Town of Canaan
Subdivision Ordinance

March 17, 2001

Amended: March 17, 2001
March 17, 2007

TABLE OF CONTENTS

PAGE

SECTION 1 GENERAL

Title 1
Authority 1
Purpose 1
Applicability 1
Effective Date 1
Conflicts With Other Ordinances 1
Validity and Severability 1
Availability 1
Application Forms 1
Application Fee 2
Amendments 2

SECTION 2 DEFINITIONS 2

SECTION 3 REVIEW CRITERIA 3

SECTION 4 ADMINISTRATION AND GENERAL PROCEDURES

Administration 5
Decisions 5
Burden of Proof 5
Additional Studies 5
Rights Not Vested 5
Site Inspection 6
Waivers 6
Subdivision Review Process 6
Revisions to Approved Plans 6
As-Built Plans 7
Appeals to Superior Court 7
Public Hearings Requirements 7
Joint Meetings 7
Performance Guarantee 8
Inspection Requirements 8

SECTION 5 SKETCH PLAN REVIEW

Purpose 9
Procedure 9
Submissions 9

PAGE

SECTION 6 PRELIMINARY PLAN REVIEW

Procedure 10
Preliminary Plan Review 10

SECTION 7 FINAL PLAN REVIEW

Procedure 12
Final Plan Review 13

SECTION 8 PERFORMANCE STANDARDS

General Lot Requirements 14
Monuments 14
Water Supply 14
Fire Protection 15
Subsurface Wastewater Disposal Systems 15
Erosion Control 15
Phosphorus Control 16
Stormwater Control 16
Waterbody Protection 16
Ground Water 16
Historic, Archeological, Wildlife Habitat, Scenic Areas, and Rare & Natural Areas 17
Financial and Technical Capacity 17
Conformity With All Other Applicable Local Ordinances 17
Road and Traffic Access Standards 18

1. Purpose 18
2. General Requirements 18
3. Road Drainage Requirements 19
4. Road Access Standards 19
5. Driveway Access Standards 20
6. Inter-Connections 20
7. Road Categories 20
8. Road Design Standards 21
9. Inspection Requirements 21

Recreational Access Standards 22
Agricultural, Forest, and Rural Resources 22
Rural Design and Landscape Standards 22
Maintenance of Roads and Public Improvements 22

SECTION 9. OPEN SPACE DEVELOPMENT OPTION

Purpose 23
Application Procedure 23
Basic Design Requirements 23
Dedication and Maintenance of Common Open Space and Facilities 24

PAGE

SECTION 10. ENFORCEMENT 26

APPENDIX A
TYPICAL “L” SHAPED TURN-AROUND DETAIL

APPENDIX B
ROAD CONSTRUCTION STANDARDS

Section 1 General

A. Title:
This Ordinance shall be known as the Town of Canaan Subdivision Ordinance and will be referred to as "this Ordinance".

B. Authority:
This Ordinance has been prepared in accordance with the provisions of Title 30 - A, M.R.S.A. Section 4403.

C. Purpose:
The purposes of this Ordinance are :

- To provide for an expeditious and efficient process for the review of proposed subdivisions.
- To clarify the approval criteria of the State Subdivision Law, found in Title 30 -A, M.R.S.A. Section 4404.
- To preserve and enhance the rural character of the community.
- To assure the safety, health, and welfare of the people of the Town of Canaan.
- To protect the natural resources of the Town of Canaan.
- To assure that a minimal level of services and facilities are available to the residents of new subdivisions and that lots in subdivisions are capable of supporting the proposed uses and structures.
- To promote the development of an economically sound and stable community.

D. Applicability:
The provisions of this Ordinance shall apply to all development considered to be a subdivision as defined by Title 30 -A, M.R.S.A Section 4401 and this Ordinance.

E. Effective Date:
The effective date of this Ordinance shall be the date of the adoption by the Town of Canaan on:
March 17, 2001

F. Conflicts with other Ordinances:
Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or any other ordinance, regulation or statute, the more restrictive provision shall control.

G. Validity and Severability:
Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of the Ordinance.

H. Availability:
A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost to be charged to the person making the request. Notice of availability of this Ordinance shall be posted in the Town Office.

I. Application Forms:
The Town of Canaan Planning Board shall develop application forms to be used by all applicants seeking subdivision approval.

J. Application Fee:

All applications for subdivision approval shall be accompanied by the following non-refundable fee made payable to the Town of Canaan:

- The fee for filing a preliminary plan shall be $100.00 plus $75.00 per lot and/or unit.
  (The fee for a minor subdivision that is permitted to file a final plan shall be the same as a preliminary plan)

K. Amendments:

Amendments to this Ordinance may be initiated by a majority vote by the Board of Selectmen, Planning Board, or by written petition by a number of voters equal to at least 10% of the number of votes cast in the municipality in the last gubernatorial election.

This Ordinance may be amended by a majority vote of the legally constituted municipal governing body at a regular or special town meeting or by referendum ballot.

Section 2 Definitions

Abutter: The owner of any property with one or more common boundaries, or across the road or stream, from the property involved in an application.

Aggrieved Party: An owner of land whose property is directly or indirectly affected by the granting of. denial of a permit under this Ordinance; a person whose land abuts land for which a permit has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of a permit.

Applicant: The person applying for subdivision approval under this Ordinance.

Complete Application: An application shall be considered complete upon submission of the required fee and all the information required by this Ordinance, or by a vote to waive certain submission or performance standards by a vote of the Planning Board.

Direct Watershed of a Pond: That portion of the watershed which drains directly to the pond without first passing through an upstream pond or river.

Final Plan: The final drawings and other required materials on which the applicant's plan of subdivision is presented to the Planning Board for approval and which, if approved, may be recorded at the registry of Deeds.

Minor Subdivision: A minor subdivision shall be considered a subdivision proposal consisting of no more than 4 lots and/or units and which do not involve the construction of any private or public roads.

Person: includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.

Preliminary Plan: The preliminary drawings and other required materials indicating the proposed layout of the subdivision to be submitted to the Planning Board for consideration.

Property Owner: The owner of land shall be determined to be that person listed on the Town of Canaan property tax assessment records.

Public Improvements: The term shall include all roads; fire protection structures and ponds; any structure or land proposed to be dedicated to the Town; any land or structure which is offered as an easement to the Town; and, all storm drainage structures which are designed to allow water to flow outside the property of the subdivision.

Sketch Plan: Conceptual maps, renderings and supportive data describing the project proposed by the applicant for initial review prior to submitting an application for subdivision approval.

Subdivision: As defined in Title 30 - A, M.R.S.A. Section 4401 and in addition, lots greater than 40 acres shall be deemed to be a lot and subject to the provisions of this Ordinance.

Wetland: A swamp, marsh ,bog or similar areas which are inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils. This is also meant to include forested wetlands.

Section 3 Review Criteria

The Planning Board shall consider the following criteria and before granting approval must determine that:

A. The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:

- The elevation of the land above sea level and its relation to the floodplain,
- The nature of the soils and subsoils and their ability to adequately support waste disposal,
- The slope of the land and its effect upon effluents, and,
- The applicable state and local health and water resources rules and regulations.

B. The proposed subdivision has sufficient water available for the reasonable needs of the subdivision.

C. The proposed subdivision will not cause an unreasonable burden on an existing municipal or private water supply, if one is to be used.

D. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

E. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.

F. The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services if they are used.

G. The proposed subdivision will not cause an unreasonable burden on the town's ability to dispose of solid waste, if Town services are used.

H. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, archeological sites, significant wildlife habitat as identified by the Department of Inland Fisheries and Wildlife or the Town, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.

I. The proposed subdivision conforms with the all the applicable standards and requirements of this Ordinance, the comprehensive plan, and other local ordinances. In making this determination, the planning Board may interpret these ordinances and plans.

J. The subdivider has adequate financial and technical capacity to meet all the Review Criteria and the standards and requirements contained in this Ordinance.

K. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river ads defined in Title 38, Chapter 3, Subchapter 1, Article 2-B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of that body of water.

L. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.

M. Based on Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundary within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with the lowest floor, including the basement, at least one foot above the 100-year flood elevation.

N. All fresh water wetlands within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. All wetlands shall be preserved to the greatest extent practicable.

O. Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as part of the application. All rivers ,streams or brooks shall be protected from any adverse development impacts.

P. The proposed subdivision will provide for adequate storm water management.

Q. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or wetland as these features are defined in Title 38, Section 480-B, none of the lots created within the subdivision shall have a lot depth to shore frontage ratio greater than 5 to 1.

R. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.

Section 4 Administration and General Procedures

A. Administration:

1. The Planning Board shall administer this Ordinance and review all subdivision applications according to the applicable review criteria and standards.

2. The Planning Board shall provide the Code Enforcement Officer and the Selectmen a copy of its decision on a subdivision application including all application materials.

B. Decisions:

1. The Planning Board shall determine if the subdivision application is complete before it schedules a public hearing or meeting and begins a review of the application.

2. After review of a complete application the Planning Board shall determine whether or not the application meets the Review Criteria contained in Section 3 of this Ordinance. The Planning Board shall make a written finding of fact to support its decision and vote to approve the application, deny the application, or approve the application with conditions.

3. If in its findings, the Planning Board determines that the application may not meet the review criteria, and that additional actions by the applicant will be sufficient to meet them, it may require such actions, as conditions of approval. The conditions may set forth requirements in addition to those set forth in the Ordinance only when the Planning Board finds it necessary to further the purposes of this Ordinance. All conditions approved by the Planning Board shall be listed along with the reasons for these conditions in the Planning Board's decision and on the final subdivision plan.

4. The Planning Board shall list any waivers approved by the Board on its decision form, and, on the final subdivision plan, and the reasons for such approval.

C. Burden of Proof:

1. The applicant shall have the burden of proof to show the proposed subdivision application meets the applicable review criteria and standards contained in this Ordinance.

D. Additional Studies:

1. The Planning Board may require the applicant, to perform additional studies or hire a consultant to review the entire, or portions of the subdivision application. The cost to perform additional studies or hire a consultant shall be borne by the applicant. The Planning Board may require the applicant to deposit with the Town the estimated cost of any consultant or additional study which shall be placed in an escrow account. The Town shall pay for the services rendered and reimburse the applicant, if funds remain after payments are completed. The applicant shall place additional funds into the escrow account in order to meet expenses.

E. Rights Not Vested:

1. The submittal of a sketch plan or a preliminary plan to the Planning Board to review for a complete application shall not be considered the initiation of the review process for the purposes of bringing the application under the protection of Title 1, M.R.S.A., Section 302. The formal review process shall begin upon written notification to the applicant that a complete application has been received.

F. Site Inspection:

1. The Planning Board may vote to schedule an on-site inspection of the proposed project. The Planning Board shall schedule the date and time of the site inspection at the sketch plan meeting or at another time. The Planning Board shall post the date, time and place of the site inspection at the Town Office.

2. The purpose of the site inspection is for the Planning Board to obtain knowledge about the site and surrounding area. The Planning Board shall not discuss the merits of the application or render any decision concerning the application during the site inspection. On-site inspection may be postpone when ground is snow covered.

G. Waivers:

1. The Planning Board may vote to waive any of the review criteria and/or ordinance performance standards when it finds one of the following:
   a. One or more of the review criteria and /or ordinance performance standards are not applicable to the proposal due to the size of the project, circumstances of the site, design of the project, or unique features of the proposal.
   b. The applicant has proposed an alternative design that meets or exceeds the requirements set forth in the performance standards.

2. The applicant shall submit information and materials that support the waiver request with the application.

3. The Planning Board may only consider a waiver request when the applicant has submitted a written waiver request in the application. The first item of the application review shall be a consideration of any waiver request. The Planning Board shall review the request and if it meets the criteria for a waiver, shall approve the request . If the Planning Board finds that the request does not meet the waiver criteria, the Board shall deny the request. The applicant shall amend the application as required if the waiver is not approved by the Board. The Planning Board may vote to suspend review of the application until such time that the applicant provides any information necessary as a result of not obtaining the waiver. In no case shall the Planning Board make a final decision upon the application until the applicant supplies any additional information to the satisfaction of the Board.

H. Subdivision Review Process:

1. All subdivision applicants shall be required to follow a three tier review process as follows:
   - Sketch Plan Review
   - Preliminary Plan Review
   - Final Plan Review

   The Planning Board may vote to allow Minor Subdivisions to submit a final plan for review directly after the Sketch Plan Review meeting. The Planning Board shall make this decision after reviewing the sketch plan proposal.

I. Revisions to Approved Plans

1. An application for a revision to a previously approved plan shall be submitted to the Planning Board at least 14 days prior to a scheduled meeting of the Planning Board. If the revision involves a modification to a condition imposed by the Planning Board; the addition of additional units; the addition of new lots; or an expansion of the subdivision, then the procedure for a new application shall be followed. If the revision only involves minor modifications to the plan, the Planning Board may consider the revision request at the meeting. The Planning Board may vote to hold a public hearing on the proposed revision.

2. The Planning Board's scope of review shall be limited to those portions of the plan which are proposed to be revised or that are adversely impacted by the proposed revision.

3. The applicant shall submit a copy of the approved plans and 5 (five) copies of the revised portions of the plans. The application shall include enough supporting data to allow the Planning Board to make a decision that the proposed revision meets the review criteria. One set of 11" x 17" consisting of the approved plans and revised portions of the plans for photocopying by the Planning Board for public distribution.

4. The Planning Board shall vote to approve the revision, deny the revision or approve the revision with conditions. The Planning Board may vote to require that additional information be submitted in order to ensure that the review criteria are met.

J. As Built-Plans:

1. Upon Completion of all the public improvements contained in the subdivision, the applicant shall submit a copy of as-built plans to the Planning Board.

K. Appeals to Superior Court:

1. An aggrieved party may appeal any final decision of the Planning Board under this Ordinance to Superior Court, within 30 days of the date the Planning Board issues a written order of its decision.

L. Public Hearing Requirements:

1. The Planning Board may hold a public hearing on all preliminary and final plan applications in order to receive public comment and information concerning the application.

2. The public hearing notice shall be made as follows:
   a. The Planning Board shall hold a public hearing within 30 days after determining that the application is complete. A notice of the date, time and place of the public hearing shall be:
      (1) Published, at least two times, in a newspaper having general circulation in the municipality. The date of the first publication shall be at least 7 days before the hearing.
      (2) Mailed by first class mail to the applicant, at least 7 days prior to the public hearing.
      (3) Mailed by first class mail to all property abutters, at least 7 days prior to the public hearing. The Planning Board shall maintain a list of all property abutters and record the date the notice was mailed. Failure of an abutter to receive a notice shall not invalidate the public hearing, nor shall it require the Board to schedule a new public hearing.

3. The Planning Board may vote to continue the public hearing in order to receive additional public comment or information concerning the application. The Board is not required to meet the notice requirements listed above for the continued public hearing.

M. Joint Meetings:

1. If any portion of a proposed subdivision crosses municipal boundaries, the Planning Board shall follow the notice, meeting, and review requirements specified in Title 30-A, M.R.S.A., Sections 4401- 4407.

N. Performance Guarantee:

1. A performance guarantee shall be required for all public improvements proposed for the subdivision. The applicant shall submit a proposal for the performance guarantee at the time of submission of the Final Plan.

2. The performance guarantee may include one of the following:
   a. A certified check, in an amount equal to the expense of installing the public improvements, made payable to the Town.
   b. A performance bond, in an amount equal to the expense of installing the public improvements, made payable to the Town, issued by a surety company.
   c. A conditional agreement with the Town, whereby no lot in the subdivision may be sold and no building permit issued until the applicant installs all public improvements. A phase development plan may be incorporated into the conditional agreement.
   d An irrevocable letter of credit from a bank or other lending institution which shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan.

3. The Planning Board, prior to approval of the final plan, shall consult with the Selectmen on the terms proposed by the applicant for the performance guarantee. The Selectmen may recommend that the amount of the certified check or performance bond or the terms of the performance guarantees be amended or revised. The Planning Board shall consider the recommendation of the Selectman and decide on the contents of the performance guarantee.

4. Prior to the release of the performance guarantee, the Planning Board shall determine that the proposed improvements meet or exceed the design and construction requirements specified in this Ordinance and the subdivision plans. The Planning Board shall base its decision upon the inspection reports filed by the Code Enforcement Officer, other Municipal Officials or other designated inspector.

5. If, the Planning Board, Code Enforcement Officer, or other designated inspection official finds that any of the public improvements have not been constructed in accordance with the plans and specifications filed as part of the application, they shall report this condition to the Selectmen. The Selectmen shall take any steps necessary to preserve the Town's rights.

O. Inspection Requirements:

1. The Code Enforcement Officer shall be responsible for conducting and/or coordinating all inspections with other municipal officials. The following municipal officials shall perform the following inspections:
   a. The Road Commissioner shall inspect all roads including roads to be considered for public acceptance and private roads and associated drainage systems.
   (All roads proposed for public acceptance shall also be inspected by a professional engineer as per the road performance standards contained in this Ordinance)
   b. The Local Plumbing Inspector shall inspect the installation of all subsurface waste water treatment systems.
   c. The Code Enforcement Officer shall inspect all erosion control measures, stormwater management features, and all other site features.

2. The applicant shall be responsible for scheduling all inspections with the Code Enforcement Officer . The Code Enforcement Officer and all other inspection officials shall keep a record of all inspections and all deficiencies. It shall be the responsibility of the Code Enforcement Officer to notify the applicant in writing that a deficiency exist and the steps necessary to remedy the situation. The Code Enforcement Officer shall notify the Planning Board and the Selectmen whenever the applicant fails to remedy a deficiency. Upon completion of the subdivision and/or consideration of release of the performance guarantee, all inspection reports shall be made available to the Planning Board and the Selectmen.

Section 5 Sketch Plan Review

A. Purpose:

The purpose of the sketch plan submittal is for the applicant to present general information regarding the proposed subdivision to the Planning Board and to receive the Planning Board's comments prior to the expenditure of substantial sums of money for developing the subdivision plan.

B. Procedure:

1. The applicant shall submit a complete sketch plan application to the Planning Board at least 14 days before a scheduled meeting of the Planning Board.

2. The applicant shall present the sketch plan application to the Planning Board and make a verbal presentation regarding the site and the proposed subdivision.

3. Following the applicant's presentation, the Planning Board may ask questions and make suggestions to be incorporated by the applicant into the application.

4. The Planning Board shall determine the contour intervals to be shown on the plan.

5. The Planning Board shall decide if the proposed subdivision meets the definition of a minor subdivision and if the applicant may submit a final plan for consideration.

6. The Planning Board shall decide on the applicant's request to develop the subdivision in accordance with the open space design standards

C. Submissions:

1. The sketch plan shall show in simple sketch form the proposed layout of roads, lots, buildings, and other features in relation to existing site conditions. The sketch plan does not have to be an engineered plan and may be a free-handed penciled sketch.

2. The sketch plan shall be submitted on the application forms provided by the Planning Board and include the following:
   a. A copy of the Tax Assessors map of the site and surrounding area.
   b. A copy of the U.S.G.S. topographic map of the area showing the outline of the proposed subdivision.
   c. A copy of the County Soil Survey showing the area of the proposed subdivision.

Section 6 Preliminary Plan Review

A. Procedure:

1. The applicant shall, at least 14 days prior to a scheduled meeting of the Planning Board, submit a complete preliminary plan application to the Town Clerk and/or the Planning Board Secretary. The applicant shall be issued a dated receipt and the preliminary plan application shall be placed on the Planning Board's agenda in order to review for a complete application.

2. The application shall consist of 5 (five) complete copies including all maps and related attachments. The Planning Board shall receive 3 (three) copies; the Code Enforcement Officer shall receive one copy; and, one shall be placed in the Town Office for public review. One set of 11" x 17" preliminary plan for photocopying by the Planning Board for public distribution.

3. As soon as possible, after the receipt of the preliminary plan the Town shall notify by first class mail all abutters to the proposed subdivision that an application for a subdivision has been submitted to the Planning Board, specifying the location of the proposed subdivision and including a general description of the project. The notice shall also indicate that a copy of the application is available for public review at the Town Office. The Planning Board shall maintain a list of all abutters notified by first class mail, specifying the date the notice was mailed.

4. Within 30 days of the receipt of the preliminary plan application, the Planning Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the board shall notify the applicant of the specific material needed to complete the application.

5. The Planning Board shall hold a public hearing or meeting within 30 days of determining that it has received a complete application.

6. Within 30 days of the public hearing or meeting, or within another time period as may be mutually agreed to by the Board and the applicant, the Planning Board shall make a decision on the application.

7. Upon approval of the preliminary plan, the applicant is eligible to submit a final plan to the Planning Board for consideration. The approval of the preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to preparation of the final plan. The final plan shall be submitted for consideration upon fulfillment of the requirements of this Ordinance and conditions of preliminary approval, if any.

B. Preliminary Plan Submissions:

1. The applicant is responsible for supplying all the necessary information to show that the proposed subdivision is in compliance with the review criteria, and requirements and performance standards contained in this Ordinance. The preliminary plan submissions shall consist of the following:

   a. A receipt from the Town indicating that the application fee has been paid.
   b. A preliminary plan application form and all required attachments and maps.

c. Waiver request form, if applicable.

d. A location map, drawn at an appropriate scale to show the relationship of the proposed subdivision to adjacent properties, The map shall show the following:

(1) Existing subdivisions in the proximity of the proposed subdivision.
(2) Locations and names of existing and proposed roads as per the Town of Canaan Enhanced 911 Road Naming and Numbering Ordinance.
(3) Boundaries and designations of all shoreland zoning and other land use districts.
(4) An outline of the proposed subdivision and any remaining portion of the owner's property if not included in the subdivision proposal.

e. The following general information:

(1) Name and address of the applicant and applicant's agent.
(2) The applicant shall provide a registered warranty deed indicating ownership of the proposed subdivision.
(3) A copy of all existing and proposed, deed restrictions, rights-of-way, or other encumbrances affecting the property.
(4) The book and page and tax map and lot information of the property.
(5) The names of all property owners abutting the property.
(6) Acreage of the proposed subdivision and acreage of any land not included in the subdivision.

f. A subdivision plan consisting of one or more maps drawn to a scale of not more than 100 feet to the inch. The plan shall show the following:

(1) Name of the subdivision.
(2) Number of lots.
(3) Date, north point, graphic scale.
(4) Proposed lot lines with dimensions.
(5) A survey of the perimeter of the tract, giving complete descriptive data by bearing and distances, made and certified by a Registered Land Surveyor. The corner of the tract shall be located on the ground and marked by permanent markers. The plan shall indicate the type of permanent marker proposed to be set or found at each lot corner.
(6) Contour intervals as specified by the Planning Board.
(7) The location of all wetlands regardless of size.
(8) The location of all rivers, streams, brooks and ponds within or adjacent to the subdivision.
(9) The location of all slopes in excess of 20% (twenty percent) slope.
(10) The number of acres within the subdivision, location of property lines, existing buildings, vegetative cover type, and other essential existing features.
(11) The location of any significant sand and gravel aquifers,
(12) The boundaries of any flood hazard areas and the 100-year flood elevation as depicted on the Town's most recent FIRM Map.
(13) The boundaries of all shoreland zoning districts.
(14) The location and boundaries of any significant wildlife habitat as identified by the Department of Inland Fisheries and Wildlife.
(15) The location of any site or structure listed on the National Register of Historic Places or any archeological site identified by the State Historic Preservation Commission.
(16) The location of all scenic areas and rare and endangered plants as identified in the Town's Comprehensive Plan.

(17) The location of all subsurface wastewater disposal system test pits or borings and test data and appropriate documentation.
(18) The location of all existing and proposed wells and appropriate documentation.
(19) All erosion control features proposed for the site.
(20) All stormwater control features proposed for the site.
(21) All parcels of land proposed to be owned or held in common or joint ownership by the subdivision or individual lot owners. All land proposed to be offered for public acceptance to the Town.
(22) Phosphorus control measures, if the subdivision is located within the direct watershed of a great pond.
(23) Road plans and specifications and appropriate documentation.
(24) Traffic access data for the site including an estimate of the amount of vehicular traffic to be generated on a daily basis.
(25) The type and location of any proposed fire control features, and appropriate documentation.

g. A statement indicating how the solid waste from the subdivision will be handled .
h. Documentation indicating that the applicant has the financial and technical capacity to meet the requirements of this Ordinance.
I. Any other data necessary in order to meet the requirements of this Ordinance.
j List the anticipated types of land uses that will be developed within the proposed subdivision.
k Indicate how all roads and other public improvements will be maintained until the improvements are dedicated to the Town or in the case of private roads and improvements, how they will be maintained over their lifespan.

Section 7 Final Plan Review

A. Procedure:

1. The applicant shall, at least 14 days prior to a scheduled meeting of the Planning Board, submit a complete final plan application to the Town Clerk and/or Planning Board Secretary. The applicant shall be issued a dated receipt and the final plan application shall be placed on the Planning Board's agenda in order to review for a complete application.

2. The application shall consist of 2 (two) stable-based transparencies and 3 (three) paper copies. The Planning Board shall receive 2 original transparencies, and two paper copies. One paper copy shall be placed in the Town Office for Public review. One set of 11" x 17" paper copy for photocopying by the Planning Board for public distribution.

3. Within 30 days of the receipt of the final plan application, the Planning Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the Board shall notify the applicant of the specific material needed to complete the application.

4. The Planning Board shall schedule a public hearing or a meeting to review the final plan within 30 days of determining that it has received a complete application.

5. Within 30 days of the public hearing or meeting, or within another time period as may be mutually agreed to by the Board and the applicant, the Planning Board shall make a decision on the application.

6. Upon voting to approve the final plan, the Planning Board shall sign the 2 stable -based transparencies. The Planning Board shall retain one copy and the other shall be provided to the applicant. The applicant shall file the approved final subdivision plan with the Register of Deeds, within 90 days of the date upon which the plan is approved. Failure to file the plan with the Register of Deeds, within 90 days, shall make the plan null and void. Final Plans not filed in the appropriate time period shall be re-submitted to the Board according to the requirements of Section 7 of this Ordinance.

B. Final Plan Submissions:

1. The applicant is responsible for supplying all the necessary information to show that the proposed subdivision is in compliance with the review criteria and requirements and performance standards contained in this Ordinance. The final plan submissions shall consist of the following:
   a. A receipt from the Town indicating that the application fee has been paid.
   b. A final plan application form and all required attachments and maps.
   c. All the submission materials required for a preliminary plan.
   d. All conditions and modifications approved by the Planning Board for the preliminary plan shall be contained on the final plan.
   e. All waivers approved by the Planning Board shall be shown on the final plan.
   f. All additional studies and/or materials required by the Planning Board, as applicable.
   g. A signature block shall be provided on the final plan.
   h. A performance guarantee, if applicable.
   I. The location and type of all permanent markers set at all lot corners.
   j. If the subdivision contains any private roads, the plan shall contain a statement as follows: The subdivision roads are designed as private roads are not eligible for acceptance by the Town of Canaan, unless the road is improved to meet the appropriate standards for road acceptance.
   k. Written copies of any documents of land dedication, and written evidence that the Board of Selectmen are satisfied with the legal sufficiency of any documents accomplishing such land dedication.
   l. Any conditions placed on the final plan by the Planning Board shall be clearly listed on the plan. Planning Board imposed conditions shall be listed separately from any conditions or restrictions placed on the subdivision by the applicant.

Section 8 Performance Standards

A. The performance standards contained in this section shall apply to all subdivision proposals in the Town of Canaan.

B. General Lot Requirements:

1. The following general lot requirements shall be considered as minimum standards and shall not be eligible for a waiver. Subdivisions designed according to the Open Space Design Option may modify these dimensional requirements according to the standards contained in Section 9 of this Ordinance. All lots shall meet the following dimensional standards:

Minimum Lot Size	1 acre
Minimum Road Frontage	200 feet
Maximum Lot Depth to Width Ratio	5 : 1
Side Property Line Setback	15 feet
Rear Property Line Setback	15 feet
Front Setback (measured from the road center-line)	50 feet
Multi-Family Density Standards	1 acre plus 20,000 Square Feet for each dwelling unit.

b. Land located in the following areas shall not be used to calculate the required minimum lot size: wetlands; rivers; streams; brooks; stormwater drainage features; resource protection areas as defined in the Town's Shoreland Zoning Ordinance; areas within the floodway as defined in the Town's Floodplain Management Ordinance; and, areas within public and private rights-or way.

c. Road Frontage will be measured in a single straight line between the intersection of the lot lines with the road.

C. Monuments:

1. Monumentation as required by the Maine Board of Registration of Land Surveyors shall be installed at the following:
   a. At all road intersections and points of curvature, but no farther than 750 feet apart along road lines without intersections or curves.
   b. At all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is 135 degrees or less.
   c. At all other subdivision boundary corners and angle points as well as lot boundary corners and angle points.

D. Water Supply:

1. Individual wells shall be sited and constructed to prevent infiltration of surface water, and contamination form subsurface wastewater disposal systems and other sources of pollution. The lot design shall permit the placement of wells, subsurface wastewater disposal systems and reserve areas in compliance with the Maine Subsurface Wastewater Disposal Rules and the Well Drillers and Pump Installers Rules.

2. The water supply for the subdivision and each lot shall be adequate to supply all the potable, and other water requirements of the development. The applicant shall submit documentation from a Hydrologist or a Well Driller familiar with the area, stating that adequate water is available to supply the subdivision.

E. Fire Protection:

1. The subdivision shall be designed so that the Town of Canaan Fire Department shall have unrestricted access to all developed areas within the subdivision and adequate provisions are made for a supply of water for fire suppression. The applicant shall review the proposed subdivision with the Fire Chief and shall obtain a written statement from the Fire Chief approving the plans fire protection measures. This statement shall be submitted with the preliminary plan application.

2. The Fire Chief in making his/her determination that adequate provisions are made for fire protection shall consider the following:
   a. The road is adequate for the passage of fire equipment.
   b. An adequate water supply is available near or within the subdivision to serve the density of the development.

   The Fire Chief shall approve the fire protection measures proposed for the subdivision or shall make specific recommendations to improve the fire protection measures. In making recommendations the Fire Chief may recommend the installation of fire ponds or other similar features .

F. Subsurface Wastewater Disposal Systems:

1. The applicant shall submit evidence of site suitability for subsurface wastewater disposal system prepared by a Licensed Site Evaluator in compliance with the Subsurface Wastewater Disposal Rules of the State of Maine. All test pit or test boring locations shall be shown on the subdivision plan and be accompanied by a HHE-200 Form or other format which shows the appropriate soils data.

2. The applicant shall submit the test pit/boring data to the Town of Canaan LPI for review. The LPI shall review the data for conformance with State Law and this Ordinance and issue the applicant a written statement . The LPI shall state whether that the data submitted is sufficient to make a reasonable determination that the soils will accommodate a subsurface system or indicate if additional data or site analysis is needed. The applicant shall submit the LPI's statement with the preliminary plan application.

3. In no instance shall a disposal area for a lot or structure require a New System Variance from the Subsurface Wastewater Disposal Rules. Holding tank systems shall not be allowed to serve new lots or structures.

G. Erosion Control:

1. All activities which involve filing, grading, evacuation or other similar activities which result in unstabilized soil conditions shall comply with the following:
   a. The site shall be developed so as to prevent soil erosion from entering waterbodies, wetlands, stormwater drainage features, and adjacent land. All temporary and permanent erosion control measures shall be designed in accordance with the "Maine Erosion and Sedimentation Control handbook for Construction: Best Management Practices", published by the Cumberland County Soil and Water Conservation District and the Maine Department of Environment Protection, March 1991or most current version.
   b. All temporary and permanent erosion features shall be shown on the subdivision plan.

H. Phosphorus Control:

1. The following standards for phosphorus shall apply to all subdivisions located in the direct watershed of a great pond.

2. A phosphorus control plan shall be developed in accordance with the design criteria contained in the Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development, published by the Maine Department of Environmental Protection, revised September, 1992.

I. Stormwater Control:

1. All construction and development shall be designed to minimize storm water runoff from the site. Where possible existing natural runoff control features shall be retained in order to reduce runoff and encourage infiltration. A storm water control plan shall be developed for the site according to the following standards:

   a. A storm water control plan shall be developed to limit peak discharges from the site to predevelopment levels through a system of swales, culverts, and best management practices equivalent to those described in the Stormwater Management for Maine: Best Management practices, published by the Maine Department of Environmental Protection, 1995.
   b. Peak discharges shall be limited to the predevelopment levels for the 2-year, 10-year and 25-year frequency, 24-hour duration storm.
   c. A storm water control plan that is developed according to the requirements of the Department of Environmental Protection Regulations, Chapter 500, Stormwater Management and Chapter 502, Direct Watersheds of Waterbodies Most at Risk from New Development shall be deemed to be a suitable equivalent to these standards.

J. Waterbody Protection:

1. The locations of all rivers, streams, brooks, and wetlands shall be identified on the subdivision plan. This shall include all perennial and intermittent streams and forested and non-forested wetlands.

2. Waterbodies shall not be developed or disturbed unless the applicant can provide evidence that no other alternative exist. Any development planned within 50 feet of the high-water line of any waterbody including wetlands shall require a plan which includes the following:
   a. A description of the proposed development including the reasons why this is the only alternative.
   b. Construction drawings of the disturbance area showing all structures, fill areas, vegetative disturbance, and erosion control measures.
   c. A list of state and federal permits required, if applicable.

K. Ground Water:

1. Any development proposed within a Sand and Gravel Aquifer as identified in the Town's Comprehensive Plan, shall be designed and constructed according to a plan which takes into account the impact of the development upon the aquifer.

2. The Planning Board may require the applicant to provide a plan developed by a hydrologist which shows that the proposed development will not have an adverse impact upon the aquifer. The Planning Board, in making the determination that a plan be required, shall consider the density of the development, and existing conditions or problems within the area .

L. Historic, Archeological, Wildlife Habitat, Scenic Areas, and Rare and Natural Areas:

1. The subdivision plan shall show the locations of any historic and archeological sites, wildlife habitat, scenic areas and rare and natural areas. If any of these areas are located on the site, a protection plan shall be developed in accordance with the following:

   a. If any portion of the site is designated as a significant archeological or historic site by the Maine Historic Commission, Comprehensive Plan, or listed on the National Register of Historic Places, the applicant shall develop appropriate measures for the protection of these resources according to local, state and federal regulations.

   b. If any portion of the site is located within an area designated as a scenic area or a unique natural area by the Maine Natural Areas program of the Comprehensive Plan, the applicant shall develop appropriate measures for the preservation of the values which qualify the site for such designation.

   c. If any portion of the site is within a wildlife habitat area, the applicant shall consult with the Maine Department of Inland Fisheries and Wildlife or a qualified wildlife biologist and develop measures to protect these areas from environmental damage and habitat loss. Wildlife habitat areas shall include the following:

      (1) habitat or endangered species appearing on the official state or federal list of endangered or threatened species.

      (2) High or moderate value waterfowl and wading bird habitats as defined by the Maine Department of Inland Fisheries and Wildlife.

      (3) Deer wintering areas as identified by the Maine Department of Inland Fisheries and Wildlife.

M. Financial and Technical Capacity:

1. The applicant shall submit evidence that he/she has adequate financial and technical capacity to design and construct the development in accordance with all applicable local, state and federal laws and regulations. Evidence of adequate financial and technical capacity shall consist of the following:

   a. A list of all technical and professional staff involved with the proposal and preparation of the application including their qualifications and past experience with projects of similar size and scale.

   b. A list of all persons with inspection and oversight responsibilities for the development and if available, the persons selected to construct the project, including their qualifications and past experience with projects of similar size and scale.

   c. A letter from a financial institution such as a bank or other lending institution that states that the applicant has the necessary funds available or a loan commitment from this institution to complete the proposed development within the time period specified by the applicant, if requested by the Planning Board.

N. Conformity With All Other Applicable Local Ordinances:

1. The applicant shall show that the subdivision meets all other applicable local ordinances including Shoreland Zoning, Floodplain Management and the Town of Canaan Enhanced 911 Road Naming and Numbering Ordinance.

O. Road and Traffic Access Standards:

1. The purpose of the road and traffic access standards are to:
   a. To establish minimum specifications for all public and private roads.
   b. To establish procedures and standards for the acceptance of a public road.
   c. To establish a review and inspection procedure for public and private roads.
   d. To establish design and construction standards for safe traffic access.
   e. To establish minimum standards for traffic safety and the carrying capacity of roads.
   f. To establish standards for roadway drainage systems.
   g. To establish standards for road durability and a reasonable service life.

2. General Requirements

   a. Access to a maximum of 2 dwelling units may be provided by a driveway meeting the following requirements:
      (1) The driveway shall serve not more than 2 dwelling units.
      (2) The driveway shall have a minimum travel way of 12 feet.
      (3) A turn-around area shall be provided for every portion of the driveway in excess of 800 feet.
      (4) The driveway shall be upgraded to conform to the road standards whenever more than 2 dwelling units are proposed to be accessed by the driveway. It shall be the sole responsibility of the property owners to make all necessary improvements.
      (5) The driveway shall provide the necessary road frontage requirement for the dwelling units served by the driveway.
      (6) The driveway shall be considered a private way and shall not be considered for public acceptance.

   b. A road meeting one of the road categories shall be constructed to access 3 or more dwelling units.

   c. All roads shall be considered as public improvements and shall require a performance guarantee as per the requirements of this Ordinance.

   d. The type of road constructed shall be determined by the number of dwelling units proposed to be served by the roadway. (See road category definitions for information)

   e. The only subdivision roads eligible for consideration for public acceptance shall be constructed as a collector road or local road and shall have a bituminous pavement surface . Roads proposed for public acceptance shall also meet the inspection requirements of this section.

   f. All roads shall be constructed according to the standards and requirements listed in this section.

   g. A dead-end road defined as having only one access to an existing public road shall not serve more than 20 dwelling units. A road shall have at least two access points to an existing public road in order to serve more than 20 dwelling units. Each dead-end road shall be provided with a turn-around as shown in Appendix A.

3. Road Drainage Requirements

a. All roads shall have adequate drainage structures which shall be designed in accordance with the stormwater management plan as specified in sub-section I Stormwater Control of this Section. Any low spots which could hold trapped water under the road area shall have drainage provisions.

4. Road Access Standards

a. The road providing access to the development and any other road that can be expected to carry traffic for the subdivision shall have an adequate traffic carrying capacity to accommodate the proposed use. The road shall be improved as necessary to accommodate the traffic requirements of the subdivision. All necessary improvements shall be made at the expense of the subdivider.

b. Roads that access onto a State Road shall comply with all applicable Maine Department of Transportation (MDOT) design requirements. The applicant shall submit a letter or other documentation to the planning Board that the MDOT has approved the road access design.

c. The road access shall be located and designed in profile and grading to provide the required sight distance measured in each direction. Sight distance shall be measured from the driver's seat of a vehicle standing on that portion of the exit with the front of the vehicle a minimum of 10 feet behind the curbline or edge of the shoulder, with the height of the eye 3 ½ feet, to the top of an object 4 ½ feet above the pavement. A minimum sight distance of 10 feet for each mile per hour of posted speed limit shall be provided.

d. The road access shall be flat enough to prevent the dragging of any vehicle undercarriage. Accesses shall slope upward or downward from the gutter line on a straight slope of 3% of less for at least 75 feet.

e. Accesses shall be either one-way or two-way operation and shall intersect the road at an angle as nearly 90 degrees as site conditions permit, but in no case less tan 60 degrees.

f. The curb radii will vary depending if the access has a one-way or two-way operation. On a two-way access the curb radii shall be between 25 feet and 40 feet, with the preferred radius of 30 feet. on one-way access, the curb radii shall be 30 feet for right turns into and out of the site, with a 5 foot radius on the opposite curb.

g. On a two-way access the width shall be between 24 and 26 feet, with a preferred width of 26 feet. On a one-way access the width shall be between 16 feet and 20 feet, with a preferred width of 16 feet.

h. On a two-way access the curb-cut width shall be between 74 feet and 110 feet, with a preferred width of 86 feet. On a one-way access the curb-cut width shall be between 46 feet and 70 feet, with a preferred width of 50 feet.

I. Appropriate traffic control sinage shall be erected at the intersection of the access and the street.

j. Corner clearance shall be measured from the point of tangency for the corner to the pont of tangency for the access. The maximum corner clearance, based upon site conditions should be provided. The minimum corner clearance shall be 50 feet.

k. All roads with access onto an existing paved state or local road shall be paved with bituminous pavement a minimum distance of 75 feet as measured from the edge of the existing road onto the proposed road.

l. All roads with access onto an existing state or local road shall not be located within 100' (one hundred feet) of a existing intersection or driveway, unless conditions warrant otherwise.

5. Driveway Access Standards

a. All driveways that access onto public roads shall be located and designed to provide adequate sight distance as required in Section 8,O.4.c. Areas not meeting this requirement shall be indicated on the preliminary plan and final plan.

b. All driveways that access onto public roads shall be designed with sufficient vehicle turn-around area to enable a driver to exit the premises without backing onto the road. This requirement shall be deemed to be met by an onsite driveway turn-around for a single vehicle measuring at least 8 feet wide by 15 feet long.

c. All driveways with access onto an existing state or local road shall not be located within 100' (one hundred feet) of a existing intersection or driveway, unless conditions warrant otherwise.

d. No driveways within the turn-around boundary.

6. Inter-Connections

a. All subdivisions consisting of 4 or more lots shall contain provisions for vehicular connections to future projects on adjacent properties or the same lot whenever feasible and to the maximum extent possible.

7. Road Categories

a. The type of road proposed for the subdivision shall be selected according to the following road classification definitions which are based upon the number of dwelling units to be served by the road.
   (1) Collector Road is designed more than 30 dwelling units.
   (2) Local road is designed to serve between 10 and 29 dwelling units.
   (3) Rural road is designed to serve between 1 and 9 dwelling units.

b. The applicant may choose to construct a road that exceeds minimum design category.

c. The Planning Board shall review the type of road selected by the applicant to ensure that the road will be capable of accommodating future expansion of the subdivision. The Planning Board shall consider the following in it's review:
   (1) Particular conditions of the site do not allow for future expansion.
   (2) A phase build-out of the subdivision is proposed.
   (3) The applicant owns or has retained land adjacent to the subdivision with future development potential.

The Planning Board may after reviewing the particular site conditions; require that a road be constructed to a road category that is more suitable to the potential build-out of the site.

Please Note: Only roads designed and constructed as a collector or local road shall be eligible for consideration for public acceptance. Any road not conforming to this requirement shall be a private road.

8. Road Design Standards

a. The road design standards for each type of road are listed in Appendix B. These standards shall be considered as minimum requirements.

b. The applicant shall submit detailed construction drawings showing a plan view, profile, and typical cross- section of the proposed road. The plan shall be at a scale of one inch equals no more than 50 feet. The vertical scale shall be one inch equals no more than 5 feet. The plan shall include the following information:

(1) Date, scale and north point.
(2) Intersections of the proposed road with existing roads.
(3) Roadway and right-of-way limits, including edge of pavement and edge of shoulder.
(4) Kind, size, location, material, profile and cross section of all existing and proposed drainage structures and their location with respect to the existing natural waterways and proposed drainage ways.
(5) Complete curve data shall be indicated for all horizontal and vertical curves.
(6) Turning radii at all intersections.
(7) Centerline gradients.
(8) Size, type and locations of all existing and proposed utilities.

c. Before any clearing is started in the right-of-way, the center lines and sidelines of the road shall be flagged or staked at 50 foot intervals. The entire travel way including shoulders shall be cleared of all stumps, roots, brush and other materials. All organic and unsuitable materials shall be removed from the road sub-grade. All rocks and boulders visible at the subgrade and exceeding 6 inches in size shall be removed. Except in a ledge cut all side slopes shall be no greater than a slope of three feet horizontal to one foot vertical, and shall be graded, loamed and seeded.

9. Inspection Requirements for Roads Proposed for Public Acceptance

a. In addition to the inspection requirements listed in Section 4, sub-section O, of this Ordinance, all roads proposed to be considered for public acceptance shall meet the following inspection requirements:

(1) The applicant shall at his/her expense hire a Professional Engineer licensed in the State of Maine to inspect the roadway construction. The engineer shall inspect the roadway during construction and certify in writing that the road was installed according to the subdivision plans and the requirements of this Ordinance.

(2) The applicant shall submit to the Selectmen and the Planning Board, the engineer's report certifying that the road meets or exceeds the subdivision plan and Ordinance requirements.

(3) Upon receipt of the engineer's certification and the inspection report from the Code Enforcement Officer and the Road Commissioner, the Selectmen may consider presenting to the Town meeting a warrant for public acceptance of the road.

P. Recreational Access Standards

This Section doe not contain any standards at this time.

Q. Agricultural , Forest and Rural Resources

1. Whenever a proposed subdivision is located adjacent to an active farm, farmland (including parcels with livestock), pasture field, a woodlot listed under Tree Growth, a productive forest site, or a borrow pit operation suitable provisions shall be incorporated in the subdivision proposal to minimize future conflicts between residential sites and agricultural, forestry or borrow operations.

2. Provisions to reduce conflicts between residential and activities of a working rural landscape shall be proposed based upon the size, density and site conditions of the particular subdivision. Some possible options include:
   a. A mandatory structure set-back of 100 feet from the farm, farmland (including parcels with livestock), forest, or borrow site.
   b. A vegetative buffer along property lines.
   c. Location of homes away from the farm, forest, or borrow site.
   d. A disclosure notice, included in the deed for each lot, to inform the new landowner that agricultural , forest or borrow pit activities generate noise, dust and odors.

R. Rural Design and Landscape Standards

1. Each subdivision proposal consisting of more than 4 lots shall include a landscape plan which shows how the lots, building sites, structures and roads preserve the existing rural character of the community. The plan shall incorporate the following standards into the overall development of the subdivision:
   a. Building sites shall be oriented with respect to scenic vistas, natural landscape features, topography, and natural drainage areas.
   b. Road and lot layout shall be adapted to the existing topography.
   c. Existing trails shall be preserved.
   d. Existing vegetation along front, side and rear lot property lines shall be preserved.
   e. Lots shall be designed so as to enhance the privacy and rural atmosphere of the development.
   f. Trees located along the roads shall be preserved to the greatest extent possible in order to maintain a rural roadscape.
   g. Existing vegetation along all streams, ponds, wetlands shall be preserved.

S. Maintenance of Roads and Public Improvements

1. All roads and other public improvements that are not dedicated to the Town or during such time prior to the actual acceptance by the Town of Canaan shall be maintained by the subdivision owners or developer. A legal agreement indicating how the infrastructure will be maintained shall be submitted to the Planning Board with the preliminary plan. The Planning Board shall review the maintenance plan to ensure that sufficient provisions have been incorporated to maintain all improvements for the applicable time period.

SECTION 9. OPEN SPACE DEVELOPMENT OPTION

A. Purpose:

The purpose of these provisions is to allow for new concepts of housing development where variations of design may be allowed, provided that the net residential density shall be no greater than is permitted in the area in which the development is proposed. Notwithstanding other provisions of this Ordinance relating to dimensional requirements, the Planning Board, in reviewing and approving proposed residential developments in Town, may modify said provisions related to dimensional requirements to permit innovative approaches to housing and environmental design in accordance with the following standards.

B. Application Procedure:

1. The Planning Board may allow subdivided development on reduced size lots in return for open space where the Planning Board determines that the benefits of the Open Space Design will prevent the loss of natural features without increasing the net density of the development. The developer, interested in this design option, shall submit a written application to the Planning Board for an Open Space Design Development. Two sketch plans shall be submitted with one layout as a standard subdivision and the second as an open space design indicating open space and significant natural features. Each lot in the standard subdivision shall meet the minimum lot size and lot width requirements of this Ordinance and have an area suitable for subsurface wastewater disposal.

2. The written statement shall describe the natural features which will be preserved or enhanced by the open space design approach. natural features includes, but not limited to; moderate to high value wildlife and waterfowl habitats; moderate to high yield aquifers; prime farmland and other important natural and historic areas identified in the comprehensive plan. The statement shall also compare the impacts upon the Town from each plan. Example of impacts are municipal cost for roads, school bussing, solid waste, utilities, recreational opportunities, preservation of conservation lands and environmental impacts.

3. Within 30 days of receiving the two sketch plans, the Planning Board shall determine whether to allow the subdivision to be developed in accordance with the open space design standards based upon findings that:

    a. The site contains natural features that are worthy of preservation; and
    b. Those natural features could not adequately be preserved in a standard subdivision layout; or
    c. An open space design will permit more efficient creation and utilization of infrastructure and provision of municipal services than would a standard subdivision.

C. Basic Design Requirements:

1. The open space design development shall meet all the requirements for a subdivision and other applicable Town Ordinances.

2. Each building shall be an element of an overall plan for the site development. Only developments having a total site plan for structures will be considered. The developer shall illustrate the placement of buildings and the treatment of spaces, roads, service and parking and in so doing shall take into consideration all requirements of this section and of other applicable sections of this Ordinance.

3. The net residential acreage shall be calculated by taking the total area of the lot and subtracting, in order the following:
   a. 15% of the area of the lot to account for roads and parking.
   b. Portions of the lot which, because of existing land uses or lack of access, are isolated and unavailable for building purposes.
   c. Portions of the lot shown to be in the floodway as designated on the Town's Flood Insurance Rate Maps.
   d. Portions of the lot which are unsuitable for development in their natural state due to topographical, drainage or subsoil conditions such as, but not limited to:
      (1) slopes greater than 33%
      (2) organic soils
      (3) floodplain soils
      (4) wetlands
   e. Portions of the lot subject to right-of-way.
   f. Portions of the lot located in a Resource protection District.
   g. Portions of the lot covered by surface waters.
   h. Portions of the lot utilized by stormwater management facilities.

4. In order to determine the maximum number of dwelling units permitted on a tract of land, the net residential acreage shall be divided by the minimum lot size required.

5. Unless public sewer is available, no lot shall be smaller than 20,000 square feet.

6. The total area of common land within the development shall equal or exceed the sum of the areas by which any building lots are reduced below minimum lot area requirements.

7. Every building lot that is reduced in area below the amount required should be within 1,000 feet of common land.

8. No individual lot or dwelling unit shall have direct vehicular access onto a public road existing at the time of the development.

9. Shore frontage shall not be reduced below the minimum required in the applicable shoreland zoning district.

10. Where the development abuts a body of water, a usable portion of the shoreline, as well as reasonable access to it, shall be part of the common land.

11. Buildings shall be oriented with respect to scenic vistas, natural landscape features, topography, natural drainage areas, in accordance with an overall plan for the site development.

12. The location of subsurface wastewater disposal systems and an equivalent reserve area for replacement systems shall be shown on the plan. The reserve area shall be restricted so as not to be built upon.

13. Utilities shall be installed underground whenever feasible.

D. Dedication and Maintenance of Common Open Spaces and Facilities:

1. Common open space shall be dedicated upon approval of the project. There shall be no further subdivision of this land, which shall be used only for non-commercial recreation, agriculture or conservation. However, easements for public utilities or utility structures may be permitted.

2. The common open space shall be shown on the development plan with the notation on the face thereof to indicate that:
   a. The common open space shall not be used for future building lots; and
   b. A part or all of the common open space may be dedicated for acceptance by the Town.

3. If any or all of the common open space is to be reserved for use by the residents, the by-laws of the homeowners association shall specify maintenance responsibilities and shall be submitted to the Planning Board prior to approval.

4. Covenants for mandatory membership in the association, setting forth the owner's rights and interest and privileges in the association and the common land, shall be reviewed by the Planning Board and included in the deed for each lot.

5. The homeowners association shall have the responsibility of maintaining the common open space and other common facilities unless accepted by the Town.

6. Th association shall levy annual charges against all property owners to defray the expenses connected with the maintenance of open space, other common and recreational facilities and town assessments.

SECTION 10. ENFORCEMENT

A. It shall be the responsibility of the Code Enforcement Officer to enforce the provisions of this Ordinance.

B. No plan of a division of land within the Town which would constitute a subdivision shall be recorded in the Registry of Deeds until a final plan has been approved by the Planning Board in accordance with this Ordinance.

C. A person shall not convey, offer to convey any land in a subdivision which has not been approved by the planning Board and recorded in the Registry of Deeds.

D. A person shall not sell, lease, offer or otherwise convey any land in an approved subdivision which is not shown on the plan as a separate lot.

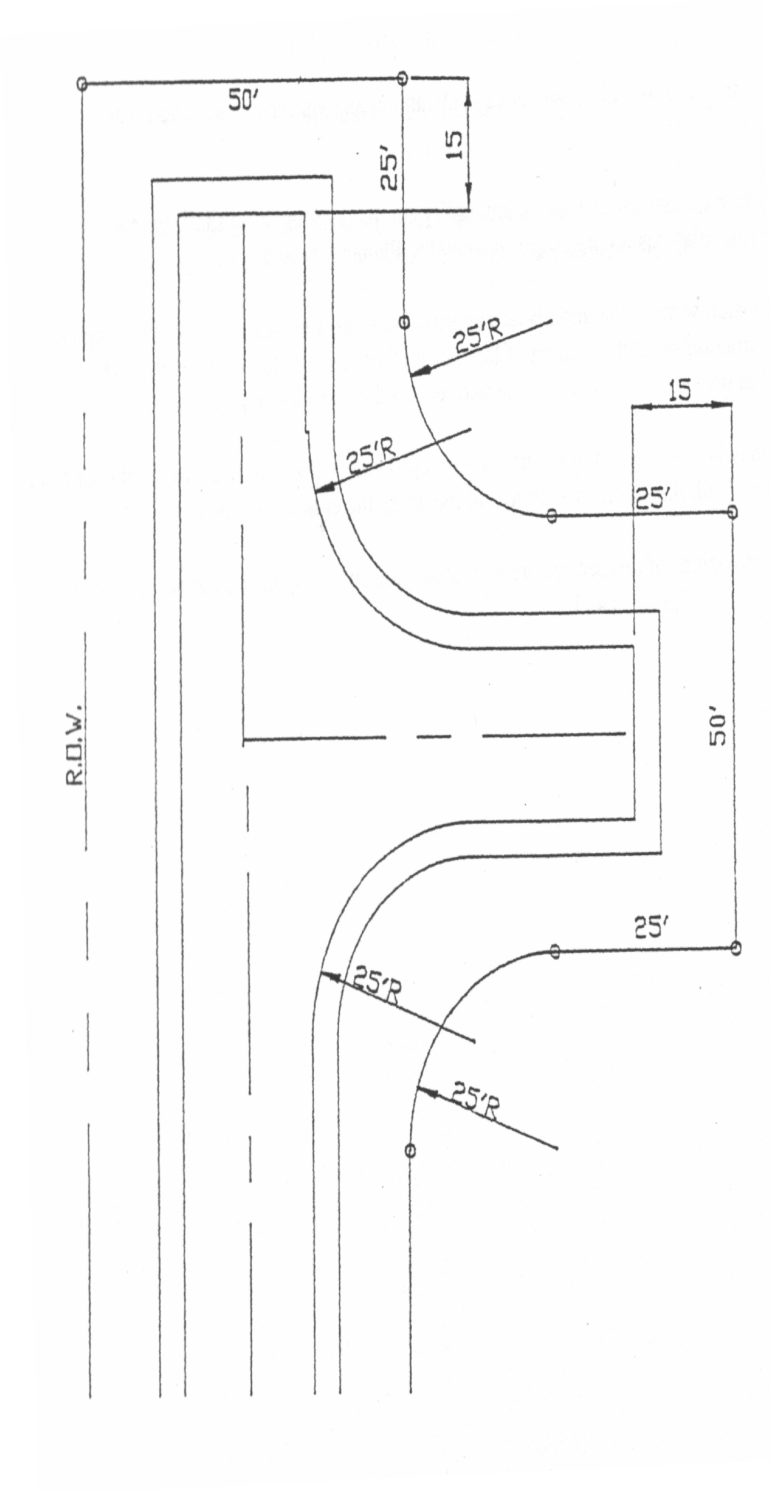
E. No public utility, water district, sanitary district, or any utility company of any kind shall serve any lot in a subdivision for which a final plan has not been approved by the Planning Board.

F. Development of a subdivision without Planning Board approval shall be a violation of law. Development includes grading or construction of roads, grading of land, or lots, or construction of buildings, which require a plan approved as provided in this Ordinance and recorded in the Registry of Deeds.

G. No lot in a subdivision may be sold, leased or otherwise conveyed before the road upon which the lot fronts is completed in accordance with this Ordinance up to and including the entire frontage of the lot.

H. Violations of the above provisions of this section are a nuisance and shall be punished in accordance with the provisions of Title 30-A, M.R.S.A. ss.4452.

APPENDIX A
TYPICAL "L" SHAPED TURN-AROUND DETAIL



APPENDIX B
ROAD CONSTRUCTION STANDARDS TABLE 1.

	Collector Road	Local Road	Rural Road
Right-of-way width	60 ft	50 ft	50 ft
Travel way width	22 ft	20 ft	18 ft
Shoulder width	4 ft	4 ft	3 ft
Minimum grade (centerline)	.5%	.5%	.5%
Maximum grade (centerline)	5%	8%	10%
Minimum center-line radius w/o superelvation	280 ft	280 ft	175 ft
Minimum center-line radius with superelevation	175 ft	175 ft	110 ft
Roadway crown	1/4 inch per foot	1/4 in per foot	1/4 in per foot
Minimum angel of road intersection	90 degree	60 degree	60 degree
Maximum centerline grade within 75 ft of intersection	3%	3%	3%
Culverts	minimum 18 inch dia.	minimum 15 inch dia.	minimum 15 inch dia.
Minimum fill slope	3/1	3/1	3/1
Shoulder grade	1/4 inch per foot	1/4 inch per foot	1/4 inch per foot

TABLE 2. ROAD CONSTRUCTION MATERIALS - MINIMUM REQUIREMENTS

		Collector Road	Local Road*	Rural Road
Compacted Aggregate Base Total Inches		24 inches	18 inches	15 inches
	Subbase course	18 inches	15 inches	12 inches
	Base Course	6 inches	3 inches	3 inches
Compacted Surface Course for a Gravel Road		4 inches	4 inches	4 inches
Surface Course for a Bituminous Pavement Surface (Total inches)		3 inches	3 inches	3 inches
	Base course	1 3/4 inches	1 3/4 inches	1 3/4 inches
	Surface course	1 1/4 inches	1 1/4 inches	1 1/4 inches

*If good, solid and durable ledge is present at grade, then the aggregate base course thickness maybe reduced because of the solid foundation underneath it. The absolute minimum compacted thickness of the aggregate base course is 14 (fourteen) inches. This reduced standard only applies to “local road” category.

Any low spots which could hold trapped water under the road area shall have drainage provisions.

GRAVEL SUBBASE MATERIALS SPECIFICATIONS:

The gravel subbase course shall be gravel of durable particles free from vegetative matter, lumps or balls of clay and other deleterious matter. The gradation of the part that passes a 3 inch square sieve shall meet the grading requirements below. The maximum stone size shall be 6 inches.

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSING SQUARE SIEVE
1/4 INCH	25-70%
No. 40	0-30%
No. 200	0-7%

GRAVEL BASE COURSE SPECIFICATIONS:

The base course shall be crushed gravel or screened gravel of hard durable particles free from vegetative matter, lumps and balls of clay. The gradation of the part that passes a 3 inch square sieve shall meet the grading requirements below.

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSING SQUARE SIEVE
1/2 INCH	45-70%
1/4 INCH	30-55%
No. 40	0-20%
No. 200	0-5%

SURFACE GRAVEL SPECIFICATIONS:

Surface gravel for use on gravel roads shall have no stone larger than 2 inches in size and shall meet the grading requirements below.

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSING SQUARE SIEVE
2 INCH	95-100%
½ INCH	30-65%
No. 200	7-12%

BITUMINOUS PAVEMENT SPECIFICATIONS:

The minimum standards for the base layer of pavement shall be MDOT specifications for plant mix grade “B” with an aggregate size of no more than 3/4 inch maximum. The minimum standard for the surface layer of the payment shall meet MDOT specifications for plant mix grade “C” or “D” with an aggregate size of no more than ½ maximum.

General

The applicant shall show that the subdivision meets all other applicable local ordinances including Shoreland Zoning, Floodplain Management and the Town of Canaan Enhanced 911 Road Naming and Numbering Ordinance

All subdivisions consisting of 4 or more lots shall contain provisions for vehicular connections to future projects on adjacent properties or the same lot.

Application Fee:

All applications for subdivision approval shall be accompanied by the following non-refundable fee made payable to the Town of Canaan:

- **The fee for filing a preliminary plan shall be $100.00 plus $75.00 per lot and/or unit. (The fee for a minor subdivision that is permitted to file a final plan shall be the same as a preliminary plan)**

All subdivision applicants shall be required to follow a three tier review process as follows:

- **Sketch Plan Review**
- **Preliminary Plan Review**
- **Final Plan Review**

The Planning Board may vote to allow Minor Subdivisions to submit a final plan for review directly after the Sketch Plan Review meeting. The Planning Board shall make this decision after reviewing the sketch plan proposal

Public Hearing Requirements:

- **The Planning Board may hold a public hearing on all preliminary and final plan applications in order to receive public comment and information concerning the application.**

As Built-Plans:

- **Upon Completion of all the public improvements contained in the subdivision, the applicant shall submit a copy of as-built plans to the Planning Board.**

- **All roads shall be considered as public improvements and shall require a performance guarantee as per the requirements of this Ordinance.**

- **Public Improvements: The term shall include all roads; fire protection structures and ponds; any structure or land proposed to be dedicated to the Town; any land or structure which is offered as an easement to the Town; and, all storm drainage structures which are designed to allow water to flow outside the property of the subdivision.**

- **All roads and other public improvements that are not dedicated to the Town or during such time prior to the actual acceptance by the Town of Canaan shall be maintained by the subdivision owners or developer.**

Performance Guarantee

- **A performance guarantee shall be required for all public improvements proposed for the subdivision. The applicant shall submit a proposal for the performance guarantee at the time of submission of the Final Plan.**

Town of Canaan
Subdivision Application
Application Checklist

The Application Checklist Form must accompany the Subdivision Application.

Each item on the checklist must be marked as one of the following:
S = item submitted
W = item not submitted due to waiver request
N/A = item not applicable

Sketch Plan — The applicant shall submit a complete sketch plan application to the Planning Board at least 14 days before a scheduled meeting of the Planning Board.

_____ - The sketch plan shall show in simple sketch form the proposed layout of roads, lots, buildings, and other features in relation to existing site conditions. The sketch plan does not have to be an engineered plan and may be a free-handed penciled sketch.

_____ - The sketch plan shall be submitted on the application form provided by the Planning Board and include the following:

a. A copy of the Tax Assessors map of the site and surrounding area.
b. A copy of the U.S.G.S. topographic map of the area showing the outline of the proposed subdivision.
c. A copy of the County Soil Survey showing the area of the proposed subdivision.

_____ - Any other data necessary in order to meet the requirements of this Ordinance
List any other item below:

a _____
b _____
c _____
d _____
e _____

Town of Canaan
Subdivision Application
Application Checklist

The Application Checklist Form must accompany the Subdivision Application.

Each item on the checklist must be marked as one of the following:
S = item submitted
W = item not submitted due to waiver request
N/A = item not applicable

Preliminary Plan - The applicant shall, at least 14 days prior to a scheduled meeting of the Planning Board, submit a complete preliminary plan application to the Town Clerk and/or the Planning Board Secretary.

_____ - The application shall consist of 5 (five) complete copies including all maps and related attachments.

_____ - One set of 11" x 17" preliminary plan for photocopying by the Planning Board for public distribution

_____ - The applicant shall submit the test pit/boring data to the Town of Canaan LPI for review.

- Upon approval of the preliminary plan, the applicant is eligible to submit a final plan to the Planning Board for consideration. The approval of the preliminary plan shall not constitute approval of the final plan or intent to approve the final plan, but rather it shall be deemed an expression of approval of the design of the preliminary plan as a guide to preparation of the final plan. The final plan shall be submitted for consideration upon fulfillment of the requirements of this Ordinance and conditions of preliminary approval, if any.

- The applicant is responsible for supplying all the necessary information to show that the proposed subdivision is in compliance with the review criteria, and requirements and performance standards contained in this Ordinance. The preliminary plan submissions shall consist of the following:

_____a. A receipt from the Town indicating that the application fee has been paid.
_____b. A preliminary plan application form and all required attachments and maps.
_____c. Waiver request form, if applicable.
_____d. A location map, drawn at an appropriate scale to show the relationship of the proposed subdivision to adjacent properties, The map shall show the following:

_____ (1) Existing subdivisions in the proximity of the proposed subdivision.
_____ (2) Locations and names of existing and proposed roads as per the Town of Canaan Enhanced 911 Road Naming and Numbering Ordinance.
_____ (3) Boundaries and designations of all shoreland zoning and other land use districts.
_____ (4) An outline of the proposed subdivision and any remaining portion of the owner's property if not included in the subdivision proposal.

e. The following general information:

_____ (1) Name and address of the applicant and applicant's agent.
_____ (2) The applicant shall provide a registered warranty deed indicating ownership of the proposed subdivision.
_____ (3) A copy of all existing and proposed, deed restrictions, rights-of-way, or other encumbrances affecting the property.
_____ (4) The book and page and tax map and lot information of the property.
_____ (5) The names of all property owners abutting the property.
_____ (6) Acreage of the proposed subdivision and acreage of any land not included in the subdivision.

f. A subdivision plan consisting of one or more maps drawn to a scale of not more than 100 feet to the inch. The plan shall show the following:

_____ (1) Name of the subdivision.
_____ (2) Number of lots.
_____ (3) Date, north point, graphic scale.
_____ (4) Proposed lot lines with dimensions.
_____ (5) A survey of the perimeter of the tract, giving complete descriptive data by bearing and distances, made and certified by a Registered Land Surveyor. The corner of the tract shall be located on the ground and marked by permanent markers. The plan shall indicate the type of permanent marker proposed to be set or found at each lot corner.
_____ (6) Contour intervals as specified by the Planning Board.
(7) The location of all wetlands regardless of size.
_____ (8) The location of all rivers, streams, brooks and ponds within or adjacent to the subdivision.
_____ (9) The location of all slopes in excess of 20% (twenty percent) slope.
_____ (10) The number of acres within the subdivision, location of property lines, existing buildings, vegetative cover type, and other essential existing features.
_____ (11) The location of any significant sand and gravel aquifers,
_____ (12) The boundaries of any flood hazard areas and the 100-year flood elevation as depicted on the Town's most recent FIRM Map.
_____ (13) The boundaries of all shoreland zoning districts.
_____ (14) The location and boundaries of any significant wildlife habitat as identified by the Department of Inland Fisheries and Wildlife.
_____ (15) The location of any site or structure listed on the National Register of Historic Places or any archeological site identified by the State Historic Preservation Commission.
_____ (16) The location of all scenic areas and rare and endangered plants as identified in the Town's Comprehensive Plan.
_____ (17) The location of all subsurface wastewater disposal system test pits or borings and test data and appropriate documentation.
_____ (18) The location of all existing and proposed wells and appropriate documentation.
_____ (19) All erosion control features proposed for the site.
_____ (20) All stormwater control features proposed for the site.
_____ (21) All parcels of land proposed to be owned or held in common or joint ownership by the subdivision or individual lot owners. All land proposed to be offered for public acceptance to the Town.
_____ (22) Phosphorus control measures, if the subdivision is located within the direct watershed of a great pond.
_____ (23) Road plans and specifications and appropriate documentation.

_____ The applicant shall submit detailed construction drawings showing a plan view, profile, and typical cross- section of the proposed road. The plan shall be at a scale of one inch equals no more than 50 feet. The vertical scale shall be one inch equals no more than 5 feet. The plan shall include the following information:

_____ (1) Date, scale and north point.
_____ (2) Intersections of the proposed road with existing roads.
_____ (3) Roadway and right-of-way limits, including edge of pavement and edge of shoulder.
_____ (4) Kind, size, location, material, profile and cross section of all existing and proposed drainage structures and their location with respect to the existing natural waterways and proposed drainage ways.
_____ (5) Complete curve data shall be indicated for all horizontal and vertical curves.
_____ (6) Turning radii at all intersections.
_____ (7) Centerline gradients.
_____ (8) Size, type and locations of all existing and proposed utilities.

_____ (24) Traffic access data for the site including an estimate of the amount of vehicular traffic to be generated on a daily basis.

_____ (25) The type and location of any proposed fire control features, and appropriate documentation.

_____ (26) Provisions to reduce conflicts between residential and activities of a working rural landscape shall be proposed based upon the size, density and site conditions of the particular subdivision. Some possible options include:

_____ a. A mandatory structure set-back of 100 feet from the farm, farmland (including parcels with livestock), forest, or borrow site.

_____ b. A vegetative buffer along property lines.

_____ c. Location of homes away from the farm, forest, or borrow site.

_____ d. A disclosure notice, included in the deed for each lot, to inform the new landowner that agricultural , forest or borrow pit activities generate noise, dust and odors.

_____ (27) The plan shall incorporate the following standards into the overall development of the subdivision:

_____ a. Building sites shall be oriented with respect to scenic vistas, natural landscape features, topography, and natural drainage areas.

_____ b. Road and lot layout shall be adapted to the existing topography.

_____ c. Existing trails shall be preserved.

_____ d. Existing vegetation along front, side and rear lot property lines shall be preserved.

_____ e. Lots shall be designed so as to enhance the privacy and rural atmosphere of the development.

_____ f. Trees located along the roads shall be preserved to the greatest extent possible in order to maintain a rural roadscape.

_____ g. Existing vegetation along all streams, ponds, wetlands shall be preserved.

_____g. A statement indicating how the solid waste from the subdivision will be handled.

_____h. Documentation indicating that the applicant has the financial and technical capacity to meet the requirements of this Ordinance.

_____I. Any other data necessary in order to meet the requirements of this Ordinance.

_____j List the anticipated types of land uses that will be developed within the proposed subdivision.

_____k Indicate how all roads and other public improvements will be maintained until the improvements are dedicated to the Town or in the case of private roads and improvements, how they will be maintained over their lifespan.

_____l. A legal agreement indicating how the infrastructure will be maintained shall be submitted to the Planning Board.

_____m. The applicant shall review the proposed subdivision with the Fire Chief and shall obtain a written statement from the Fire Chief approving the plans fire protection measures. This statement shall be submitted with the preliminary plan application.

_____n. The applicant shall submit evidence of site suitability for subsurface wastewater disposal system prepared by a Licensed Site Evaluator in compliance with the Subsurface Wastewater Disposal Rules of the State of Maine. All test pit or test boring locations shall be shown on the subdivision plan and be accompanied by a HHE-200 Form or other format which shows the appropriate soils data. The applicant shall submit the LPI's statement.

_____ - Any other data necessary in order to meet the requirements of this Ordinance

List any other item below:

a _____

b _____

c _____

_____**d** _____

e _____

Town of Canaan
Subdivision Application
Application Checklist

The Application Checklist Form must accompany the Subdivision Application.

Each item on the checklist must be marked as one of the following:
S = item submitted
W = item not submitted due to waiver request
N/A = item not applicable

Final Plan

- The applicant shall, at least 14 days prior to a scheduled meeting of the Planning Board, submit a complete final plan application to the Town Clerk and/or Planning Board Secretary.

_____ - The application shall consist of 2 (two) stable-based transparencies and 3 (three) paper copies.

_____ - One set of 11" x 17" paper copy for photocopying by the Planning Board for public distribution.

_____ - The applicant shall submit documentation from a Hydrologist or a Well Driller familiar with the area, stating that adequate water is available to supply the subdivision.

- The applicant is responsible for supplying all the necessary information to show that the proposed subdivision is in compliance with the review criteria and requirements and performance standards contained in this Ordinance. The final plan submissions shall consist of the following:

_____ a. A receipt from the Town indicating that the application fee has been paid.
_____ b. A final plan application form and all required attachments and maps.
_____ c. All the submission materials required for a preliminary plan.
_____ d. All conditions and modifications approved by the Planning Board for the preliminary plan shall be contained on the final plan.
_____ e. All waivers approved by the Planning Board shall be shown on the final plan.
_____ f. All additional studies and/or materials required by the Planning Board, as applicable.
_____ g. A signature block shall be provided on the final plan.
_____ h. A performance guarantee, if applicable.
_____ I. The location and type of all permanent markers set at all lot corners.
_____ j. If the subdivision contains any private roads, the plan shall contain a statement as follows: The subdivision roads are designed as private roads are not eligible for acceptance by the Town of Canaan, unless the road is improved to meet the appropriate standards for road acceptance.
_____ k. Written copies of any documents of land dedication, and written evidence that the Board of Selectmen are satisfied with the legal sufficiency of any documents accomplishing such land dedication.
_____ l. Any conditions placed on the final plan by the Planning Board shall be clearly listed on the plan. Planning Board imposed conditions shall be listed separately from any conditions or restrictions placed on the subdivision by the applicant.
_____ m. Any other data necessary in order to meet the requirements of this Ordinance.

_____ - Any other data necessary in order to meet the requirements of this Ordinance
List any other item below:

a _____
b _____
c _____
_____ **d** _____
e _____

Town of Canaan
Subdivision Review Application
Sketch Plan Review

Date:_____ Property Location:_____

Name of the Applicant:_____

Address:_____

Description of the Project:

_____
_____
_____
_____
_____
_____
_____
_____
_____

Submissions: Items to be included in this application.

1. Sketch plan of the project
2. Copy of the Tax Assessors map of the site and surrounding area.
3. Copy of the U.S.G.S. Topo Map for the area showing the outline of the proposed subdivision.

4 A copy of the County Soil Survey showing the area of the proposed subdivision.

Signature of the Applicant:_____

Town of Canaan
Subdivision Application
Waiver Request Form

Date: _____

Name of Applicant: _____

Address: _____

_____

I am requesting a waiver from the following as per Section 4, G, of the Town of Canaan Subdivision Ordinance:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

The applicant is responsible for providing the Planning Board with all the necessary information and data to show that the waiver request meets the applicable requirements Subdivision Ordinance .

_____

Signature: Applicant

Town of Canaan
Subdivision Application
Application Form

Indicate Which Type of Application
_____Preliminary Plan
_____ Final Plan

Date:_____

Name of Property Owner:_____

Address:_____

Name of Applicant:_____

Address:_____

Telephone:_____ **Fax:**_____ **E-Mail:**_____

Authorized Agent:_____

Address:_____

Indicate type of Right, Title or Interest in the Property:_____
_____

Unless otherwise indicated below all correspondence regarding this application will be sent to the Applicant:
_____

Property Location:_____

Map_____ **Lot**_____ **Zoning District:**_____

Provide a brief description of the project:_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

List all other Local Permits required for the Project:_____
_____
_____
_____

List all other State and Federal Permits required for the project:_____

Anticipated date for construction:_____

Anticipated date for completion:_____

Identify method of water supply to the project:_____

Identify method of sewage disposal:_____

Identify method of fire protection to the project:_____

Indicate whether the project requires any public infrastructure:_____

Attach the Application Checklist Form and all submissions to the Application Form.

To the best of my knowledge, all the above state information submitted in this application is true and correct.

_____

(signature of applicant) **(date)**

Agreement to Extend Subdivision Review Period

Canaan Planning Board

WHEREAS The State Subdivision Law, Title 30-A M.R.S.A., §4403, requires that the municipal reviewing authority approved, approved with conditions, or deny an application for subdivision review within 60 days of having determined a completed application had been submitted, or within 30 days of a public hearing if one is held; and

WHEREAS The completed subdivision application submitted by the undersigned applicant can not be adequately reviewed in the specified time period because of the complexity of the application, and Would therefore have to be denied and resubmitted; and

WHEREAS It would be mutually advantageous to the undersigned parties to extend the review period; and

WHEREAS Title 30-A M.R.S.A., §4403 stipulates that the time period within which a subdivision application must be reviewed may be extended by mutual agreement;

NOW THEREFORE the undersigned parties mutually agree that;

1. The subdivision review period shall be extended to _____ .

2. The decision on the subdivision shall be rendered by that date, unless the review period is again extended by mutual agreement.

Signed _____ Chair of the Planning Board

_____ Applicant

Date: _____