

ARTICLE 6 SITE DEVELOPMENT PLAN REVIEW

601 PURPOSES

In addition to the general purposes of the City Code set forth in Chapter 1, Article 2, Section 1, the purposes of this Article 6 are to (a) provide an adequate level of review for projects of greater scope and magnitude than limited scope projects; (b) prevent undue adverse impact upon the natural and man-made environment; the present and future facilities and services of the City; the abutters, the neighborhood, and the community; and (c) sustain the comfort, health, and contentment of residents.

602 APPLICABILITY

Unless a proposed activity is expressly identified as not requiring a permit in Article 1, Section 103, site development plan approval issued by the CEO or the Planning Board pursuant to this Article 6 is required for all non-residential development, including:

- 602.1 Structures.** Erecting, altering, improving, renovating, enlarging, moving (including removing from, moving onto, or moving within a lot), or demolishing a structure, or any part of a structure.
- 602.2 Land Uses.** Establishing, changing, or expanding a land use, and any structures associated with or accessory to such use, which is identified as:
 - 1. Allowed in the Table of Use Regulations in Section 307; or
 - 2. Allowed with a permit issued by the CEO, allowed with a permit issued by the LPI, or allowed with Planning Board approval in the Table of Land Uses for the Shoreland Zone in Section 409 (Shoreland Zoning).
- 602.3 Nonconforming Uses.** Renewing a discontinued nonconforming use.
- 602.4 Division of Structures.** In addition, site development plan approval is required for the division of a new or existing structure so as to create three or more dwelling units. The Planning Board hereby determines that this Article 6 meets the requirements of 30-A M.R.S.A. § 4402(6)(A) and therefore such development is exempt from the requirements of Article 7 (Subdivision Review).

STATE LAW REFERENCE—30-A M.R.S.A. § 4402(6) (DIVISION OF NEW OR EXISTING STRUCTURES).

603 ADMINISTRATION

This Article 6 is administered by the CEO and the Planning Board.

604 CLASSIFICATION OF SITE DEVELOPMENT PLAN REVIEW APPLICATIONS

The CEO shall classify site development plan review applications as a minor use or a major use based on the following general criteria:

- 604.1 Minor Use Site Development Plan Review.** This level of review comprises those projects that require a higher level of scrutiny than a Limited Scope Project but, by virtue of their smaller size and lack of complexity, are not likely to generate significant public interest. Minor Use Site Development Plan reviews are conducted by the CEO, and do not require a public hearing. Without limiting the foregoing, the following projects shall be classified as a minor use:
 - 1. New construction or expansion of gross non-residential floor area of less than 5,000 square feet in any five-year period.

2. The creation of impervious area 10,000 square feet or greater, and less than 40,000 square feet of gross non-residential floor area.
3. A change of use within an existing building or structure of less than 20,000 square feet.
4. A project not requiring a MaineDOT traffic movement permit or a modification or change to an existing MaineDOT traffic movement permit.
5. Any soil disturbance, extraction industries, commercial earth moving and mining activities affecting an area 20,000 square feet or greater, and less than 40,000 square feet.
6. All non-residential projects located within the Commerce Park zoning district regardless of size.
7. The creation of three or four dwelling units within a single structure on a single tract of land.
8. The creation of three or four dwelling units in multiple structures on a single tract of land.

604.2 Major Use Site Development Plan Review. This level of review is for uses that, by virtue of their size, uniqueness, complexity, or other factors, have a significant impact on the physical, social, or economic environment because of stormwater, traffic, erosion, dust, phosphorus loading, sediments, lighting, or other factors, and are likely to generate significant public interest. Major Use Site Development Plan reviews are conducted by the Planning Board. The CEO may also classify a minor use site development plan as a major use site development plan when the use is categorized as a high pollutant land uses impacts for the same reasons as above described. The CEO shall classify as a major use site development all projects involving the consumption, generation, or handling of hazardous wastes as defined in 38, M.R.S.A. § 1303, radioactive wastes, as defined in 38, M.R.S.A. § 1451. Without limiting the foregoing, the following projects shall be classified as a major use:

1. New construction or expansion of gross non-residential floor area 5,000 square feet or greater in any five-year period.
2. The creation of impervious area 40,000 square feet or greater of gross non-residential area.
3. A change of use within an existing building or structure of 20,000 square feet or greater.
4. A project requiring a MaineDOT traffic movement permit or a modification or change to an existing MaineDOT traffic movement permit.
5. Any soil disturbance, extraction industries, commercial earth moving and mining activities affecting an area 40,000 square feet or greater.
6. Any activity involving the consumption, generation, or handling of hazardous wastes as defined in 38 M.R.S.A. § 1303 or radioactive wastes as defined in 38 M.R.S.A. § 1451.

7. Subdivision of a new or existing structure so as to create five or more dwelling units. Any such division shall be recorded in the Hancock County Registry of Deeds in accordance with the requirements of Article 7.

STATE LAW REFERENCE—30-A M.R.S.A. § 4364-A(5-A) (RESIDENTIAL AREAS, GENERALLY; UP TO 4 DWELLING UNITS ALLOWED—PLANNING BOARD APPROVAL NOT REQUIRED).

605 REVIEW PROCEDURES

In addition to the general procedures set forth in Chapter 1, Section 208 and Chapter 56, Article 1, the following procedures apply to applications for site plan development review.

605.1 Sketch Plan Procedures (Optional).

1. **Sketch Plan Meeting.**
 - (a) **Minor Use.** Before submitting a minor use site development plan application, the applicant is encouraged to meet with the CEO to informally discuss the proposal. The pre-application meeting is informal and informational in nature, and the purposes of the pre-application meeting are to (i) allow the CEO to understand the nature of the proposed subdivision, (ii) allow the applicant to understand the review process and required submissions, and (iii) identify issues that need to be addressed in future submissions.
 - (b) **Major Use.** Before submitting a major use site development plan application, the applicant may, at the applicant's option, appear at a regular or special meeting of the Planning Board to informally discuss the proposal. The sketch plan meeting is informal and informational in nature, and the purposes of the sketch plan meeting are to (i) allow the Planning Board to understand the nature of the proposed subdivision, (ii) allow the applicant to understand the review process and required submissions, and (iii) identify issues that need to be addressed in future submissions.
2. **Submission Requirements.** If the applicant opts to appear at a sketch plan meeting of the Planning Board, the applicant shall submit a sketch plan showing, in simple sketch form, the layout of proposed development and other features in relation to existing conditions. The sketch plan must contain the features and elements set forth in Appendix 56.6-A. The sketch plan, which may be a free-hand penciled sketch, must be accompanied by a written description containing:
 - (a) The general intent of the proposal.
 - (b) General information describing the existing conditions of the site.
 - (c) Proposed drinking water and sewage disposal methods.
 - (d) Proposed uses for each existing or proposed structure.
 - (e) Existing and proposed impervious surface areas, including their dimensions.
 - (f) Existing and proposed gross floor area.

3. **Notice.** The applicant must give notice of the sketch plan meeting in accordance with Chapter 1, Section 209.
4. **Appearance.** The applicant or a duly authorized representative must present to the Planning Board at the sketch plan meeting, for informal review and comment, a sketch plan and other information relevant to the proposal.
5. **Waivers.** The applicant may, during the sketch plan meeting, identify and discuss any requests for waivers pursuant to Chapter 1, Section 206.4.
6. **No Vested Rights.** No binding commitments may be made between the applicant and the City administrator at this stage. No vested interests will attach or accrue as a result of any pre-application or sketch plan meeting, and such meeting(s) will not cause an application to be deemed complete for review pursuant to Chapter 1, Section 208.3.

605.2 Preliminary and Final Site Development Plan Procedures. The following procedures shall apply to any proposed major or minor use site development plan.

1. **Procedures for Minor Use Review.**

- (a) **Application.** The applicant shall submit to the CEO a site development plan application on forms provided by the City for the approval of a minor use site development plan. In addition to the general application submission requirements in Chapter 1, Section 208.2, the application must contain the materials set forth in Appendix 56-6.A. Notice that a major use site development plan application has been submitted shall be given in accordance with Chapter 1, Section 209.
- (b) **Completeness Determination by CEO.** Prior to starting review of the application, the CEO must determine that the application is complete for review in accordance with Chapter 1, Section 208.3.
- (b) **Public Comment Period.** The CEO shall accept written public comments on any minor use site development plan application and associated building permit for a period of ten days from the date that notice of the application was mailed in accordance with Chapter 1, Section 209. The public comment period will commence upon the mailing of the notices. Agricultural and forestry activities pertaining to soil disturbance and addition of fill are exempt from the public comment period requirement in this section.
- (c) **Written Decision.** At the end of the public comment period, the CEO shall review the public comments and evaluate the application against the applicable review criteria, and either (i) issue a written decision granting minor use site development plan approval in accordance with Chapter 1, Section 208.5 and issue the associated building permit, or (ii) classify the application as a major use site development plan application to be reviewed by the Planning Board pursuant to Section 605.2.2.
- (d) **Permit Expiration.** If the use authorized by a minor use site development plan approval has not been established within 36 months of approval or if a building permit has not been obtained during that period, the approval shall be deemed to have lapsed.

2. **Procedures for Major Use Review.**

- (a) **Application.** The applicant shall submit to the City Planner a site development plan application on forms provided by the City for the approval of a major use site development plan. In addition to the general application submission requirements in Chapter 1, Section 208.2, the application must contain the materials set forth in Appendix 56-6.A. The application must be filed at least 27 days prior to a scheduled meeting of the Planning Board. Notice that a minor use site development plan has been submitted shall be given in accordance with Chapter 1, Section 209.
- (b) **Special Fee Designation.** Notwithstanding Chapter 1, Section 302.1, all major use site development plan applications are designated special applications and a special fee shall be assessed in accordance with Chapter 1, Section 302.
- (c) **Initial Completeness Review By City Planner.** Notwithstanding the requirements of Chapter 1, Section 208.2, the City Planner shall make an initial determination of the completeness of applications for inclusion on the Planning Board meeting agenda. Any application which the City Planner initially determines to be incomplete shall not be placed on the agenda but shall be returned to the applicant with an indication of the additional information required. When this additional information has been supplied, the City Planner shall place the application on the Planning Board's agenda.
- (d) **Technical Review Team—Regular Meeting.** The City Planner shall call a Technical Review Team meeting no later than seven days after an application has been deemed complete by the City Planner. This meeting shall be referred to as the Regular Meeting of the Technical Review Team. As part of the Regular Meeting, the Fire Chief must review and provide comment on life-safety infrastructure requirements, including emergency vehicle access (turn-radius and width), hydrant locations, and fire flow requirements. The City Planner, in coordination with the TRT, shall conduct a final qualitative review of the application and issue a memorandum of preliminary findings, which shall be made available to the Planning Board, the applicant, and any interested parties.
- (f) **Planning Board Agenda.** An application determined to be complete by the City Planner shall be placed on the Planning Board's next regular monthly agenda for consideration. The Chair of the Planning Board may call a special meeting if the number of agenda items or other circumstances so require it.
- (g) **Preliminary Plan Meeting; Completeness Determination by Planning Board.** The intent of the preliminary plan meeting is for the Planning Board to make a determination of completeness of a major use site development plan, schedule a public hearing, and identify issues and constraints that must be addressed during a public hearing and in the final plan meeting. As part of its preliminary plan meeting, the Planning Board must determine that the application is complete for review in accordance with Chapter 1, Section 208.3.

- (h) **Final Plan Meeting—Substantive Review; Public Hearing Required.** The intent of the final plan meeting is for the Planning Board to evaluate whether a major use site development plan application complies with the review criteria set forth in Section 606 and any applicable performance standards. Prior to taking final action on any major use site plan development application, the Planning Board shall hold a public hearing. Notice of the public hearing must be given in accordance with Chapter 1, Section 209.
- (i) **Appearance.** The applicant, or duly authorized representative, shall attend meetings and hearings of the Planning Board to discuss the major use site development plan application. Failure to attend will postpone the Planning Board's review of the application until such time when the application is on the Planning Board's next meeting agenda and the applicant, or duly authorized representative, is in attendance.
- (j) **Written Decision.** Within 30 days after the date of the public hearing, the Planning Board shall issue a written decision in accordance with Chapter 1, Section 208.5.
- (k) **Permit Expiration.** If the use authorized by a minor use site development plan approval has not been established within 36 months of approval or if a building permit has not been obtained during that period, the approval shall be deemed to have lapsed.

605.4 Site Visits. The City administrator may hold a site visit of the property at any time during the review process. Notice of a site visit held by the Planning Board must be given in accordance with Chapter 1, Section 209. Prior to the site visit and upon request of the administrator, the applicant shall place "flagging" at the centerline of any proposed streets, at the approximate intersections of the street center and lot corners, and at the location of other important proposed structures and features as may be requested by the administrator.

605.5 Supplemental Application Materials. No supplemental application materials shall be accepted by the City Planner after noon on the first Monday following the TRT Regular Meeting. Supplemental application materials shall not be distributed by the applicant to the Planning Board at any meeting or hearing unless it is determined by the Chair of the Planning Board to be relevant, necessary, and brief enough to be quickly assimilated and if adequate copies are provided and of a type that is compatible with information technology currently available at the City.

605.6 Subsequent Applications. If a site development plan is denied by the administrator, a new site plan proposing the same development for the same property shall not be filed within six months after a final decision.

606 REVIEW CRITERIA GOVERNING SITE DEVELOPMENT PLAN REVIEW

606.1 Review Criteria. When reviewing any application for a major or minor site development plan, the City administrator must find that the proposal complies with each of the following review criteria. (These review criteria are not intended to discourage creativity, invention, and innovation.)

1. **Conformance with Comprehensive Plan.** The project shall be in conformity with the Comprehensive Plan, and with other applicable provisions in the City Code and state law.
2. **Land Not Suitable For Development.** Development is not proposed on land not suitable for development.
 - (a) The following lands shall not be included in the calculations of the minimum lot area: Land which is situated below the normal high-water mark of any water body.
 - (b) Land which is located within the 100-year floodplain as identified on the FEMA Flood Insurance Rate Maps, unless the developer shows proof through the submittal of materials prepared by a registered land surveyor demonstrating that the property lies at least two feet above the 100-year flood zone. The elevation of filled or man-made land shall not be considered.
 - (c) Wetlands.
3. **Lots.** Lot configuration and lot area shall be designed to provide for adequate off-street parking and service facilities based upon the type of development contemplated. Wherever possible, side lot lines shall be perpendicular to the street.
4. **Shoreland Zoning.** Projects that propose structures or uses located within the shoreland zone, as defined in Article 4 (Shoreland Zoning), may be reviewed by the Administrator concurrently with site development plan reviews. A shoreland zoning permit may be approved, or approved with conditions if the Administrator makes a positive finding based on the application and supporting information that, in addition to any requirements imposed by this Article, the proposed use:
 - (a) Will maintain safe and healthful conditions;
 - (b) Will not result in water pollution, erosion, or sedimentation to surface waters;
 - (c) Will adequately provide for the disposal of all wastewater;
 - (d) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitats;
 - (e) Will conserve shore cover and visual, as well as physical, points of access to inland and shoreland waters;
 - (f) Will protect archaeological and historic resources as designated in the comprehensive plan;
 - (g) Will not adversely affect existing commercial fishing or maritime activities in the General Development zoning district;
 - (h) Will avoid problems associated with floodplain development and use; and
 - (i) Is in conformance with the provisions of Article 4.

5. **Landscaping.**

- (a) The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. Scenic vistas should be preserved.
- (b) Environmentally sensitive areas such as wetlands, steep slopes, floodplains and unique natural features shall be maintained and preserved to the greatest extent possible. Natural drainage areas shall be preserved to the maximum extent.
- (c) Landscaping shall comply with the requirements of Article 8, Section 813 (Buffers, Screening, and Landscaping Standards).

6. **Accessways, Traffic Impacts and Access.**

- (a) Provision shall be made for vehicular access to the development and circulation within the development in such a manner as to safeguard against hazards to traffic and pedestrians in existing streets and within the development site, to avoid traffic congestion on any accessways and to provide safe and convenient circulation on and off-site.
- (b) All projects shall provide an estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hour. Where applicable provide a traffic impact analysis demonstrating the impact of the proposed project on the capacity, level of service, and safety of adjacent City and or State-owned streets.
- (c) Where a development abuts or contains an existing or proposed State- or City-owned road, permits must be obtained from the appropriate agency for entrance/driveway. This requirement shall be noted on the Plan and in the deed.
- (d) Vehicular access to and into the site shall meet the standards of Article 9, Street Design and Construction Standards, as applicable:
- (e) The layout of the site shall provide for the safe movement of passenger, service and emergency vehicles through the site.
 - (i) Non-residential projects shall provide a clear route for delivery vehicles with appropriate geometric design to allow turning and backing for vehicles expected to use the facility.
 - (ii) Clear routes of access shall be provided and maintained for emergency vehicles to all portions of the site and shall be posted with appropriate language.
 - (iii) The layout and design of parking areas shall provide for safe and convenient circulation of vehicles throughout the site and should prohibit vehicles from backing out onto a street.
 - (iv) All streets and accessways shall be designed to follow the topographic and natural features of the site. The road network shall provide for vehicular and pedestrian safety, all season

emergency access, snow storage, and delivery and collection services.

- (f) Where the street is designed to a private road design standard or where the street is to remain a private way until it is duly adopted by the City Council, the following words shall appear on the recorded plan and within any deed conveying land in the development:

“The roads in this development shall remain private roads, to be maintained by the developer or the lot owners until and if it meets the standards of a public road and it is duly adopted by the City Council in its discretion.”

7. **Bike/Pedestrian Access and Circulation.** The development plan shall provide for safe pedestrian circulation within the development. The pedestrian circulation system shall connect with existing sidewalks if they exist in the vicinity of the project. The pedestrian network may be located in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system shall be designed to link residential units with recreational and commercial facilities, other common facilities, school bus stops, and existing sidewalks in the neighborhood. Pedestrian and bike access to the site shall also comply with the standards of Article 9, Section 912 (Sidewalks and Bikeways) and Section 916.5.G (Sidewalk Materials).
8. **Parking.** The plan shall meet the criteria of Article 11 (Parking Standards).
9. **Environmental Standards.** The development plan shall be designed in accordance with applicable standards designed to protect the environment, including:
 - (a) *Stormwater.* The development shall be designed to comply with Article 10 (Stormwater Management Design and Construction Standards). Maintenance responsibilities shall be reviewed to determine their adequacy.
 - (b) *Low Impact Design.* The applicant shall submit technical documentation about the suitability of low impact design features that will reduce stormwater volumes and enhance stormwater quality. If non-low impact design features are selected, the applicant shall provide a statement explaining the reason why. Each applicant is required to submit a statement to the Planning Board documenting proposed Low Impact Design (LID) for the site.
 - (c) *Erosion and Sedimentation Control.* The development shall preserve salient natural features, keep cut-fill operations to a minimum, and ensure conformity with the topography so as to create the least erosion potential and adequately handle surface water runoff. The disturbed area shall be kept to a practical minimum. Any activity on a stream, watercourse, or swale, or upon a floodway or right-of-way, shall comply with the Natural Resources Protection Act, 38 M.R.S.A. § 480(A)-(S). Any such activity shall also be conducted in such a manner so as to maintain as nearly as possible the present state of the stream, watercourse, swale, floodway, or right-of-way for the duration of the

activity and shall be returned to its original or equal condition after such activity is completed.

10. **Parks, Open Space, Natural or Historical Features.**

- (a) To the greatest extent possible common open space areas shall be contiguous.
- (b) Parks and open spaces, as shown on any approved development plan, shall contain a notation that these areas shall not be further developed for any other use.
- (c) Parks and open spaces should include irreplaceable natural features located on the tract (such as, but not limited to, stream beds, significant stands of trees, individual trees of significant size, and rock outcroppings).
- (d) If the proposed development contains any identified historical or archaeological sites, or any areas identified in the Comprehensive Plan or by the Maine Critical Areas Program as rare and irreplaceable natural areas, these areas shall be protected through inclusion in an open space plan, and suitably protected by appropriate covenants and management plans.
- (e) Any public rights of access to the shoreline of a water body shall be maintained by means of easements or rights-of-way, or should be included in the open space plan, with provision made for continued public access.

11. **Drinking Water Supply.** The development shall have a system of water supply that provides each use with an adequate supply of water in compliance with Maine drinking water standards.

12. **Groundwater Protection.** The proposed site development and use shall not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems. Projects involving common on-site water supply or sewage disposal systems with a capacity of 2,000 gallons per day or greater shall demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine. Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Final Plan, and as restrictions in the deed.

13. **Sewage Disposal.**

- (a) *Public Sewer.* Any proposed development shall connect to the existing or proposed public sewer if said sewer is located within 600 feet of the development property line.
- (b) *Private Systems.* The developer shall submit evidence of soil suitability for subsurface wastewater disposal prepared by a Maine licensed site evaluator or soil scientist in compliance with the requirements of the Maine Subsurface Wastewater Rules. In no instance shall a disposal area

be permitted on soils or on a lot which requires a new system variance from the Subsurface Wastewater Rules.

14. **Utilities.** Any utility installations above ground shall be located so as not to be unsightly or hazardous to the public and shall be landscaped or otherwise buffered so as to screen the components from public view.
15. **Construction Debris.** If on-site disposal of the street or right-of-way construction stumps and debris is proposed, the disposal site shall be suitably covered with fill and topsoil, lined, fertilized, and seeded.
16. **Street Names and Traffic Signs.** Streets which join and 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 City, and shall be subject to the approval of the City Assessor's Office. The developer shall reimburse the City for the costs of installing street names, traffic safety and traffic devices.
17. **Advertising Features.** The size, location, texture and lighting of all exterior signs and outdoor advertising structures or features shall not detract from the layout of the property and the design of proposed buildings and structures and the surrounding properties and shall not constitute hazards to vehicles and pedestrians.
18. **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures, shall be subject to such setbacks, screen plantings, or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
19. **Exterior Lighting.** All exterior lighting shall be designed to ensure safe movement of people and vehicles, and to minimize adverse impact on neighboring properties and public ways. Lighting shall be arranged to minimize glare and reflection on adjacent properties and the traveling public and comply with Article 8, Section 812 (Exterior Lighting).
20. **Emergency Vehicle Access.** Provision shall be made for adequate emergency vehicle access to buildings and structures in compliance with Chapter 4 Fire Protection and Prevention.
21. **Fire Suppression.** The proposed development shall comply with the applicable provisions of Chapter 4 (Fire Protection and Prevention).
22. **Waste Disposal.** The proposed development shall provide for adequate disposal of solid waste and hazardous waste; all solid waste shall be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes; and all hazardous wastes shall be disposed of at a licensed hazardous waste disposal facility and evidence of a contractual arrangement with the facility shall be submitted.

APPENDIX 56.6-A SUBMISSION REQUIREMENTS

1. **Approved Plan Requirements.** The applicant shall submit one approved durable, permanent, transparent material (mylar) final site development plan and three paper copies for each approved site development plan. These plans shall be signed by the reviewing authority. A digital plan shall also be submitted. Unlike the hard-copy plan, which represents a legal document, the digital plan has no legal significance.
2. **Waivers.** Minor use and major use site development plan applications require the submission of the same application materials, unless waived pursuant to Chapter 1, Section 206.4. When granting waivers, the administrator shall set conditions as needed to ensure that the purposes of Chapter 56 are met and the proposal complies with the review criteria set forth in Section 606. Granted waivers and imposed conditions, as well as the date these actions were taken, shall be indicated on the final site development plan.
3. **Submittal to Administrator.** The site development plan information shall be presented in a narrative form and plan formats. All written materials shall be dated and contained in a bound report.
4. **Certifications.** Where applicant, professional, or City administrator certifications or signatures are required, signature lines shall be provided in the lower right-hand corner of the plans or other required documents.
5. **Number of Copies Needed for Plan Review.** The number of copies of application materials is as follows, unless the City Planner or the Administrator requests a greater or lesser number of copies.
 - (a) *Code Enforcement Officer.* Submission materials shall include: one copy of the application form, one copy of required submittal information, one copy of the responses demonstrating compliance with the criteria and performance standards, and two sets of all final plans and drawings. Digital copies of all approved material shall be provided to the CEO.
 - (b) *Planning Board.* Prior to the TRT meeting, two complete hard copies of the application (including application form, required submittal information, responses showing compliance with the criteria and performance standards, and plans and drawings), along with three additional copies of the site plan sheets only, shall be provided to the City Planner. Digital copies of all approved material shall be provided to the City Planner. After the TRT meeting, the applicant shall provide eight complete hard copies of the application and a digital copy of the amended materials.
6. **Scale.** Accurate scale plan of the parcel or drawings shall be provided at a scale sufficient to allow review of the information and make determination of consistency with the regulations and standards, but in no case shall the scale be more than 100 feet to the inch for that portion of the tract of land being proposed for development.
7. **Submission Requirements.** The applicant must submit, in addition to the general application submission requirements in Chapter 1, Section 208.2, an application on forms provided by the City and containing the following materials.
 - (a) **Schedule of Construction.** Anticipated beginning and completion dates.

- (b) **Cost.** A statement of overall project costs, a statement of costs for all work to take place within a public or private right-of-way, and evidence of financial capacity to complete the project. This evidence should be in the form of a letter from a bank or other source of financing indicating the name of the project, amount of financing proposed, and interest in financing the project.
- (c) **Base Plan.** A base plan containing the following information. Base plan information shall be shown on all other plans as the base layer.
 - (i) The name of the development.
 - (ii) The names and addresses of the owner of record and of the developer.
 - (iii) The name, address and registration number and seal of the designers (land surveyor, architect, engineer and/or similar professional who prepared the plan).
 - (iv) True and magnetic north arrows, date and bar scale.
 - (v) Vicinity map inset.
 - (vi) The boundaries of the parcel and size.
 - (vii) The bearings and distances of all property lines of the property to be developed and the source of this information.
 - (viii) All monuments erected and concerns established in the field. The material of which the monuments, corners or other points are made shall be noted by legend.
 - (ix) Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.
 - (x) The topography of the site at an appropriate contour interval of 2-foot to 5-foot depending on the nature of the uses and character of the site.
 - (xi) Major natural features of the site including wetlands, streams, ponds, floodplains, groundwater aquifers, significant wildlife habitats or other important natural features.
 - (xii) Location of burial grounds, rights-of-way, and other major features.
 - (xiii) Areas with sustained slopes greater than 25% covering more than one acre of land.
 - (xiv) The tax map and lot number of the parcels.
 - (xv) The location of all zoning district boundaries, including shoreland zones, flood hazard areas, and the 100-year flood elevation.
 - (xvi) The location of minimum setback lines, required by this Chapter 56, including building setbacks.
 - (xvii) Depiction of existing deed restrictions, conditions, or easements on the site.
 - (xviii) In tabular form, the zoning classification(s) of the property and dimensional requirements.
- (d) **Existing and Proposed Site Conditions Plan.** Existing and proposed site conditions should be presented on one plan and must include a signature block. The plan may be

supplemented by a standalone individual existing conditions plan and a proposed conditions plan if necessary.

(e) **Existing Site Conditions.**

- (i) Location and size of any existing sewer infrastructure and water mains within 600 feet of the project property line or remainder of land.
- (ii) Location and size of well and septic system on the property and located within 100 feet of the development (on and off property).
- (iii) Location and size of culverts and drains on the property and of any that will serve the development from abutting streets or land.
- (iv) Location, names, and present widths of existing streets and rights-of-ways within or adjacent to the proposed development. The name, location and dimensions of existing streets, rights-of-way, driveways, parking and loading areas and walkways within or adjacent to the proposed development.
- (v) Location of intersecting roads or driveways within 200 feet of the site.
- (vi) The location of open drainage courses, wetlands, stands of trees, and other important natural features.
- (vii) The direction of existing surface water drainage across the site.
- (viii) The location, front view and dimensions of existing signs.
- (ix) Dimension, height, location and orientation of existing structures on the property and the use.
- (x) Copy of maintenance agreements for any privately owned stormwater management facilities, parks or open space, and rights-of-way.
- (xi) Tabulation of the number of acres in the existing development including square footage of all buildings and structures; square footage of all paved or otherwise hard-surfaces streets, parking facilities, including curb and gutters, walks, loading areas and asphalt or concrete aprons for solid waste containers, or outdoor mechanical equipment.
- (xii) Copy of the portion of the Hancock County Soil Survey covering the project. When the medium intensity soil survey shows soils which are unsuitable for the uses proposed, the Administrator may require the submittal of a high intensity soil survey or a report by a registered soil scientist or registered professional engineer experienced in geotechnics, indicating the sustainability of soil conditions for those uses.
- (xiii) The location and methods of disposing for land clearing and construction debris.
- (xiv) Emergency vehicle access on the property to and/or around the building.

(f) **Proposed Site Conditions.**

- (i) *In General.* The location, dimensions, and ground floor elevations of all proposed buildings on the site; the location and dimensions of proposed rights-of-way, driveways, and walkways; the dimension and location of the area to be used for snow storage.

- (ii) *Lots.* All lots shall meet the minimum requirements of Article 3 for the zoning district in which they are located. If a lot on one side of a stream, tidal water, road, utility easement or wetland fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the stream, tidal water, or road to meet the minimum lot size. The ratio of lot length to width shall not be more than five to one. Flag lots and other odd shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited.
- (iii) *Signage.* Location, front view, and dimensions of proposed signs.
- (iv) *Soils.* Soils information if on-site sewage disposal is proposed. This information should be detailed enough to allow those portions of the site not suitable for on-site disposal systems to be identified.
- (v) *Wastewater Disposal.* Indication of the type of sewage disposal to be used. When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Sewer Department indicating the Department has reviewed and approved the sewerage system design compliant with Chapter 5, Public and Private Sewers shall be submitted.
- (vi) *Lighting.* A lighting plan per Article 8, Section 812 (Lighting Plan Submittal Contents).
- (vii) *Traffic.* Traffic and Street Design information per Article 9, Section 902.1 (Submittal Contents).
- (viii) *Parking.* Off-street parking and loading areas and structures, including the number of spaces, dimensions of spaces and aisles, and landscaping of parking areas.
- (ix) *Bike and Pedestrian.* Pedestrian circulation system, including walkways and bicycle paths where applicable.
- (x) *Stormwater Management Plan.* Stormwater information per Article 10, Section 1002 (Plan Submittals). A low impact design information statement shall be submitted to the Administrator documenting suitable low impact design for the site, which will help to reduce stormwater volumes and help to enhance stormwater quality. Low impact design includes, but is not limited to green roofs, rain gardens, tree wells, infiltration basins, and permeable pavement.
- (xi) *Utility Plan.* A utility plan showing the location and dimension of water and sewer improvement, including force-mains and pump stations, electric and telephone lines, and any other utility services to be installed on the site.
- (xii) *Drinking Water.* Indication of the type of water supply system(s) to be used. When water is to be supplied by a public water supply any proposed development where the property line is located within 600 feet at its closest point to a water line must connect to the public water system. The developer shall provide a written statement from the Water Department that adequate water for both domestic and firefighting purposes can be provided without placing an undue burden on the source, treatment facilities or distribution system involved. The developer shall be responsible for paying the costs of system improvements necessary to serve the development. The size and location of mains, gate valves,

hydrants, and service connections shall be reviewed and approved in writing by the Water Department Superintendent and the Fire Chief. When water is to be supplied by private well, evidence of adequate ground water supply and quality shall be submitted by a well driller or a hydrogeologist familiar with the area.

- (xiii) *Hydrogeology.* A groundwater impact analysis prepared by a groundwater hydrologist, or designed and prepared by a professional engineer registered in the State of Maine for projects involving:
 - Common on-site water supply or sewage disposal facilities with a capacity of 2,000 gallons or more per day.
 - Any part of a project located over a significant sand and gravel aquifer by the Maine Geological Survey.
- (xiv) *Groundwater Impact Analysis.* The groundwater impact analysis shall contain at least the following information:
 - A map showing the basic soils types.
 - The depth to the water table at representative points throughout the site.
 - Drainage conditions throughout the site.
 - Data on the existing groundwater quality, either from test wells on the site or from existing wells on neighboring properties.
 - Projections of groundwater quality based on the assumption of drought conditions (assuming 60% of annual average precipitation).
 - An analysis and evaluation of the effect of the development on groundwater resources. In the case of residential development, the evaluation shall, at a minimum, include a projection of post-development nitrate-nitrogen concentrations at any wells within the site, at the boundaries and at a distance of 1,000 feet from potential contamination sources, whichever is a shorter distance.
 - A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the site and within 200 feet of the site.
- (xv) *Fire Suppression.* Letter from the Ellsworth Fire Department stating the applicant has met with the Fire Department to discuss the project and the type of fire suppression system to be used, as well as emergency vehicle access. Provide all hydrant locations, as well as information on other fire protection measures.
- (xvi) *Landscaping.* The location, dimension, and type of walls, fences and landscaping. A planting schedule keyed to the plan and indicating the general varieties and sizes of trees, shrubs, and other plants to be planted on the site.
- (xvii) *Park and Open Space.* Any areas reserved as a park or open space shall be indicated on the application. A park and open space provision and maintenance plan shall be submitted as part of the application for development approval. This plan shall designate and indicate the type and boundaries of all proposed parks and open space. The following areas are not considered park or open space:

- Areas covered by buildings, parking lots, or other impervious surfaces accessible to automobiles;
 - Utility easement, drainage easements, or street rights-of-way, unless such areas are usable for public recreational purposes and will not be permanently converted to a street or trench;
 - Land underneath overhead utility lines.
- (xviii) *Critical Natural Areas.* Identify areas within or in close proximity to the project which have been identified by the State of Maine as High or Moderate Value Wildlife Habitat or is part of the Maine Natural Areas Program.
- (xix) *National Register of Historic Places.* Identify all areas within or in close proximity to the project which are either listed or have the potential to be listed in the National Register of Historic Places or are identified in the Comprehensive Plan or in Chapter 39 (Historic Preservation) as having historic significance.
- (xx) *Tabular Information.* Provide in table format the number of acres in the existing development including square footage of all buildings and structures; square footage of all paved or otherwise hard surfaces: streets, parking facilities including curb and gutters, walks, loading areas and asphalt or concrete aprons for solid waste containers, or outdoor mechanical equipment.
- (xxi) *Easements.* For any proposed easement, the developer shall submit the proposed easement language with a signed statement certifying that the easement will be executed upon approval of the development.
- (xxii) *Owner's Association.* Evidence that all requirements relative to establishment of a maintenance association or owner's association have been met. The submission shall include copies of the bylaws of any association charged with maintaining common spaces, infrastructures and lands. The association's documents shall clearly state that the association shall properly maintain the infrastructure or land serving the development after the developer has legally relinquished that responsibility and/or until such time as the City may accept ownership. The existence of this association and its purpose shall be noted on the plan.
- (xxiii) *Signature Block.* Space shall be provided on the plan in the bottom right-hand corner or the signature of the Administrator and date together with the following: "Approved" or "Approved with Conditions."
- (g) **State and Federal Permits.** Prior to the review of criteria and performance standards compliance by the Administrator, the developer shall show written proof that applications have been filed for all applicable state and federal permits, including:
- (i) DEP licenses, permits and approvals pursuant to NRPA, the Site Location of Development Act, and the Great Ponds Act.
 - (ii) DHHS approvals for central water supply systems and centralized or shared subsurface sewage disposal systems.
 - (iii) U.S. Army Corps of Engineers permits and approvals pursuant to Section 404 of the Clean Water Act.
 - (iv) MaineDOT driveway, entrance, and traffic movement permits.