performance guarantees for commercial development. Further, all such performance guarantees shall provide the town with the discretion to complete the required public improvements in the event of the developer's failure to complete the same or to restore the subdivision site. As the project is completed at twenty-five percent (25%) increments, the selectperson shall only retain enough surety to complete the public improvements.

9.2 Requirements for Lots with Crooked River Frontage (In accordance with M.R.S.A., Title 30, Section 4956, Subsection 1-A.)

- 9.2.1 The proposed subdivision plan shall require principal structures to have a combined lot shore frontage and setback from the normal high water mark of 500 feet.
- 9.2.2 Whenever a proposed subdivision adjoins a shoreline strip narrower than 250 feet that is not lotted, the proposed subdivision shall be reviewed as if lots extended to the

shore.

9.3 Design Standards (Contents)

In reviewing proposed subdivisions and evaluating required plans and documentation, the Planning Board shall apply design standards pertaining to the following concerns:

- 9.3.1 Relationship to Community Services/Facilities
- 9.3.2 Retention of Open Spaces and Natural Features
- 9.3.3 Landscaping and Buffering
- 9.3.4 Land Not Suitable for Development
- 9.3.5 Lots/Monuments
- 9.3.6 Adequate Utilities
- 9.3.7 Design and Construction of Streets
- 9.3.8 Storm water Management

9.4 Design Standards

9.4.1 Relationship to Community Services/Facilities

- A. All proposed subdivisions shall be reviewed by the Planning Board with respect to their effect upon existing services and facilities. Each subdivision shall be evaluated as to its possible impact on the following: road use, maintenance and safety, snow removal, police, rescue and fire protection, solid waste disposal, recreation facilities, on-site and off-site drainage, and schools.
- B. On larger-scale projects that require a Community Impact Statement, the Planning Board shall review impacts on the items listed in A. above and compare projected costs to the town to expected tax revenue from the subdivision.
- C. Although current State statute and Maine case law (1988) do not endorse or support the denial of a proposed subdivision by the Planning Board based solely on determined negative impacts on schools, recreational facilities, and police, rescue and fire protection services, the Planning Board in its review shall encourage the applicant, whenever possible, to develop strategies to mitigate these impacts and to incorporate into the proposed project components that help meet community needs. For subdivisions requiring a community Impact Statement, the Planning Board shall also notify the S.A.D. 61 Board members, the chair of the Recreation Committee, and the chiefs of Rescue Squad and Fire Department.

9.4.2 Retention of Open Spaces and Natural Features

- A. Land reserved for open space purposes shall be of a character, configuration and location suitable for the

particular use intended. A site to be used for active recreation purposes, such as a playground or a playing field, should be relatively level and dry, have a total frontage on one or more streets of at least 200 feet, and have no major dimensions of less than 200 feet. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Planning Board may deem suitable and shall have no less than fifty (50) feet of road frontage.

- B. When a subdivision exceeds fifteen (15) lots or dwelling units, the Planning Board may require the developer to provide up to ten (10) percent of his total area for recreation. It is desirable that areas reserved for recreation be at least one acre in size and easily accessible from all lots within the subdivision. In determining the need for open space, the Planning Board shall consider the proximity of the subdivision to neighboring dedicated open space or recreation facilities; the needs identified in the Comprehensive Plan or Open Space Plan for open space or recreation in the area surrounding the subdivision; the type of development and the demographic characteristics of potential residents in the subdivision; and the density or lot sizes of the development. The developer may make a payment in-lieu-of-dedication into a municipal open space or land acquisition fund.
- C. Where the proposed subdivision fronts or has deeded access to a water body having a surrounding Shoreland District, the project shall meet the shore frontage/reserved land standards of the Casco Zoning Ordinance.
- D. All proposed open space areas shall conform to the Open Space standards of the Casco Zoning Ordinance.
- E. The Final Plan shall clearly indicate the owner of all reserved recreational land. In cases where the subdivider intends to convey the recreational land to the lot owners, or to an association or other group, the terms of such conveyance and the organization of such association or group shall be subject to review and approval by the Planning Board. The applicant shall demonstrate that the proposed association or organization will have the necessary powers and the authority to raise the funds necessary to maintain the reserved recreational land. The Planning Board may impose such an obligation on the lot owners as a condition of approval.
- F. If the proposed subdivision contains any identified historical or archaeological site or any areas identified in the Comprehensive Plan or by the Maine Critical Areas Program as rare and irreplaceable natural areas, the areas shall be included in the open space, and suitably

protected by appropriate covenants and management plans.

- G. The proposed subdivision shall be listed and designed so as to preserve existing trees, existing contours, streams and scenic, historic and environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible and a buffer strip shall be provided where the proposed subdivision abuts an existing road.

9.4.3 Landscaping and Buffering

- A. The proposed subdivision shall be landscaped so as to buffer the subdivision from roads, to reduce erosion and to enhance the attractiveness of the site.
- B. Landscape plans, when required, shall show the preservation of trees larger than 24 inches breast height, the replacement of trees and vegetation, graded contours, streams and natural drainage swales, and the preservation of scenic, historic or environmentally significant areas.
- C. Street trees, esplanades, and open green spaces may be required for major subdivisions with more than 500 feet of frontage on major streets. Where such improvements are required, they shall be incorporated in the Final Plan and executed by the sub-divider as construction of the subdivision progresses.

9.4.4 Land Not Suitable for Development

- A. The Board shall not approve for development such portions of any proposed subdivision that:
 - 1. Are located within the 100-year frequency flood plain as identified by Federal Flood Boundary and flood way maps or Federal Insurance Rate Maps or, when such identification is not available, are located on flood plain soils identified and described in the National Cooperative Soil Survey.
 - 2. Are located on land which must be filled or drained or on land created by diverting a watercourse. In no instance shall the Planning Board approve any part of a subdivision located on filled or drained Great Ponds (natural body of water 10 acres or more in size).
 - 3. Are located on undrained or very poorly drained soils in accordance with the National Cooperative Soil Survey Classification.

4. Land that has been clear-cut as defined in the Casco Zoning Ordinance.

B. In addition, all multiplex and Planned Residential Developments (both single-family and multiplex) shall conform to net residential density provisions described herein.

9.4.5 Lots/Monuments

- A. Permanent monuments shall be set at all corners and angle points of the subdivision lots and boundaries, and at all intersections and points of curvature.
- B. All road angle monuments shall be constructed of stone and shall be a minimum of four (4) inches by four (4) inches and four (4) feet long. All other monuments shall be constructed of a permanent material solidly embedded in the ground and capable of being detected by commonly used magnetic or electronic equipment. The monument shall clearly show the registration number or temporary certificate number of the registered land surveyor responsible for the survey. Where the placement of a required monument at its proper location is impractical, it shall be permissible to set a reference monument close to that point.
- C. The lot size, depth, width, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- D. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.
- E. Except in multiplex and PRD developments, the subdividing of the land shall be such as to provide that all lots shall have a minimum frontage on a street which conforms to the requirements set by the Casco Zoning Ordinance.
- F. Side-lot lines shall be substantially at right angles or radial to street lines.
- G. Where a tract is subdivided into lots substantially larger than the minimum size required in the Zoning District in which a subdivision is located, the Planning Board may require that streets and lots be laid out so as to permit future resubdivision in accordance with the requirements contained in these standards, unless appropriate covenant and deed restrictions are incorporated into the final deeds and

plat prohibiting further subdivision without prior Planning Board approval.

9.4.6 Utilities

A. Water Supply

1. Water storage shall be provided as necessary to meet fire protection needs at the subdivider's expense. Location and construction of fire ponds shall be endorsed by the Fire Department. The Planning Board may also require the construction of dry hydrants.
2. The minimum water main permitted shall be six(6) inches and shall be installed at the expense of the applicant.
3. The water supply system shall be designed, approved and installed in accordance with requirements of the Maine Department of Human Services.

B. Sewage Disposal

1. In no instance shall a septic disposal system be allowed in soils classified by the Maine Plumbing Code as having "extremely severe limitations."
2. An application for an individual septic system shall be completed by a Maine Professional Engineer, Maine Certified Soil Scientist or licensed site evaluator in full compliance with the requirements of the State of Maine Plumbing Code.
3. Each proposed lot must show at least one (1) test pit indicating suitable soils for subsurface waste disposal.
4. Plans for Engineered Systems as defined in the Maine State Plumbing Code shall be designed by a professional civil engineer and approved by the Department of Human Services.
5. In subdivisions involving multiplex dwellings, the Planning Board shall require designation of a second site on the parcel adequate to accommodate the proposed Central Sewage System for the project.
6. The Planning Board may require additional sites be reserved for future sewerage disposal in instances where the size, character or location of the project raises public safety concerns.

C. Solid Waste Disposal

1. The subdivider shall show adequate provision for the collection and disposal of solid waste.

D. Demolition Debris Disposal

1. For all subdivisions ten (10) lots or larger, the subdivider shall demonstrate that debris generated by the development and construction of the subdivision shall be collected and disposed of at a licensed facility other than the Casco Sanitary Landfill.

E. Other Utility Standards

1. If the subdivision is located near a major intersection, the Planning Board may require the installation of street lights and provision for their periodic maintenance and repair if necessary for traffic safety.
2. The size, type and location of public utilities, such as street lights, electricity, telephones, fire hydrants, and other fire protection mechanisms located on the plan, shall be approved by the Planning Board and installed in accordance with the requirements of the Planning Board and these Standards as well as other local and state codes.
3. All public utilities and facilities, such as sewer, gas, electrical and water systems shall be located and constructed to minimize or eliminate flood damage.
4. Underground utilities, if proposed, shall be installed prior to the installation of the final gravel base of the road.

9.4.7 Design and Construction of Streets

A. Street Signs

1. Streets which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblance to the names of existing streets within the municipality and shall be subject to the approval of the Planning Board.
2. Street name signs shall be furnished and installed by the subdivider. The type, size and location shall have the approval of the Planning Board.

3. Street safety signs shall be required where appropriate and shall conform to State standards.

B. Streets Classification

In accordance with the Comprehensive Development Plan for the Town of Casco and for the purposes of these Standards, streets are classified by function, as follows:

1. Major Streets: Streets that serve subdivision with ten (10) or more lots/units or as connectors/collectors between major or minor streets.
2. Minor Streets: Streets that serve as internal roads within subdivisions of nine (9) or less lots/units.
3. Industrial or Commercial Streets: Streets that serve commercial or industrial developments.
4. Applicants shall demonstrate to the Planning Board their right or authority to use any land proposed as a street or right of way.

C. Street Layout

1. Proposed streets shall conform, as far as practical, to the requirements of these Standards.
2. All streets in the subdivision shall be so designed that, in the opinion of the Planning Board, they shall provide safe vehicular travel while discouraging movement of through traffic.
3. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing or planned streets, to topographical conditions, to public convenience and safety, and their appropriate relation to the proposed use of the land to be served by such streets. Grades of street shall conform as closely as possible to the original topography within the limits of these Standards.
4. Adequate off-street parking, suitably surfaced, shall be provided in connection with lots designed for commercial and industrial uses in accordance with the Casco Zoning Ordinance.
5. Subdivisions containing twenty (20) lots or units of more or internal roads over 1,000 feet in length shall employ a looped road configuration or another arrangement that allows two-way access to a public street.

6. In order to reduce traffic and safety problems on arterial roads as defined, driveways within a subdivision shall enter onto internal subdivision roads whenever possible. Where driveways must enter onto existing or proposed arterial streets, driveways serving adjacent dwellings shall be combined.
7. Entrances, either proposed driveways or streets, onto existing state-aid or state highways must be approved by the Maine Department of Transportation. Copies of such approval shall be submitted to the Planning Board at the time of final review.
8. If the Planning Board determines that future development may occur on land adjacent to or near the proposed subdivision, whether it is owned by the applicant or not, then the Planning Board shall retain the right to require the developer to meet the requirements for major street design and construction as specified herein at no cost to the Town.
9. In the case of dead-end streets, where needed or desirable, the Planning Board may require the reservation of a minimum thirty (30) foot wide utility easement and/or minimum twenty (20) foot wide right-of-way for pedestrian and/or bicycle traffic.
10. In the case of dead-end streets, the Planning Board may require that additional right-of-way widths be provided if it determines that future extension of the street may occur. Such additional widths shall be consistent with the right-of-way width of the dead-end street.
11. Reserve strips controlling access to streets or adjoining properties shall be prohibited except where their control is definitely placed with the Town under conditions approved by the Planning Board.
12. In front of areas zoned and designed for commercial/industrial use, or where a change of zoning to a zone which permits a commercial or industrial use is contemplated by the municipality, the street right-of-way and/or pavement width shall be increased by such amount on each side as may be deemed necessary by the Planning Board to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial or business district. In no case shall the street have a right-of-way width less than 60 feet nor have less than two (2) twelve foot travel lanes and two (2) eight foot parking lanes.

13. Where a subdivision borders an existing road that does not meet the right-of-way or road width standards set herein, or when the Casco Capital Improvements Program indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the subdivider shall be required to show areas for widening or realigning such roads on the Plan, marked "Reserved for Road Realignment (or Widening) Purposes." It shall be mandatory to indicate such reservation on the Final Plan. Land reserved for such purposes may not be counted in satisfying setback or yard or area requirements of the Casco Zoning Ordinance.

DESIGN STANDARDS FOR STREETS

ITEM	Public or Private Industrial		
	MAJOR St.	Minor St.	Commercial St.
3. Minimum width right of way	60'	50'	80'
4. Minimum width of pavement	24'	20'	40'
5. Minimum grade	.5%	.5%	.5%
6. Maximum grade	6%	9%	6%
7. Maximum grade at intersections intersection	3% within 50 ft. of		
8. Minimum angle of intersection	60°	60°	80°
9. Pavement radius at intersection	30'	20'	40'
10. Width of shoulders - Shoulders may be graveled, paved or grassed	6'	6'	6'
11. Minimum centerline radii on curves	200'	150'	500'
12. Minimum distance between intersections			
Same side	400'	300'	300'
Opposite side	300'	150'	150'
13. Minimum radii of circular turnaround	100'	100'	100'

CONSTRUCTION STANDARDS FOR STREETS

1. Road base (minimum) of gravel	14"	14"	20"
Upper base (minimum) of crushed gravel	6"	4"	6"
2. Bituminous paving base coat (in accordance with current MDOT specifications)	1½"	1½"	1½"
	of Type B mix as defined.		
3. Surface coat	1"	¾" type D mix	1"
4. Road crown (minimum)	¼"ft	¼"ft	¼"ft
5. Sidewalks (when required)			
Width (minimum)	5'	5'	5'
Base (gravel)	8"	8"	8"
Surface - Bituminous hot top"	1" of Type C mix overlaid by		
	1" of Type D mix or concrete		

The Planning Board may require the construction of acceleration/deceleration lanes by subdivider where necessary to avoid traffic hazards.

D. Street Design and Construction Standards

1. All streets in a subdivision shall be designed to meet the Design and Construction Standards for Streets according to their classification as determined by the Planning Board.
2. The centerline of the roadway shall be the centerline of the right-of-way.
3. All changes in grade shall be connected by vertical curves of such length and radius as meet with the approval of the Planning Board so that clear visibility shall be provided for a minimum distance of 200 feet.
4. Cross street intersections (four cornered) shall be avoided in so far as possible, except as shown on the Comprehensive Plan or at other major traffic intersections.
5. Intersections of streets shall be at angles as close to ninety (90) degrees as possible and in no case shall two (2) streets intersect at an angle smaller than sixty (60) degrees. To this end, where one street approaches another between 60 and 90 degrees, the former street should be curved approaching the intersection.
6. Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrian and vehicular traffic, with a minimum continuous sight distance standard of ten (10) feet of sight distance per every one (1) mph of the posted speed limit to be applied to all intersections and curves. When warranted, ground shall be excavated to achieve adequate sight distance.
7. All streets shall be provided with adequate drainage facilities to provide for the removal of storm water in order to prevent flooding of the pavement and erosion of adjacent surfaces.
8. Side slopes in cuts or fills shall be graded, loamed (4"compacted) and seeded as required.
9. All roadways within the subdivision shall be constructed According to road specifications herein contained and overseen by the Casco Road Commissioner.
10. Walkways or striped road shoulders shall be provided by the developer at the Planning Board's request to

facilitate safe movement of pedestrians within the site.

9.4.8 Storm water Management

- A. The Planning Board shall consider the impact of the proposed sub-division on erosion, drainage, runoff and phosphorus loading on the subdivision itself and on adjacent properties and water bodies. In assessing impacts the Planning Board shall consider on-site visits, existing drainage problems, topographical information, runoff analysis and phosphorus loading analysis as submitted by the subdivider.
- B. Adequate provision shall be made for disposal of all storm water generated within the subdivision and any drained ground water through a management system of swales, culverts, under drain, and storm drains.
- C. Storm water runoff systems shall infiltrate, detain, or retain water falling on the site such that the rate of flow from the site does not exceed that which would occur in the undeveloped state for a storm of intensity equal to at least a 25-year storm, with a duration equal to the time of concentration.
- D. The method or methods selected to accomplish the standards of Sub-section C above shall be the responsibility of the developer and shall be subject to the review and approval of the Planning Board. The design of the system shall evaluate the effectiveness of the selected method or methods using hydraulic computation based on local rainfall data as available and on accepted engineering principles to demonstrate the expected rate of outflow after development compared with the rate of outflow prior to development. These computations shall be made available for review by a certified agency designated by the Planning Board or engineer.
- E. The storm water management system shall be designed to conduct storm water flows to existing watercourses or storm drains.
 1. All components of the storm water management system shall be designed to meet the criteria of a twenty-five (25) year storm based on rain-fall data for Portland, Maine.
 2. The minimum pipe size for any storm drainage pipe shall be twelve (12) inches. Maximum trench width at the pipe crown shall be the outside diameter of the pipe plus two (2) feet. Pipe shall be bedded in a fine granular material.
 3. Catch basins shall be installed where necessary and located at the curb line.

4. Outlets shall be stabilized against soil erosion by stone riprap or other suitable materials to reduce storm water velocity.
- F. The storm water management system shall be designed to accommodate upstream drainage, taking into account existing conditions and approved or planned developments not yet built and shall include a surplus design capacity factor of twenty-five (25) percent for potential increases in upstream runoff.
- G. Downstream drainage requirements shall be studied to determine the effect of the proposed subdivision. The storm drainage shall not overload existing or future planned storm drainage systems downstream from the subdivision. The subdivider shall be responsible for financing any improvements to existing drainage systems required to handle possible increased storm flows.
- H. Wherever the storm drainage system is not within the right-of-way of a public street, perpetual easements of at least ten (10) feet shall be provided to the Town allowing maintenance and improvement of the system.
- I. Where soils require a subsurface drainage system, the drains shall be installed and maintained separately from the stormwater drainage system.
- J. Roadside ditches and outlet channels shall be of a configuration and size to carry the contributory stormwater and subsurface flows from the roadway structure and roadside embankments. In all instances the invert of the ditch shall be a minimum of six (6) inches below the subgrade of the roadway extended to the shoulder except as modified below:
1. In areas of well drained native soils; or
 2. In areas where subsurface soils are of a nature requiring an underdrainage system, subgrades may be constructed to direct sub-surface water to the underdrain pipes.
- K. Ditch linings shall be provided to protect the side and slopes and bottom from erosion and scour. Minimum channel linings for corresponding longitudinal slopes shall conform to the following table:
- | | |
|----------|---|
| 0-3%- | Loam and seed |
| 3-6%- | Loam and seed, protected by erosion control mesh |
| 6-8%- | Sod placed over loam |
| Over 8%- | Stone, masonry, bituminous concrete or metal linings. |

Ditches adjacent to roadways shall be of a configuration that does not create a hazard to vehicular traffic.

L. Culverts

1. Cross Culverts: Culverts crossing under roads or streets shall be sized to pass a twenty-five (25) year frequency storm from the contributing drainage area without hydrostatic head. Design shall be based on accepted hydrological methods and culvert capacity analysis. Minimum culvert diameter shall be fifteen (15) inches.
2. Driveway Culverts: Culverts shall be installed under any proposed or existing driveway that interrupts natural or proposed longitudinal drainage along any street or road. Driveway culverts shall be of a size capable of passing the amount of storm water equal to the next upstream culvert within the same drainage course. Driveway culverts shall have a minimum diameter of twelve (12) inches. Final determination of culvert size shall be determined by the Road Commissioner.
3. Minimum cover over culverts in roadway areas shall be twenty-four (24) inches. Minimum cover over driveway culverts shall be twelve (12) inches.

M. Where embankment type storage or retention basins are planned, they shall be designed in accordance with the appropriate sections of the Environmental Quality Handbook published by the Maine Soil and Water Conservation Commission, dated March 1986, as may be amended from time to time.

N. Topsoil shall be considered part of the subdivision. Except for "surplus" topsoil from roads, parking areas and building excavations, it is not to be removed from the site.

O. The Planning Board shall require a developer to take measures to correct and prevent soil erosion in the proposed subdivision as detailed in a sedimentation and erosion plan, unless the subdivider can show the Planning Board that such a plan is not necessary.

P. To prevent soil erosion of shoreline areas, tree cutting on the shoreline shall conform to the Casco Zoning Ordinance.

ARTICLE 10

ENFORCEMENT

- 10.1 No plan of a subdivision of land within the boundaries of the Town of Casco which would constitute a subdivision as defined herein shall hereafter be filed or recorded in the Cumberland County Registry of Deeds until a Final Plan thereof shall have been approved by the Planning Board in accordance with all of the requirements, design standards and construction specifications set forth elsewhere in this Ordinance, nor until such approval shall have been entered on the Final Plan by the Planning Board.
- 10.2 No person, firm, corporation or other legal entity may convey, offer or agree to convey any land in a subdivision unless that subdivision has been approved by the Planning Board and the approved subdivision plan has been recorded in the Cumberland County Registry of Deeds.
- 10.3 Any person, firm, corporation or other legal entity who sells, leases, develops, builds upon, or conveys for consideration, offers or agrees to sell, lease, develop, build upon or convey for consideration any land in a subdivision which has not been approved as required by Section 10.2 above shall be punished by a fine of not more than \$1,000 for each such occurrence. The Planning Board, the Code Enforcement Officer or Board of Selectmen may institute proceedings to enjoin violation of this Ordinance.
- 10.4 Except as provided in section 10.3 above, any person, firm or corporation being the owner of or having control or use of any building, structure or land who violates any provision of this Ordinance or any condition imposed by the Board of Selectmen, Code Enforcement Officer, Planning Board or Zoning Board of Appeals pursuant to the provisions of these regulations, commits a civil violation and shall be liable for a civil penalty of no less than \$100 and no more than \$2500 for each violation. Each day such violation is permitted to exist after notification thereof shall constitute a separate violation. All penalties collected hereunder shall inure to the Town.
- 10.5 No public utility of any kind shall serve any lot in a subdivision for which a Final Plan has not been approved by the Planning Board.

- 10.6 Not only is making a subdivision without Planning Board approval a violation of law, but so also within such a subdivision or potential subdivision site is grading or construction of roads, grading of land or lots, or construction of buildings until such time as a Final Subdivision Plan shall have been duly prepared, submitted, approved and endorsed as provided in these Standards, and until the original copy of the Final Plan so approved and endorsed has been duly recorded in the Cumberland County Registry of Deed.
- 10.7 Where a provision of this Ordinance appears to be in conflict with any provision for any other ordinance, rule, restriction, or statute, that provision which imposes the greatest restriction and/or provides for the lesser density of land shall have precedence.
- 10.8 The invalidity of any section or provision of these Standards shall not be held to invalidate any other section or provision of this Ordinance.

ARTICLE 11

LEGAL PROVISIONS

- 11.1 An appeal from any order or decision of the Planning Board under this Ordinance may be taken by any aggrieved party to Maine Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.
- 11.2 The provisions of this Ordinance, not specifically required by M.R.S.A., Title 30, Section 4956, Chapter 454 shall not apply to any subdivision which has been approved by the Planning Board and recorded in the Registry of Deeds of Cumberland County prior to enactment of this Ordinance.
- 11.3 This Ordinance is effective March 12, 1988 as revised by the Town Meeting on June 18, 1994 and serves to repeal any prior subdivision ordinance, standards or regulations.

11.4 Waivers

- A. Where the Planning Board finds that severe practical difficulties may result from strict compliance with these standards or where there are special circumstances of a particular plan, it may vary these standards so that substantial justice may be done and the public interest secure; provided that such variations will not have the effect of nullifying the intent and purpose of the Comprehensive Plan, the Zoning Ordinance or this Ordinance.
- B. Where the Planning Board finds that, due to special circumstances of a particular Plan, the provision of certain required improvements or submissions is not requisite in the interest of public health, safety, and general welfare, or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions.
- C. Waivers may be granted only upon the concurrent vote of a majority of the Planning Board members. In granting such modifications and waivers, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.
- D. No waivers shall be granted regarding the requirement of performance guarantees for Major Subdivisions or reduction in required street right-of-ways.

**TOWN OF CASCO PLANNING BOARD
APPLICATION FORM**

APPLICANT:

Name _____

Address _____

Email _____

Telephone Number - Home _____

PLEASE PROVIDE AT Office _____

LEAST TWO NUMBERS Cell _____

Interest in Property _____
(attach documentation) _____

Interest in abutting property, if any _____

OWNER:

Name _____

Address _____

*PLEASE CHECK THE ADDRESS TO WHICH THE TOWN SHOULD DIRECT ALL
CORRESPONDENCE.*

TYPE OF PROSPECTIVE ACTIVITY:

- _____ Minor Subdivision Plan Review
- _____ Major Subdivision Preliminary Plan Review
- _____ Major Subdivision Final Plan Review
- _____ Site Plan Review - List Type _____
- _____ Other (specify) _____

PROJECT _____ Single Family _____ Multiplex _____ Other

LOCATION

Street Address _____

Registry of Deeds Book _____ Page _____

Assessor's Office Map _____ Lot _____

OTHER PROJECT INFORMATION

Size of Parcel (acres) _____

Zoning District(s) _____

Proposed # of Lots _____

Proposed # of Bldgs _____

Proposed # of Dwelling Units _____

Is Zoning Board of Appeals approval required? _____ NO _____ YES

Does the applicant intend to request any waivers of Subdivision or Zoning Ordinance provisions? _____ NO _____ YES

If yes, list and give reasons why:

FEES - The current schedule of Town fees is attached. *PLEASE NOTE IF THE BOARD REQUESTS CONSULTATIONS WITH THE TOWN'S LAWYER, FEES WILL BE PASSED ON TO THE APPLICANT.*

MAPS - Digital Map Files need to be provided at the time of Planning Board approval. If available, digital map files should include level of detail typically occurring on our tax maps, such as base line work, boundary dimensions, lot numbers, areas, road names, etc.

DEP NOTIFICATION

1. If land development over 20 acres or 5 lots or more, the request requires DEP approval.
2. DEP approval must be obtained *PRIOR TO* final Planning Board approval.

OTHER - *ANY WETLAND MUST BE REVIEWED BY THE ARMY CORPS OF ENGINEERS*

ABUTTER NOTIFICATION:

1. Applicant **MUST** notify all landowners within 500' of the property by **CERTIFIED MAIL RETURN RECEIPT REQUESTED.**
2. Landowners **MUST BE NOTIFIED AT LEAST TEN (10) DAYS PRIOR TO THE DATE OF THE MEETING DATE.**
3. The list of landowners with **ALL RECEIPTS MUST BE RETURNED TO THE PLANNING BOARD SECRETARY NO LATER THAN SEVEN (7) DAYS PRIOR TO THE DATA OF THE MEETING.**

The undersigned, being the applicant, owner or legally authorized representative, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal Government.

ALL MATERIALS TO BE CONSIDERED BY THE PLANNING BOARD MUST BE RECEIVED NO LATER THAN NOON ON THE DUE DATE FOR THE SPECIFIC PLANNING BOARD MEETING. ANY MATERIAL OR INFORMATION RECEIVED THEREAFTER WILL NOT BE HEARD BY THE PLANNING BOARD UNTIL A LATER MEETING.

**PLEASE TAKE NOTE OF THE FOLLOWING PROVISION OF THE SUBDIVISION
ORDINANCE:**

§6.1.1 Within six (6) months of the Planning Board's classification of the proposal as a Major Subdivision, the applicant shall submit an application for approval of a Preliminary Plan. The Preliminary Plan shall approximate the layout shown on the sketch plan plus any recommendations made by the Planning Board. Substantial redesign of the sketch plan or failure to meet the six (6) month deadline shall require resubmission of the sketch plan to the Planning Board.

DATE

SIGNATURE OF APPLICANT/OWNER OR
REPRESENTATIVE

APPENDIX B

RECOMMENDED SKETCH PLAN SUBMISSIONS

The Sketch Plan shall show, in simple sketch form, neatly done, the proposed layout of streets, lots, and other features in relation to existing conditions. It is strongly recommended that the sketch plan shall include the existing data listed below.

1. Proposed subdivision name, applicant's name and owner's name.
2. Boundary lines and proposed lot lines.
3. Easements - location, width and purpose.
4. Streets on and adjacent to the tract - name and right-of-way width and location.
5. Walks, curbs, gutters, culverts and other known and located underground structures within the tract and immediately adjacent thereto.
6. Existing utilities on and adjacent to the tract.
7. Location of fire hydrants, water sources and dry hydrants for firefighting purposes.
8. Proposed location of buildings.
9. Proposed location and sizing of septic facilities and wells.
10. Preliminary soil test data adequate to show that the subsurface soil conditions on the tract will accommodate the proposed development and a medium intensity soils map of the site.
11. Type of land use on and adjacent to the tract.
12. Proposed name of the subdivision or identity title. This name shall not duplicate or closely resemble the name of a subdivision already existing or proposed in the Town.
13. The date, north point, graphic map scale.
14. Other information in narrative form.
 1. Impact on existing community facilities and utilities.
 2. Information describing the subdivision proposal such as:
 - (a) Number of residential lots;
 - (b) Typical lot width and depth;
 - (c) Price range;
 - (d) Business areas;
 - (e) Playgrounds, park areas and other public areas;
 - (f) Existing or proposed protective covenants; and
 - (g) Proposed utilities and street improvements

APPENDIX C

MINOR SUBDIVISION PLAN SUBMISSIONS

Subdivision Name _____

Applicant Name _____

Owner Name _____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
1. The Final Plan shall be submitted with the mylar original, twelve (12) copies and one sepia print, of each map or drawing, together with twelve (12) copies of any attachments required for approval. All maps and drawings shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies.	_____	_____
2. Location Map. The Final Plan shall be accompanied by a Location Map drawn at a scale of not over 400 feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area.	_____	_____
3. A completed application form and fee payment as established in the Town Fee Schedule.	_____	_____
4. All of the information presented on the sketch plan and any amendments thereto suggested or required by the Planning Board.	_____	_____
5. The name, registration number and seal of the land surveyor or engineer or planning consultant who prepared the plan.	_____	_____
6. Street name and lines, pedestrian ways, lots, easements and areas to be reserved for or dedicated to public use.	_____	_____

Check When Complete	Indicate Date When Complete
<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>

7. Sufficient data to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Parting lines of all lands adjoining the subdivisions shall be shown.

8. The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearing for each street.

9. Lots within the subdivision numbered as prescribed by the Planning Board.

10. Permanent reference monuments shown thus: "X". They shall be constructed and placed in accordance with specifications herein as described in the Casco Subdivision Ordinance, and their location noted and referenced upon the Final Plan.

11. Proposed easements and watercourses and the location of all natural features or site elements to be preserved.

12. Final location of driveways and proposed building locations.

13. Certification by a registered professional engineer or a registered land surveyor that all survey, deed and supporting information accurately reflects the true conditions existing on the proposed subdivision.

14. Design of any bridges or culverts which may be required.

15. A medium-intensity soils map that encompasses the area to be subdivided. The Planning Board may require submission of a high-intensity soils map in instances where poor soils are evident.

Check
When Complete

Indicate Date
When Complete

Applicant

Municipal Staff
or Planning Board

16. Location and results of test pits to ascertain subsurface soil ground water conditions and depths to maximum ground water level. A HHE 200 form, completed by a Maine Registered Soil Scientist or Maine licensed site evaluator, must be submitted showing at least one suitable test pit per lot.

17. Written offers of cession to the Town of Casco of all public open space shown on the Plan, and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the subdivider, are to submitted.

Unless otherwise waived by the Planning Board, the subdivider shall also submit the following:

18. A surface drainage plan or stormwater management plan, with profiles and cross-sections drawn by a professional civil engineer showing the design of all facilities and conveyances necessary to meet the stormwater management standards as set forth in this Ordinance. The engineer shall include a written statement indicating that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in adjacent properties. Changes in runoff shall be calculated by using the TR 55 method or subsequent revisions. The Planning Board may require review of the plan at the subdivider's expense by a certified agency designated by the Planning Board.

19. Contour lines at intervals of not more than ten (10) feet or at lesser intervals as the Panning Board may require.

20. Base Flood Elevation Data.

21. A soil erosion and sediment control plan prepared by a professional engineer or geologist. The Planning Board may require the review of this plan at the subdivider's expense by a Certified Agency designated by the Planning Board.

Check
When Complete

Indicate Date
When Complete

Applicant

Municipal Staff
or Planning Board

22. Description of how solid waste generated from the proposed subdivision are to be collected and disposed of.

23. Description of how stumps and demolition debris generated by development and construction of the proposed subdivision are to be disposed.

24. Other information as deemed necessary by the Planning Board.

APPENDIX D

MAJOR SUBDIVISION

PRELIMINARY SUBDIVISION PLAN SUBMISSIONS

Subdivision Name _____

Applicant Name _____

Owner Name _____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
1. Preliminary Plan. The Preliminary Subdivision Plan shall be submitted, with twelve(12) copies of each map or drawing, together with twelve (12) copies of any attachments required for approval. All dimensions shall be shown in feet or decimals of a foot and drawn to a scale of not more than 100 feet to the inch (preferably forty (40) feet to the inch).	_____	_____
2. Location Map. The Preliminary Plan shall be accompanied by a Location Map drawn at a scale of not over 400 feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area.	_____	_____
3. A completed application form and correct fee payment as established in the Town Fee Schedule.	_____	_____
4. All existing information provided as part of the sketch plan.	_____	_____
5. Number of acres within the proposed subdivision.	_____	_____
6. Proposed lot lines with approximate dimensions, lot numbers, areas in square feet and suggested locations of buildings.	_____	_____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
7. Proposed easements and watercourses.	_____	_____
8. Contour lines at intervals of not more than five feet (5') or at such lesser intervals as the Planning Board may require.	_____	_____
9. Typical cross sections of the proposed grading for roadways and sidewalks, including width, type of pavement, elevations and grades.	_____	_____
10. Connection with existing or proposed water supply or alternative means of providing water supply to the proposed subdivision.	_____	_____
11. Connection with existing or proposed sanitary sewerage system or alternative means of treatment and disposal proposed.	_____	_____
12. A medium-intensity soils map that encompasses the area to be subdivided. The Planning Board may require submission of a high-intensity soils survey, mapped by a Maine Certified Soils Scientist, in instances where it determines that more detailed soils information is necessary to enable the Planning Board to conduct an adequate review of the project. (High Intensity Map required for Planning Residential Developments, unless waived.)	_____	_____
13. Location and results of preliminary tests to ascertain subsurface soil ground water conditions and depths to maximum ground water level. An HHE 200 form completed by a Maine Certified Soils Scientist or Maine licensed site evaluator must be submitted.	_____	_____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
14. A surface drainage or storm water management, with profiles and cross sections as drawn by a professional civil engineer showing the design of all facilities and conveyances necessary to meet the standards as set forth in this Ordinance. The engineer shall include a written statement indicating that the proposed subdivision shall not create erosion, drainage or runoff problems either in the subdivision or in adjacent properties. Changes in runoff shall be calculated by using the TR 55 method. The Planning Board may require review of the plan at the subdivider's expense by a Certified Agency designated by the Planning Board.	_____	_____
15. Preliminary designs of any bridges or culverts which may be required.	_____	_____
16. The location of temporary markers adequate to enable the Board to locate readily and appraise the basic layout in the field.	_____	_____
17. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.	_____	_____
18. The location of all natural features or site elements to be preserved.	_____	_____
19. A soil erosion and sediment control plan prepared by a professional civil engineer or geologist. The Planning Board may require the review of this plan at the subdivider's expense by a Certified Agency designated by the Planning Board.	_____	_____
20. Certification by a Maine registered professional engineer or a registered land surveyor that all survey, deed and supporting information accurately reflects the true conditions existing on the proposed subdivision.	_____	_____
21. Base Flood Elevation Data.	_____	_____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
22. The location and layout of entrance ways off public ways with approval from the Road Commissioner, or if a State road, the MDOT.	_____	_____
23. A landscaping plan.	_____	_____
Unless otherwise waived by the Planning Board, the subdivider shall submit the following:		
24. A traffic impact statement.	_____	_____
25. A community impact statement.	_____	_____
26. A list of the types and estimated amounts of solid waste to be generated by the development and the method of collection and location of the solid waste disposal facility for each waste listed.	_____	_____
27. An estimate of the amount and type of stumps/demolition debris to be generated by the development and construction of the subdivider and the method of collection and location of the facility at which these wastes will be disposed.	_____	_____
28. A hydrological study where an engineered sewerage system is proposed in proximity to a sensitive resource area.	_____	_____
29. A statement declaring the applicant's technical ability to undertake the proposed subdivision.	_____	_____
30. A statement or report demonstrating the applicant's financial capacity to undertake the proposed project.	_____	_____
31. Other information as deemed necessary by the Planning Board.	_____	_____

APPENDIX E

MAJOR SUBDIVISIONS

FINAL SUBDIVISION PLAN SUBMISSIONS

Subdivision Name _____

Applicant Name _____

Owner Name _____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
1. The Final Plan shall be submitted with the Mylar original and eight copies of each map or drawing, together with twelve (12) copies of any attachments required for approval. All maps and drawings shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies.	_____	_____
2. A completed application form and fee payment as established in the Town Fee Schedule.	_____	_____
3. All of the information presented on the Preliminary Plan, Location Map and any amendments thereto suggested, or required, by the Planning Board.	_____	_____
4. The name, registration number and seal of the land surveyor or engineer or planning consultant who prepared the plan.	_____	_____
5. Street names and lines, pedestrian ways, lots, easements and areas to be reserved for or dedicated to public use.	_____	_____
6. Sufficient data to determine readily the location, bearing and length of every street line, lot line, boundary line, and to reproduce such lines upon the ground. Parting lines of all lands adjoining the subdivisions shall be shown.	_____	_____

	Check When Complete	Indicate Date When Complete
	<u>Applicant</u>	<u>Municipal Staff or Planning Board</u>
7. The length of all straight lines, the deflection angles, radii, length of curves, and central angles of all curves, tangent distances and tangent bearing for each street.	_____	_____
8. Lots within the subdivision numbered as prescribed by the Planning Board.	_____	_____
9. By proper designation, all public open space for which offers of cession are made by the subdivider and those spaces to which title is reserved by him.	_____	_____
10. Permanent reference monuments shown thus: "X". They shall be constructed and placed in accordance with specifications herein as described in the Casco Subdivision Regulations, and their location noted and referenced upon the Final Plan.	_____	_____
11. The plan shall indicate the proposed landscaping program of the subdivider.	_____	_____
12. Final location of driveways and proposed building locations.	_____	_____
13. Written offers of cession to the Town of Casco of all public open space shown on the Plan, and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the subdivider, are to be submitted.	_____	_____
14. A Performance Guarantee, in conformance with the standards of the Casco Zoning Ordinance and acceptable to the Casco Board of Selectmen, to cover the costs of improvements to the proposed subdivision.	_____	_____
15. If an individual on-site septic system is proposed, HHE forms completed by a Maine Certified Soils Scientist or Maine licensed site evaluator showing at least one suitable test pit for each lot.	_____	_____

Check
When Complete

Indicate Date
When Complete

Applicant

Municipal Staff
or Planning Board

16. Sewage disposal system proposals contained in the Sub-division Plan shall be properly endorsed and approved in writing by the State of Maine Department of Human Services if a separate central sewage collection and treatment system is to be utilized. Such approval shall be secured before official submission of the Final Plan.

17. If the proposed subdivision

- a. Occupies a land area in excess of of twenty (20) acres;
- b. Involves a structure or structures, having in excess of sixty thousand (60,000) square feet of ground area coverage;
- c. Requires a license from the Department of Environmental Protection under some other regulation such as waste discharge or air quality; or
- d. In any other way falls within the jurisdiction of and is subject to review by the State of Maine Department of Environmental Protection; then the approval of the State of Maine Department of Environmental Protection shall be secured in writing before official submission of the Final Plan.

18. Other information as deemed necessary by the Planning Board.

APPENDIX F

NOTICE OF RECEIPT OF COMPLETED APPLICATION

CASCO PLANNING BOARD

Applicant: _____

Mailing Address: _____

Name of Proposed Subdivision: _____

Location of Proposed Subdivision: _____

Date: _____

The Casco Planning Board hereby finds your application for _____
Approval to be complete for the purposes of Title 30 M.R.S.A., Subsection 2, Paragraph C-1.

The Planning Board shall now be entitled to begin a full evaluation of your application and, within sixty (60) days of date of this receipt, unless an extension is mutually agreed upon by the applicant and the Planning Board before this deadline, the Planning Board shall rule to approve, with or without conditions, or deny this application.

Signed: _____ Chair or Acting Chair

APPENDIX G

NOTICE OF RECEIPT OF AN INCOMPLETE APPLICATION

CASCO PLANNING BOARD

Applicant: _____

Mailing Address: _____

Name of Proposed Subdivision: _____

Location of Proposed Subdivision: _____

Date: _____

The Casco Planning Board hereby finds your application for _____
Approval to be incomplete for the purposes of Title 30 M.R.S.A., Subsection 2, Paragraph C-1.

Reason in incompleteness:

The application lacks required submission items or has insufficient data on these items. The following materials must be submitted to complete your application.

Other Reason: _____

Signed: _____ Chair or Acting Chair

APPENDIX H

NOTICE OF DECISION OF PRELIMINARY PLAN

CASCO PLANNING BOARD

Applicant: _____

Mailing Address: _____

Name of Proposed Subdivision: _____

Location of Proposed Subdivision: _____

Date: _____

This is to inform you that the Casco Planning Board has acted on your application for Preliminary Plan approval as follows:

Approved as Submitted: _____

Approved subject to conditions below: _____

Disapproved for below reason: _____

Other action as noted below: _____

Signed: _____ Chair or Acting Chair

APPENDIX I
NOTICE OF DECISION
CASCO PLANNING BOARD

Date: _____

To: _____

This is to advise you that the Casco Planning Board has acted on your application for Final Plan Approval as follows:

1. Findings of Fact:

This approval is dependent upon, and limited to, the proposals and plans contained in this application and supporting documents submitted and affirmed by the applicant, as well as any oral representations made to the Board during the final review of the project. Any variation from the plans proposals and supporting documents is subject to review and approval by the Planning Board, except for de minimus changes, which the Code Enforcement Officer may approve.

2. Conclusions:

_____ The standards contained in the Casco Zoning Ordinance have been met.

_____ The standards contained in the Casco Zoning Ordinance have not been met.

_____ The standards of the Casco Subdivision Ordinance have been met.

_____ The following standards of the Casco Subdivision Ordinance have not been met.

3. Decision:

_____ Approved as Submitted.

_____ Approved subject to conditions below.

_____ Disapproved for below reason.

_____ Other action as noted below.

Signed _____ Chair or Acting Chair

Typed Name _____

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