TOWN OF PALERMO

SUBDIVISION ORDINANCE

March 9, 2002

Signed_____ Date ::Z - I 9 - 0 Z

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Preface

The goal of the Subdivision Ordinam:e is to make sure that future Town residents will enjoy the same rural character that is valued by current inhabitants o(Palenno and at the·same time meet the demands for new development.· While this Ordinance will require subdivisions to conform to minimum development standards it is also the hope of the Town that new residents and developers will exceed these minimum standards in order to·further enhance the quality of life in our.community.

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'Section 1 .. General

A Title:

This Ordinance shall be known as the Town of Palermo 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.RS.A Section 4403.

C. Purpose:

The purposes of this Ordinance are:

1. To provide for an expeditious a.nd efficient process for the review of proposed subdivisions.
2. To clarify the approval critena·of the State Subdivision.Law, found in Title 30-A, M.R.S.A. Section 44 .
3. To preserve and enhance the rural character of the community.
4. To assure the safety, health, and welfare of the people of the Town of Palermo.
5. To protect the natural resourc·es of the Town of Pal.enmo.
6. 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.
7. 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, -.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 Palermo on: **March 9, 2002.**

F. Conflicts with other Ordinances:

Whenever a provision of this Ordinance confiicts 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 dedared 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. Notice of availability of this Ordinance shall be posted in the Town Office.

I. Application Fom,s:

The iW!! of Palem,o Planning Board shall develop application fom,s to be used by all appiica-nts si,,eking sub<:liron approval.

j– Application Fee:

All applications for subdivision approval shall be accompanied by the following fees:

The fee for filing a preliminary plan shall be $25.00 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.)

A fee equivalent tci the cost incurred by the Board for postage, publishing and any other miscellaneous expenses.

All fees are non-refundable and shall be paid to the Town of Palem,o upen filing the appropriate subdivision application.

K. Amendments:

An amendment to this Ordinance may be adopted by a majority vote of the Town Meeting.

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 wbose land abuts land for which a pem,it 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 permil

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 alt the infom,ation required by this Ordinance, or by a vote to waive certain submission or perfom,ance standards by a vote of the Planning Board.

Direct Watershed of a Pond: That portion of the watershed which drains directly to the pond through sheet or concentrated flow 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. All of these conditions must exist to qualify for a minor subdivision.

Persona indudes a firm, association, organization, partnership, trust, company or_ corporation, as well as a. 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 as the current owner of record as recorded in the Waldo County Registry of Deeds.

Public Improvements: The term shall include all roads proposed for public acceptance; 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 inquiry and review prior to submitting, an application for subdivision approval.

Subdivision: As defined in Title 30-A, M.R.S.A. Section 4401.

Wetland: Areas which are inundated or saturated by surface or groundwater 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; and are not part of a great pond, river, stream or brook. Wetlands may contain small stream channels or inclusions of land that do not conform to the above criteria.

Section 3 Review Criteria

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

A. Pollution

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. Sufficient water

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

C. Water supply

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

D. Erosion

The proposed subdivision will not cause unreasonable soil erosion, unmitigated stormwater runoff, or a reduction in the land's capadty to hold water so that a dangerous or unhealthy condition results.

E. Traffic

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

F. Sewage dispc:,sal 1

The proposed subdivision will provide for adequate S '(lage waste dis sal and will not cause an unreasonable burden on municipal services if-tl)ey are.'u'ied.

G. Municipal solid waste disposal-

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

H. Aesthetic, cultural and natural values

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 \yildlife 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. Conformity with local ordinances and plans

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

J. Financial and technical capacity

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

K. Surface waters; outstanding river segments

Whenever situated entirely or pa_rtially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as 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 theishoreline of that body of water .

When lots in a subdivision have frontage on an outstanding river segment, the propos <'l subdivision plan must require principle structures to have a combined shore frontage and setback from the nomnal high-water mark of 500 feet.

To avoid circumventing the intent of this provision, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not iotied, the proposed subdivision shail be reviewed as if the lot lines extend to the shore.

The frontage and setback provisions of this paragraph do not apply either within areas zoned general development or its equivalent under Shoreland Zoning, Title 38, Chapter 3, Subchapter 1, Article 2-B, or within areas designated by ordinance as densely developed. The detennination of which areas are densely developed.must be based on a finding that existing development met the definitional requirement of Section 4401, Subsection 1, on September 23, 1983.

L. Ground water

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

M; Flood areas ·

Based n F deral Emergenclfv,1ana;ement Agena,{'. - Flood Boundary and-Floodway Maps and Floo_d_. _ Insurance Rate Maps, and iii rination presented by -the/applicant whether'the subdivisfon is in a flood, prone·ai-ea: If the subdivision,!or any part of it: is in such anarea, the subdivider shall determine the 100-ear flood elevation and flood· hazard boundary within the subdivision_ The proposed subdivision plan must ihciui:ie ɑ condition of plari approval requiring that principal structures in the subdivision will be constructed With the lowest floor, including the basement, at least onea:Joot above the 100-year flood elevation_

N. Freshwater wetlands

All fresh water wetlands Within the proposed subdivision have been identified and delineated 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.

0. River, stream or brook

-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 hrooks shalr be protected from any adverse development impacts.

P. Storm Water

The proposed subdivision will provide for adequate storm water management.

Q_ Spaghetti-lots prohibited

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 480-8, none of the lots created within the subdivision shall have a lot depth to shore frontage ratio greater than 5 to 1.

R. Lake phosphorus concentration

The cumulative effects of the proposed subdivision will not 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:

i. **The Planning Board shall administer this Ordinance and review 2!! subdivision applications** according to the applicable review criteria and performance standards.

2. The Planning Board shall provide the Code Enforcement Officer 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 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 applicatio,i', or approve the application with conditions.

3. lf:in ts findings, the PlanJing Board determines that the application m-;,,y not meet the review criteria, an<1jthat additional actions by the applicant will be sufficient to meet them;it may require such· ac:llns, as conditions of approval. The condilions- may set forth requirements in addition to th.ose set f '1;ih theOrdinance only when the Planning 'sc,ard finds it necessary to further the-purposes of this·. Ordlnance, All conditions approved by the Plannir19 Board shall be listed along with the reasons for • the e conditions in the Planning Board's decision.and on the final subdivision plan..

4. The Planning Board shall list any waivers approv8ji by the Board in its decision and on the final subdivision plan and the reasons for such approvsr.

C. Burden of Proof.

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

D. Additional Studies:

I. The Planning Board may require the applicant, to perform additional siudies or hire a consultant to review the entire or portions of the subdivision application. The cost to perform additional studie-s 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 remainafter 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 tha_t 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 P!2nrilng Board sha!l not discuss the merits of the application or render any** decision concerning the application during the site ins·pection.

G. Waivers:

1. Waiver of-Submission Requirements

Where the Board makes written findings of fact that there are special circumstances of a particular site proposed to be subdivided, it may waive portions of the submission requirements, provided the public health, safety and welfare are protected and provided the waivers do not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, or any Ordinance.

2. Waiver f Perfonnance ·standards

Where the Board makes written finding$ of.fact that ttiere are special circumstancd-il;if a particular site proposed to be subdivided, -it max waiveiii_c/tions of the' perfonnance standardV., unless otherwise indicated in this Ordinance;to pe ira_more practical and economic-development, provided the public health, safety and.welfare ai:e protected and provided the waivers do not have the effect of nullifying the intent and punpose bf the Official Map, the Comprehensive Plan, or any Ordinance.

3. Waivers of Required Improvements

Where the Board makes written findings of fact that due to special circumstances of a particular site proposed to be subdivided, the provision of certain required improvements is not requisite to provide for the public health, safety or welfare, or are inappropriate because of inadequate or lacking_ connecting facilities adjacent to 6r in proximity to the proposed subdivision or development, it may waive the requirement for such improvements, provided the waivers do not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, or any Ordinance.

4. Waivers Conditionally Granted

.In granting waivers to any of the provisions of this Ordinance in accordance with subsections G-1, 2 and 3, above, The Board shall require such conditions as will assure the purposes and objectives of this Ordinance are mel

5. Waivers Limited

No other waivers of the provisions of this Ordinance may be granted, except as expressly authorized by this section.

6. Waiver Revocable

All waivers granted by the Planning Board under this Section of the Ordinance are revocable up to the date of Final Plan approval.

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.

The Planning Board shall hold a public hearing to review the final plan application for a Minor Subdivision.

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 7 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 s!iall be followed. If the revision only involves minor modifications to the plan, the Planning Board.

_may consider the reque atthe meeting. The Planning Board ma; v-ote to hold a public hearing on the proposed revision.: · .. ·.· .. A .

2. The Planning Board's scope of revievi"shali ii _lted to those p"j16ns of the plan which are proposed to be revised or that are adversely impac:ted by the_pro osed revision.

3. The applicant shall submit a copy of the approved:plans and 7 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 revieiw criteria.

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 suooivisio)1, the applicant shall submit a copy of as-built plans to the Planning Board. This requirement does not apply to minor subdivisions.

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.

2. An appeal involving administrative procedure and/or interpretation may first be heard and decided by the Board of Appeals within thirty (30) days of the Planning· Board's decision. When errors of administrative procedures are found, the case shall be.referred back to the Planning Board for recertification. When errors of interpretation are found, the Board of Appeals may modify or reverse the order or action but may not alter the conditions attached by the Planning Board. All changes in conditions shall be made by the Planning Board in accordance with the Board of Appeals interpretation. An appeal shall not be heard "de nova" by the Board but rather shall be reviewed by the Board to determine whether the Planning Board's decision was within the scope of its authority and supported by substantial evidence on the record.

L. Public Hearing Requirements:

1. The Planning Board shall hold a public hearing on all preliminary plan applications. The Planning Board may vote to hold a public hes1ring on a final 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:

(I) Published, at least two times, in the Town line newspaper which has general circulation in the Parermo. The date of the first publication shall be at least 7 days bef9re 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 Plann'ing Board may vote to continue the public hearing in order to receive additional public- ·corpment or informationlconceming the application. The Board is not required to meet the notice requirements listed ab.o _for the continued ubl)c hearing.

M. Joint Meetings:

I. If any portion of a proposed subdivision crosses municipal boundaries, the Planning Board shall follow the notice, meeting, and review,requiremerits 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 shall include 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 and include one or more 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 perfonmance bond, in an amount equal to the expense of installing the public improvements, made payable to the Town, issued b.y a surety company.

3. The Planning Board, prior to approval of the final plan, shall consult with the Selectmen on the tenms proposed by the applicant for the performance guarantee. The Selectmen may recommend that the amount of the certified check or perfonmance bond or the terms of the perfonmance 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 perfonmance guarantee, the Planning Board shall detenmine 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 inspec\ion reports filed by the Code Enforcement Officer, other Municipal Officials or other designated inspector.

5. Submittal of the, as-built subdivision plans, is a requirement for the release of the performance guarantee.

6. 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.

0. 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 perfonm the following inspections (a,b,c and d):

   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 perfonmance standards contained in this Ordinance)

b. The Local Plurribing Inspector shall inspect the iristalla1ion of all subsurface waste water treatment.systems.

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.c. The Code EAforcement Officer-shall inspect all erosion control measures, stbrmwater management features, and all other site features.

d. The Fire Chief shall inspect the subdivisiori's fire protection as indicated on the (inal plan.

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. Inspection officials shall promp y provide the CEO with a copy of all inspection reports. It shall be the responsibility of the Code•Enforcement Officer to notify the applicant in writing thg\ a deficiency exist and the steps necessary to remedy the situation. The Code Enforcement Officer shi!II notify the Pli!nning Board and the Selectmen whenever the applicant.fails to remedy a deficiency. Upon cpmpletion of the subdivision and/ or consideration Qf release of the perfonnance 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 infonmation regarding the . proposed subdivision to the Planning Board and toreceive 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 7 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. During and following the applicant's presentation, the Planning Board may ask que.stions and make· suggestions to be incorporated by the applicant into the application.

4. The Planning Board shall detenmine 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.

C. Submissions:

1. The sketch plan shall show in simple sketch fonm 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 fonms 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.
d. A map showing the watershed in which the subdivision is located.

Section 6 Preliminary Plan'Review

A Procedure:

1. The applicant shallf t least 10 days prior to a scheduled meeting of the Planning Board, submit a complete preliminary plan-application to the Planning Board Chairperson. 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 8 complete copies including all maps and related attachments. The Planning Board shall receive 7 copies and one shall-be placed in the Town Office for public review.

3. As soon as possible, after the receipt of the preliminary plan the Town shall notify by first class iri il 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 publi,: 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 Plannin_g 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 within 30 days of determining that it has received a complete application.

6. Within 30 days of the public hearing, or within another time period as may be mutually agreed to by the Board and the applicant. the Plannin\) 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 pl_an as a guide to preparation of the final plan. The final plan shall be submitted for consideration upon fulfillment Gf the requirements of this Ordinance and conditions of preliminary approval, if any.

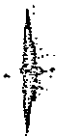
8. Preliminary Plan Submissions:

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.
      ( )_Boundaries and designations of all shore land zoning and other land use districts.

(4) An outline of the proposed subdivision arJd any remaining portion of the owner's property if not included in the subdivi_sion proposal.



The following general information:

(1) Name and address of the applicant and applicant's agent
(2) Verification of right ,title or interest in the property.
(3) A copy of the most recently recorded deed for the parcel.
(4) A copy of all existing and proposed, deed restrictions, rights-of-way, or other encumbrances affecting the property .
(5) The book and page and Map and lot information of the property.
(6) The names of all property owners abutting the property .
(7) Acreage of the proposed subdivision and acreage of any land not included in the subdivision to be retained by the owner.

f. A subdivision plan consisting of one or more maps drawn to a scale 9f not more than 100 feet to the inch. The pfan shall show the following:

(1) Name of the subdivision.
(2) Number of lots.
(3) Date, north point, graphic scale.
(4) Proposed.!cit iines 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 Elf all wetlands regardless of size.
(8) The location of all rivers, streams, broo s and ponds within or adjacent to the **subdivision.**
(9) The location of all s!opes in excess of 20% 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 stn.icture listed on the National Register of Historic Places or any archeological site identifie,d 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/test borings and test data and appropriate documentation.
(18) T_he location of all existing and proposed wells and appropriate documentation.
(19) All temporary.and permanent erosion control features proposed for the site.
(20) All stormwater control hydrology and mitigation design features proposed for the site.
(21) All parcels of land proposed to be owned or held in common or joint ownership by the.subdivisi.on 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 dailf basis.

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

(26) A list of all proposed deed covenants and restrictions on the plan.

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.

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

Section 7 **Final Plan** Review

A Procedure:

1. The applicant shall, at least 10 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 stable-based transparencies and 8 paper copies. One paper copy shall be placed in the Town Office for Public review.

3. Within 30 days of the receipt of the final plan application, the Planning Board shall detenmine 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 may decide to hold a public hearing on the proposed final plan. The Planning Board shall schedule a public bearing 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 sh'all make a decision on the application.

5. Upon voting to approve the final plan, the Planning Board shall sign the 2 stable -based transparencies. The Planning Board shall retai.n 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 i 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 responsiel or supplying all the necessary information to show that the proposed subdivision is in compliancfwith 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 fees have 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 sha)I be shown on the·final plan.
f. All additional studies and/or materials required b%the Planning Board, as applicable.
g. A signature tilock 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 ariy private roads, the plan shall contain a statement as follows: The subdivision roads designed as private roads.are not eligible for acceptance by the Town of Palermo unless the roads are improved IOmeet the appropriat<e 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 Palermo.

B. General Lot Requirements:

1. The following general lot requirements shall be considered as minimum standards and shall not be eligible for a waiver.

a. All lots shall meet the following dimensional standards:

Minimum Lot Size	40,000 sq. ft. (100,000 square feet if located wholly or in part in an aquifer)
Minimum Road Frontage	100 feet
Maximum Lot Depth to Width Ratio	none
Side Property Line Setback	10 feet
Rear Property Line Setback	1O feet
Front Setback (measured from the road centerline)	75 feet
Multi-Family Density Standards	1 acre plus 5,000 Square Feetroreach dwelli_ng uniL

b. Land located irr the following areas shall not be used to calculate the requ.ired minimum lot .size: wetlands; rivers; streams; brooks; stonnwater·drainage features; resource prote·ction· areas as defined in the Town's Shoreland Zoning Ordinance; slopes in excess of 20%; areas within the floodway as defined in t6e',Tqwn's Fioodplain Management Ordinance; and, areas within public and·private righti:-or way:\

C. Monuments;

I. . Monumentation as required by the Maine Board 9i 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 from subsurface wastewater disposal systems and other sources of pollution. The lot design shall pennit 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 f:lydrologist 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 Palermo Volunteer Fire Department shall have unrestricted access to all developed areas within the subdivision and adequate provisions are ma.de 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 plan's fire -protection measures. This statement shall be submitted with the preliminary plan application.

2. Tlle Fire Chief in making his/her detennination 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 prote.ction 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 or Soil Scientist in compliance with the Subsurface Wastewater Dfsposal Rules of the State of Maine. All test pit/test boring locations shall be shown on

ttie subdivision plan and be accompanied t,y a HHE-200 Form or other format which shows the appropriate soils data. Test piUtest boring locations shall also be marked on the site.

Test borings using an auger or a soil core samyl:i hall be peH'orrpe,d solely by a soil scientilt.

2. The a plicant shall submit the test piUtest bo ng:qafa to the Town of Palermo LP! for review., he LP! shall review the data for conformance with State Law and this Ordinance and issue tile applicant a written statement. The LPI shall state whether that the data submitted is sufficient to ma_ke a reasonable determination that the soils will accomrriodate a subsurface system or indicate if additional data or site analysis is needed. The applfcant shall submit the LPI's statement withthe preliminary plan application.

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

G. Erosion Control:

1. All activities which involve filing, grading, excavation 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 erosibri from entering waterbodies, wetlands, stormwater drainage features, and adjacent land. All temporary and permanent erosion control measures shall be designed in accordance with the current edition of" 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 1991.
   b. All temporary and permanent erosion features shall be shown on the subdivision plan. Provisions for the maintenance of both temporary and permanent measures shall be included on the 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 current edition of "Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development", published by the Maine Department of Environmental Protection, revised September, 1992.
3. The size and location of proposed developed and disturbed sites on each lot shall be shown on the plans based upon the phosphorus and stormwater control plan for the subdivision.

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, culv_erts, and best management practices equivalent to those described in the current edition of "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, 1O,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 suitJl:jle equivalent to these standards.

d. Road culverts shall be designed to._h,aqdlE, 1".5 to 50 year storm frequency. ·. .

e. The size and location of prop s develcip · and disturbed sites on each lot shall be showri on.the plan based upon the phosph?ri:i:5 _an ·stormwater control plan for the subdivision.

J. Waterbody Protection:

1. The lcicatibns of all rtvers, streams, brooks, and w tlands shall.be identified on the·subdivision plan:· · This shall include all perennial and intermittent stteams 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 planneq within 100 feet of the high-water li_ne of any waterbody including the upland edge of a wetlands shall require a plan which includes the following:

a. . A description of the proposed develepment 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. Alis! of state and federal permits required, if applicable:

K. · Ground Wate

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

2. The Planning Board may require the applicant to have the 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 iocated on the site, a protection plan shall be developed in accordance with he following: ··

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

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 *bf* Inland Fisheries and Wildlife or a qualified wildlife biologist and develop measures tci 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 fedffal list of endangered or threatened species.

(2) High or inoderat; value waterfowl and wading-bird habitats as defined by the Maine Department of Jiland Fisheries and Wildlife.

(3) Deer_winteming eas as identified by the Maine Department of Inland Fisheries and W1ldlife.

M. Financial and Technical Capacity:

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

a.. A list of all technical and professi,mal staff involved with the proposal and preparation of the application including their qualifications and past experience with projects of similar size and s_cale.

b. A list of all persons with inspection and CJV_ersight responsibilitiesfor 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 thai"states that the applicant has the necessary funds available or a loan co_mmitment from this institution to complete the proposed development within the time period specified by the applicant.

N. Confonmity With All Other Applicable Local Ordinances:

1. The applicant shall show that the subdivision meets all other applicable local ordinances including Shoreland Zoning, FloodplaiwManagement.

0. 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 privatemads.
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 cif 2 dwelling units may be provided by.a driveway ni1eting the following requirements:
   (1) The driveway shall serve not more than 2 dwelling units.
   (2) The driveway shall have a minimum travei width of 12 feel
   (3) A turn-around area shall be provided for every portion of the driveway in excess of 800 feet in lengih.
   (4) The driveway shall be upgraded to c,onfonm 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 an 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.

of 30 feet onone-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.

9- On a two-way access.the width sh lj '.J tween 24 and 26 feet, with a preferred width 26 feet On a one-way access the·width.shali_be between 16 feet and 20 feet, with a prefefed width of 16 feet. .

h- On a DNO-way access the curb-cut width sJ;iall be between 74 feet and 110 feet, with a preferred width of 86 feet. On a one-way:atcess the curb-cut width shall be between 46 feet and 70 feet, with a preferred width of 50.feet.

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

j. Comer clearance shall be measure.ct from the point of tangency for the comer to the point of tangency for the access. The maximum corner clearance, based upon site conditions should be provided. The minimum comer clearance shall be 50 feet

J<. 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.

5. 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 its 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:

On/v roads. designed and constructed as a collector or local road with a bituminous pavement surface shall be eligible or consideration or public acceptance. Any road not conforming to this reauirement shall be a private road.

6. Road Design Standards

a. Themad design standards for each type of road type 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 pr_oposed. with existing roads.

(3) Roadway and "right;of way lirniJf including edge of pavement and edge of shoulder.

(4) Kind, size, location;_ma\erlal, profile and cross section of all existing and proposed drainage structures and their location with respect to the existing natural waterways and p oposed drainage ways.

(5) Complete curve data si:Jall be indicated for ail horizontal and vertical curves.

(6) Turning rad)i.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 rig!lt-of -way, the centerlines and sideline s 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 org·anic and unsuitable materials shall be removed from the road sub-grade. All rocks and boulders visible ai 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 (eet horizontal to one foot vertical, arid shall be graded; loamed and seeded.

7. Inspection Requirements for Roads Proposed for Public Acceptance

a. In addition·to the inspection requirements listed in Section 4, sub-section 0, of -O'tis 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 inspecr.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 engineers 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

1. Outdoor recreational access is an important feature of Palemna's rural heritage and all subdivision proposals consisting of more than 4 lots shall provide far the continued enhancement and development of a variety of outdoor recreation opportunities. Since new subdivisions and the associated housing and other development they foster can compete with existing open space, scenic and other attributes of rural communities, it shall be the responsibility of each new subdivision to provide for outdoor recreation. A recreation plan desfgned to serve the subdivision residents shall be developed according to the requirements listed below.

2. Since subdivision proposals vary in size, density, design and location a variety of options shall.be offered for the development of the recreation plan. The subdivision proposal sball be deemed to meet the requirement for providing recreation if they confomn to one of the following :

A minimum of 10% of the land within the subdivision is dedicated for open space. Suitable easements and/or deed restrictions shall be proposed to preserve the land from development. The land shall not include areas described in Section 8, sub-section B.1.b,

b. A parcel of land consisting of at least 5 acres and having a minimum of 200 feet of shore frontage on a great pond is dedicated for recreation. The parcel shall be suitable for at least one of the following boat access or swimming. Trails, rights-of-way or other similar easements shall be provided so that residents can access the parcel.

c. A multi-purpose trail system which can be reasonably accessed by each proposed subdivision lot is constructed. The trail should be designed to accommodate walkers, cross-country skiing and snowmobiles. Whenever possible, the trail should provide a link to existing trails and snowmobile routes.

d. An active recreation area consisting of at least two of the following:

Playground for small children
Baseball field
Tennis court (minimum of 2 courts)
Basketball court (full size court)
Multi-purpose field

e. Combination of recreational opfions. The applicant may propose to offer a combination of recreational sites consisting of a portion of some of the options listed above. The Planning Board shall review this combination option to ensure that the intent of these section is met.
Example:

An applicant may propose to construct a playground and dedicate 5 % *of land for passive recreation.*

3. Land for the recreational sites may be offered to the Town for public acceptance or may be owned in common by the subdivision lot owners. The applicant may also propose to dedicate the recreation areas to a third party that is incorporated for the purpose of maintaining land for conservation and preservation use.

All land proposed for recreation purposes shall be protected by a suitable deed restriction that prohibits development and preserves the land for future inhabitants.

All recreational areas to be owned in common shall include a maintenance plan and mandatory association agreement in each of the subdivision lot deeds.

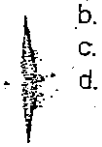
The Planning Board shall review all proposed ownership arrangements to ensure that the long-term maintenance and preservation of the recreational sites is provided.

0. Agricultural and Forest Resources

1. Whenever a proposed subdivision is located adjacent to an active farm, pasture field, a woodlot listed under Tree Growth or a productive forest site, suitable provisions shall be incorporated in the subdivision proposal to *minimize* future conflicts between residential sites and agriculture, forestry 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 1DD feet from the farm or forest site.·
b. A vegetative buffer along property .lines.
c. Locati6ri of homes <Jway from the·farm Qr forest..
d. A disclosure notice, included in ttie deei:J for each lot, to inform the new-landowner that agricultural and forest activities generat_e noise, dust and odors.



R. Rural· Design and Landscape Standards for Public Scene'ry

1. Each subdivision proposal shall include a landscape or scenic.preservation plan which shows how the lots, building siies, structures and roads preserve the existing rural character of the community. The plan shall_ incorporate the.following standards _into th,e 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 vegeyation along front, side and rear lot property lines shall be preserved.

e: Lots shal1.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·l·andscape corridor.

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

h. Prime farmland soils as identified in the comprehensive plan shall be preserved to the greatest extent possible.

SECTION 9. 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 iand-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 proyided in this Ordinance and recorded in the Registry of Deeds.

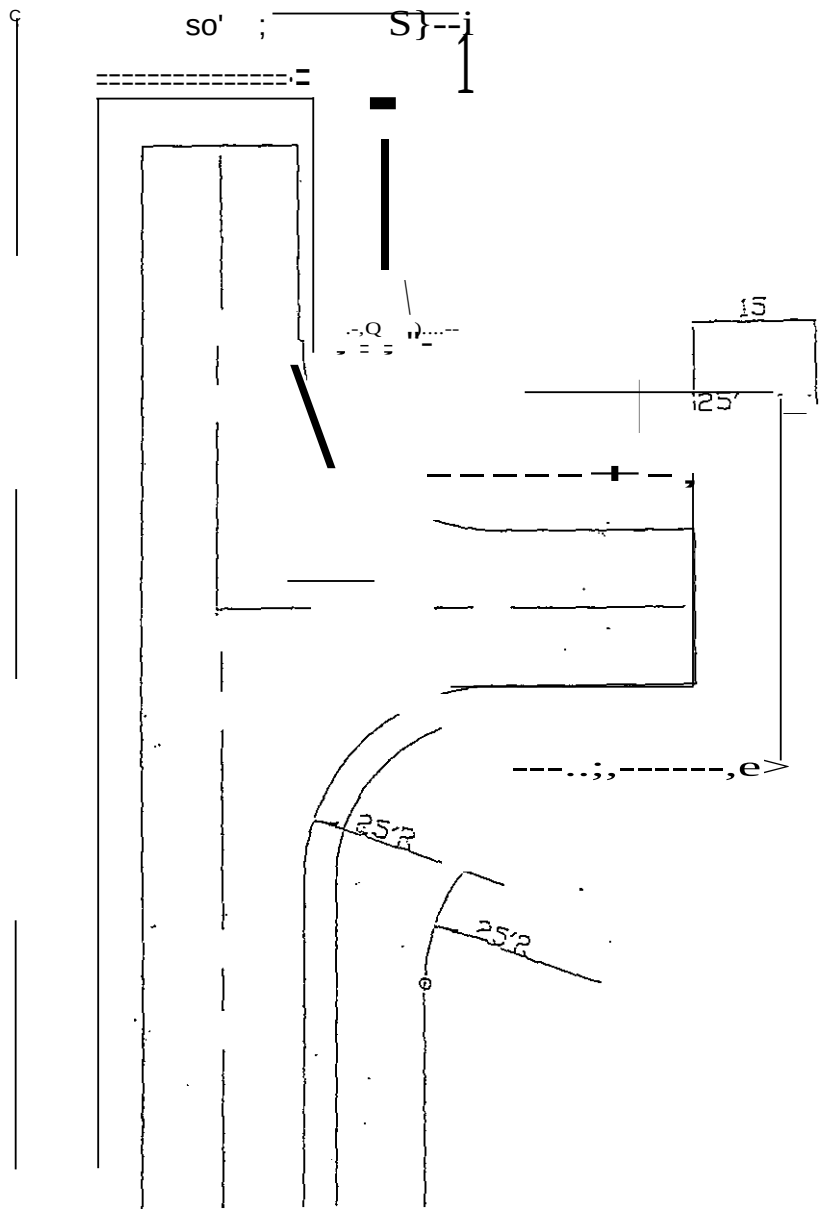
G. No lot ir:ra subdivision rriay tie s ld; leased or otherwise conveyed before the road upon ,vhich the lot fronts is complsiied in accordan ce with this Ordinance up to the said.iol

H. Violations of the above provisions of this section are a·nuisance and shall be subject to penalty in· accordance with the provisions of Title 30-A, M:R.s.A ss'.41s2 as amended.

APPENDIX A

TYPICAL ' " SHAPED TURN,AROUND D'.ETAJL

(GUARDRAIL



TYPICAL CUL-DE-SAC DETAIL.

The Cul-De-Sac turnaround shall be consti-ticted with the following requirements for-radii:

Property Line: SO·feef --
Outer £dge of Pavement: 40 feet
IIiner Edge of Pavement: 20 feet

The center of the Cul-be-Sac shall be reserved for existihg or propos(id·· vegetation.



APPENDIXflB

ROAD.coksTRUCTION STANDARDS TABLE i

	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	3 .ft	3 fy
. Minimum grade .(centerline)	**.5%**	,-?%	***.5%***
Maximum grade (centerline)	***5%***	**8%**	10%
i'v1inim.um center-.Llne radius w/o superelvatien .	280 ft	280-ft	.175 ft
rvri.nimum center-line radius with superelevation	175 ft	175 ft	,!!Oft
Roadway crown	1/4 inch pet foot	1/4 inch per foot	l/4 inch per foot
l'Vfinirnum angle of road intersection	**90 degree**	**60 deg ee**	60 degree
i'VIa. imum centerline grade within 75 ft of i.i.1.terscction	**3%**	**3%**	**,'",,**
Culverts	mmirnum 18 inch dia.	**minimum 15 incb dia.**	**minimum 15 inch clia.**
.Minimum 5ll slope	3/1	3/1	311
Shoulder grade	1/4 inch pe _foot	1/4 inch per foot	1/4 inch per foot
--			

TABLE 2.

ROAD CONS1RUCTION MATERIALS MJNIMUM REQUI&EMENTS

		Collector Road	Local Road	Rural Road
Aggr ate Base Tota!"Inches		24 inches	1_8 inches	15 inches
	Subbase course	J8 ini;hes	. \5 inches	12 inches
	-13 ;e course	6 inches	inches	3 inches
Surface Course for a Graye] Road	...	A.inches	3--inches	3 inches
··Surface Course for a Bihlimnous fµ.:' ilie!it Surface (Total)ncbes)		**3 iilChes**	**3""inches**	**3 inches**
		Base course	**l 3;4**	1 3/4
		Surface course	1 1/4	**!11/4**

GRAVEL SUBBASE MATERIALS SPECIDCATJONS:

The gravel subb<)..se course shall be grave_l of durable particles fr.-::e frnm vegct?-rive matter, lumps or 'palls of clay and other del e-rious rbatter. me g'radation"ofthe part that passes a 3 inch square sieve shall m et the grading requirements below. The m x.irnum stone size sh<J.11 b_e 6 inches.

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSJNG SQUARE SIEVE
1/4 INCE	125-70%
No. 40	**l o-30%**
No'. 200	0

GRAVEL BASE COURSESPECIFICATIONS:

The base course shall be crushed gravel fhard dnrabie particles freefrom vegeta!;ive matter, lumps and balls of clay. The gradation of the part that passes a 3 inch square sieve shall meet the grading requirem ts below.

SJEVE DESIGNATION	PERCEffiAGE BY WEIG T:f'.ASSING SQUARE SIEVE
. Y,JNCH	45-70%
l/4INCH	30-55%
No.40	0-20%
No. 200	**0-5%**

SURFACE GRAVEL SPECIDCATIONS:

Surface gravel for use on gravel roads shall'have no stone larger than 2 inches 1Il size and shall rne!:t th grading requirements below.

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSING SQUARE SIEVE
2 fNO-I	95-100%
Y, rNO-I	**30-65%**
No. 200	**7-12%**

BITUMINOUS PAVEMENT SPECmCATIONS:

The minimum standards for the base layer of pavem nt sb.all be MDOT specifications for plant mi"<.'grade with an aggregate: size of no more tb'an 3/4 inch max.iri:n.uIL The minimum 512.ridard for the surface. layer of the pavement shall meet MDOT specifications for plant mix grade "C" or "D" with an aggregate **Size of no more than Y1 maxlllmm**

TYPICAL ROAD CROSS SECTIOf

TOWN OF PALERMO
LOCAL ROAD CROSS SECTiON

