Town of
Stockton Springs
Maine
P.O. Box 339
Stockton, Springs, ME 04981

SITE PLAN REVIEW ORDINANCE

of the Town of Stockton Springs

Attested by:_____

Title: _____

Enacted March 25, 2009
Amended June 19, 2011
Amended June 16, 2012
Amended June 14, 2014
Amended June 25, 2016
Amended June 17, 2017
Amended June 16, 2018

Section 1 Purpose....4
Section 2 Applicability of Site Plan Review....4
Section 3 Definitions....6
3.1 Meaning of Words....6
3.2 Definitions....7
Section 4 Administration and Enforcement....11
Section 5 Interpretation of the Ordinance....11
Section 6 Review and Approval Authority....12
Section 7 Review Procedures....12
7.1 Pre-application....12
7.1.1 Purpose....12
7.1.2 Information Required....13
7.2 Application Submission and Review Procedures....13
7.3 Final Approval and Filing....15
7.4 Fees....15
7.4.1 Application Fee....15
7.4.2 Technical Review Fee....15
7.5 Public Hearing Requirements....15
7.5.1 Notice Requirements....16
7.5.2 Cost....16
Section 8 Submission Requirements....16
8.1 General Information....17
8.2 Existing Conditions....18
8.3 Proposed Development Activity....19
8.4 Approval Block....20
Section 9 Approval Standards and Criteria....20
9.1 Utilization of the Site....20

Enacted March 25, 2009
Amended June 19, 2011
Amended June 16, 2012
Amended June 14, 2014
Amended June 25, 2016
Amended June 17, 2017
Amended June 16, 2018

9.2 Adequacy of Road System 20
9.3 Access to the Site 21
9.4 Access-way Location and Spacing 22
9.5 Internal Vehicular Circulation 22
9.6 Parking Layout and Design 23
9.7 Pedestrian Circulation 26
9.8 Stormwater Management 26
9.9 Erosion Control 27
9.10 Water Supply 37
9.11 Sewage Disposal 27
9.12 Utilities 28
9.13 Natural Features 28
9.14 Groundwater Protection 29
9.15 Water Quality Protection 29
9.16 Hazardous, Special and Radioactive Materials 29
9.17 Shoreland Relationship 30
9.18 Technical and Financial Capacity 30
9.19 Solid Waste Disposal 30
9.20 Historic and Archaeological 30
9.21 Floodplain Management 30
9.22 Good Neighbor Factors 31
9.22.1 Buffering 31
9.22.2 Lighting 31
9.22.3 Noise 31
9.22.4 Odors 31
9.22.5 Hours of Operation 31
Section 10 Post Approval Activities 32
10.1 Limitation of Approval 32

Enacted March 25, 2009
Amended June 19, 2011
Amended June 16, 2012
Amended June 14, 2014
Amended June 25, 2016
Amended June 17, 2017
Amended June 16, 2018

10.2 Incorporation of Approved Plan 32
10.3 Recording of the Approved Plan 33
10.4 Improvement Guarantees 33
10.4.1 Application 33
10.4.2 Form of Guarantee 33
10.5 Submission of As-Built Plans 34
10.6 Minor changes to Approved Plans 34
10.7 Amendments to Approved Plans 34
Section 11 Appeal of Planning Board Actions 34
Section 12 Amendments to the Ordinance 34
Section 13 Severability 35

Section 1. PURPOSE

The site plan review provisions set forth in this ordinance are intended to protect the public health and safety, promote the general welfare of the community, and conserve the environment by assuring that nonresidential and multifamily construction is designed and developed in a manner which assures that adequate provisions are made for traffic safety and access; emergency access; water supply; sewage disposal; management of stormwater, wildlife habitat, fisheries, and unique natural areas; protection of historic and archaeological resources; minimizing the adverse impacts on adjacent properties; and fitting the project harmoniously into the fabric of the community.

Section 2. APPLICABILITY OF SITE PLAN REVIEW

A person who has right, title, or interest in a parcel of land must obtain site plan approval prior to commencing any of the following activities on the parcel, obtaining a building or plumbing permit for the activities, or undertaking any alteration or improvement of the site including grubbing or grading:

1. The construction or placement of any new building or structure for a nonresidential use, including accessory buildings and structures.

2. The expansion of an existing nonresidential building or structure including accessory buildings that increases the total floor area.

3. The conversion of an existing building, in whole or in part, from a residential use to a nonresidential use.

4. The establishment of a new nonresidential use even if no buildings or structures are proposed, including uses such as gravel pits, cemeteries, golf courses, and other nonstructural nonresidential uses.

5. The conversion of an existing nonresidential use, in whole or part, to another nonresidential use if the new use changes the basic nature of the existing use such that it increases the intensity of on-off-site impacts of the use subject to the standards and criteria of the site plan review described in Section 9 of this ordinance.

6. The construction of a residential building containing three (3) or more dwelling units.

7. The modification or expansion of an existing residential structure that increases the number of dwelling units in the structure by three (3) or more in any five (5) year period.

8. The conversion of an existing nonresidential building or structure, in whole or part, into three (3) or more dwelling units within a five (5) year period.

9. The construction or expansion of paved areas or other impervious surfaces, including walkways, access drives, and parking lots involving an area of more than two thousand five hundred (2500) square feet within any three (3) year period.

The following activities shall not require site plan approval. Certain of these activities will, however, require the owner to obtain a building permit, plumbing permit, or other state or local approvals:

1. The construction, alteration, or enlargement of a single or two-family dwelling, including accessory buildings and structures.

2. The placement, alteration, or enlargement of a single manufactured housing, or mobile home dwelling, including accessory buildings and structures on individually owned lots.

3. Agricultural activities, including agricultural buildings and structures.

4. Timber harvesting and forest management activities.

5. The establishment and modification of home occupations that do not result in changes to the site or exterior of the building.

6. Activities involving nonresidential buildings or activities that are specifically excluded from review by the provisions of this section.

Notwithstanding any other provisions of this section, Site Plan Review shall be required for any Wind Energy Development or associated structure for which the Planning Board is the Reviewing Authority under the provisions of the Wind Energy Development Ordinance of the Town of Stockton Springs. (added 6-19-10)

Section 3. DEFINITIONS

3.1 Meaning of Words

All words not defined herein shall carry their customary and usual meanings. Words used in the present tense shall include the future. Words used in the singular shall include the plural.

3.2 Definitions

ABUTTING PROPERTY: Any lot which is physically contiguous with the subject lot even if only at a point and any lot which is located directly across a street or right-of-way from the subject lot such that the extension of the side lot lines of the subject lot would touch or enclose the abutting property.

ACCESSORY BUILDING: A detached, subordinate building, the use of which is clearly incidental and related to that of the principal building or use of the land, and which is located on the same lot as that of the principal building or use.

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

AGGRIEVED PARTY: An owner of land whose property is directly or indirectly affected by the granting or denial of an approval under this ordinance; a person whose land abuts land for which approval 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 such approval.

ARTERIAL: A controlled access road or a street or road with traffic signals at important intersections and/or stop signs on side streets or which is functionally classified by the Maine Department of Transportation as an arterial.

BUILDING: Any permanent structure, having one or more floors and a roof, which is used for the housing or enclosure of persons, animals or property. When any portion thereof is separated by a division wall without opening, then each such portion shall be deemed a separate building.

BUILDING FOOTPRINT: The area covered by a building measured from the exterior surface of the exterior walls at grade level inclusive of cantilevered portions of the building. Where the building is elevated above grade level on posts or similar devices, the building footprint is the area the building would cover if it were located at ground level.

CHANGE FROM ONE CATEGORY OF NONRESIDENTIAL USE TO ANOTHER CATEGORY OF NONRESIDENTIAL USE: A change in the type of occupancy of a nonresidential building or structure, or a portion thereof, such that the basic type of use is changed, such as from retail to office or storage to a restaurant, but not including a change in the occupants.

COLLECTOR STREET: A street that collects traffic from local streets and connects with arterials or a street or road functionally classified as a collector by the Maine Department of Transportation.

CURB CUT: The opening along the curb line or street right-of-way line at which point vehicles may enter or leave the street.

ENLARGEMENT OR EXPANSION OF A STRUCTURE: An increase of the building footprint and/or increase in the height of the structure beyond its present highest point. Alterations of existing buildings which are required in order to meet the requirements of the Americans with Disabilities Act (ADA) and/or the State Fire Code are not considered to be enlargements or expansions of a structure and are not required to meet otherwise applicable setback requirements, provided the alterations are the minimum necessary to satisfy the ADA and/or State Fire Code.

ENLARGEMENT OR EXPANSION OF USE: Any intensification of use in time, volume, or function, whether or not resulting from an increase in the footprint, height, floor area, land area or cubic volume occupied by a particular use. Increases which are required in order to meet the requirements of the Americans with Disabilities Act and/or the State Fire Code are not considered to be enlargements or expansions of use.

FISHERIES, SIGNIFICANT FISHERIES: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife, Atlantic Salmon Authority, or Maine Department of Marine Resources as having significant value as fisheries and any areas so identified in the Town of Stockton Springs's comprehensive plan.

HOME OCCUPATION: An occupation or profession which is carried on in no more than 25% of the total square footage of the single-family dwelling unit, or if located in an accessory building located on the property, in an area equal to no more than 25% of the total square footage of the single-family dwelling unit, by the full-time permanent occupant of the dwelling unit, which employs no more than two (2) persons other than family members residing in the home, and which is clearly incidental and secondary to the use of the dwelling for residential purposes and which does not change the character thereof. By way of illustration and not of limitation, the term home occupation shall include making foods such as breads, cookies or preserves, rugs, birdhouses, fishing flies, and quilts.. The term “home occupation” shall include both professional and personal services. Anything greater than 25% requires Planning Board approval under Site Plan Review.

FLOOR AREA: The sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls.

GROUNDWATER: All of the water found beneath the surface of the ground. For purposes of aquifer protection, this term refers to the subsurface water present in aquifers and recharge areas.

HISTORIC OR ARCHAEOLOGICAL RESOURCES: Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as an historic or archaeological resource and any areas identified in the Town of Stockton Springs's comprehensive plan.

IMPERVIOUS SURFACE: The area covered by buildings and associated constructed facilities, areas which have been or will be covered by a low-permeability material, such as asphalt or concrete, and areas such as gravel roads and unpaved parking areas, which have been or will be compacted through design or use to reduce their permeability. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam, or other surfaces which similarly impede the natural infiltration of stormwater.

LOCAL STREET: A public street or road which is not identified as an arterial or collector. A local street includes a proposed street shown on an approved and recorded subdivision.

LOT AREA: The area of land enclosed within the boundary lines of a lot, minus land below the normal high-water line of a water body or upland edge of a wetland and areas beneath roads serving more than two lots.

NATURAL AREAS AND NATURAL COMMUNITIES, UNIQUE NATURAL AREAS AND NATURAL COMMUNITIES: Areas identified by a governmental agency such as the Maine Department of Conservation Natural Areas Program as having significant value as a natural area and any areas identified in the Town of Stockton Springs's comprehensive plan.

PRINCIPAL STRUCTURE: A building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.

PRINCIPAL USE: A use other than one which is wholly incidental or accessory to another use on the same premises.

RECHARGE AREA: Area composed of permeable, porous material through which precipitation and surface water infiltrate and directly replenish groundwater in aquifers.

SETBACK, FRONT: An open area extending the entire width of a lot from lot sideline to lot sideline and extending in depth at a right angle from the street right-of-way to such depth as specified. Such area shall be unoccupied and unobstructed by any building or structure from the ground upward.

SETBACK, REAR: An open area extending the entire width of a lot from lot sideline to lot sideline and extending at a right angle from the rear property line of such lot to such depth as specified. Such area shall be unoccupied and unobstructed by any building or structure from the ground upward.

SETBACK, SIDE: An open area extending along each sideline of a lot between the front setback and the rear setback on such lot and extending at a right angle from the sidelines of such lot to such depth as specified. Such area shall be unoccupied and unobstructed by any building or structure from the ground upward.

STRUCTURE: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including a tent, vehicle, fences or retaining walls.

SUBSTANTIALLY COMMENCED; SUBSTANTIALLY COMPLETED: Construction shall be considered to be substantially commenced when any work beyond the state of excavation, including but not limited to, the pouring of a slab or footings, the installation of piles, the construction of columns, or the placement of a manufactured home on a foundation has begun. Construction shall be considered to be substantially completed when it has been completed to the point where normal functioning, use, or occupancy can occur without concern for the general health, safety, and welfare of the occupant and the general public. It shall also include permanent stabilization and/or re-vegetation of areas of the site that were disturbed during construction.

USE: The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

VEGETATION: All live trees, shrubs, ground cover, and other plants.

WILDLIFE HABITAT, SIGNIFICANT WILDLIFE HABITAT: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife as having significant value as habitat for animals and any areas identified in the Town of Stockton Springs's comprehensive plan.

Section 4. ADMINISTRATION AND ENFORCEMENT

This ordinance shall be administered and enforced by a Code Enforcement Officer (CEO) appointed by the Town Manager.

It shall be the duty of the CEO or his/her agent to enforce the provisions of this ordinance. If the CEO or his/her agent shall find that any provision of this ordinance is being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of buildings, structures, additions, or work being done, or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.

The CEO is hereby authorized to institute or cause to be instituted, in the name of the Town of Stockton Springs, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this ordinance; provided, however, that this section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this ordinance.

Any person, firm, or corporation being the owner of or having control or use of any building or premises who violated any of the provisions of this ordinance, shall be fined in accordance with Title 30-A §4452. Each day such a violation is permitted to exist after notification shall constitute a separate offense. The Selectmen, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this ordinance and recovering fines without court action. Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized Municipal Official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

Section 5. INTERPRETATION OF THE ORDINANCE

The Code Enforcement Officer (CEO) shall be responsible for administering the provisions of this ordinance including interpreting the provisions hereof.

Any person who believes that the CEO has made an error in the interpretation or application of the provisions of this ordinance, may appeal such determination to the Board of Appeals as an

administrative appeal. If the Board finds that the CEO erred in his/her interpretation of the ordinance, it shall modify or reverse the action accordingly.

Section 6. REVIEW AND APPROVAL AUTHORITY

The Planning Board is authorized to review and act on all site plans for development requiring site plan review as defined above.

In considering site plans under this provision, the Planning Board may act to approve, disapprove, or approve the project with conditions as are authorized by these provisions.

Section 7. REVIEW PROCEDURES

The Planning Board shall use the following procedures in reviewing applications for site plan review.

7.1. Pre-application

Prior to submitting a formal application, the applicant or his/her representative may request a pre-application conference with the Planning Board. Said request shall be made, in writing, to the Board Secretary at least fourteen (14) days prior to the date of the meeting. Applicant shall provide the Planning Board with whatever information, relative to the proposed project, is available at the time of the pre-application conference. A pre-application conference is strongly advised. The pre-application conference shall be informal and informational in nature. There shall be no fee for a pre-application review, and such review shall not cause the plan to be a pending application or proceeding under Title 1 M.R.S.A. §302. No decision on the substance of the plan shall be made at the pre-application conference.

7.1.1. Purpose

The purposes of the pre-application conference are to:

(1) Allow the Planning Board to understand the nature of the proposed use and the issues involved in the proposal,

(2) Allow the applicant to understand the development review process and required submissions,

(3) Identify issues that need to be addressed in future submissions, and

(4) Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.

In addition, the Board may schedule a site inspection in accordance with subsection 7.2(5) if deemed necessary and resolve any requests for waivers and variations from the submission requirements.

7.1.2. Information Required

There are no formal submission requirements for a pre-application conference. However, the applicant should be prepared to discuss the following with the Board:

(1) The proposed site, including its location, size, and general characteristics,

(2) The nature of the proposed use and potential development,

(3) Any issues or questions about existing municipal regulations and their applicability to the project, and

(4) Any requests for waivers from the submission requirements.

7.2. Application Submission and Review Procedures

The applicant must prepare and submit a site plan review application, including the development plan and supporting documentation that meets the submission requirements set forth below. This material must be submitted to the Code Enforcement Officer twenty one (21) days prior to meeting at which application will be considered.

(1) At the time formal application is made, the Code Enforcement Officer shall give a dated receipt to the applicant and shall notify by first-class mail all property owners within five hundred (500) feet of the parcel on which the proposed development is located. Written notice of the pending application shall be provided to the Selectmen, Town Manager, Fire Chief, and other interested parties.

(2) Within thirty (30) days of the receipt of a formal site plan review application, the Planning Board shall review the material and determine whether or not the submission is complete. If the application is determined to be incomplete, the Board, or designee, shall notify the applicant in writing of this finding, shall specify the additional materials required to make the application complete and shall advise the applicant that the application will not be considered by the Board

until the additional information is submitted to the Board. These steps, except the notification requirements, shall be repeated until the application is found to be complete.

(3) As soon as the Board determines that the application is complete, the Board, or designee, shall: notify the applicant in writing of this finding, meet the notification requirements of subsection (4) below, and place the item on the agenda for substantive review within thirty (30) days of this finding or at the next scheduled Planning Board meeting, whichever is later.

(4) As soon as the application is found to be complete, the Planning Board may schedule a public hearing, and shall notify the applicant on which the proposed development is located, per the requirements set forth in Section 7.5 below. If the Planning Board does not schedule a public hearing, the Planning Board will allow those so notified in Section 7.2.1 above to comment on the application before deliberations on Section 9 of this Ordinance commence.

(5) After the first meeting at which the application is considered, the Planning Board may hold an on-site inspection of the site to review the existing conditions, field verify the information submitted and investigate the development proposal. The Board may decide not to hold an on-site inspection when the site is snow covered or otherwise impassable due to customary seasonable conditions. If an application is pending during a period when there is snow cover or the site is impassable, the deadline by which the Planning Board shall take final action on the application as specified in 7.2.6 may be extended, which extension shall not exceed thirty (30) days after the Board is able to conduct an on-site inspection. Written notice of the on-site inspection shall be provided to all parties entitled to notice under7.2.1.

(6) The Planning Board shall take final action on said application within thirty (30) days of determining that the application is complete or at the next scheduled Planning Board meeting, whichever is later. The Board shall act to deny, to approve, or to approve the application with conditions. The Board may impose such conditions as are deemed advisable to assure compliance with the standards of approval.

In issuing its decision, the Planning Board shall make written findings of fact establishing that the proposed development does or does not meet the standards of approval and other requirements of the Town. The Board, or designee, shall notify the applicant, all officials who received notice under (4), and all parties who requested to be notified of the action of the Board, including the findings of fact, and any conditions of approval. This requirement can be met through the distribution of minutes of the meeting containing the findings of fact and decision of the Board.

All time limits provided for in this section may be extended by mutual agreement of the applicant and Planning Board.

7.3. Final Approval and Filing

Upon completion of the requirements of this Section and an approval vote by the majority of the Planning Board, the application shall be deemed to have final approval and the site plan shall be signed by a majority of the members of the Board and must be filed with the Code Enforcement Officer. Any plan not so filed within thirty (30) days of the date upon which such plan is approved and signed by the Board shall become null and void. (amended June 19, 2010)

7.4. Fees

7.4.1. Application Fee

An application for site plan review must be accompanied by an application fee in such amount established by the Application, License, Permit, and Other Fees Ordinance. The fee schedule will be provided to the applicant by the Code Enforcement Officer upon request. This application fee must be paid to the Town of Stockton Springs and evidence of payment of the fee must be included with the application.

7.4.2. Technical Review Fee

In addition to the application fee, the applicant for site plan review must also pay a technical review fee to defray the Town of Stockton Springs's legal and technical costs of the application review, per the Application, License, Permit, and Other Fees Ordinance.. This fee must be paid to the Town of Stockton Springs. The application will be considered incomplete until evidence of payment of this fee is submitted to the Planning Board.

7.5. Public Hearing Requirements

A public hearing is required for any Site Plan Review Application that requires Planning Board approval**,** unless determined to be unnecessary by the Board, in accordance with Section 7.2.4.

7.5.1 Notice Requirements

Notice of the date, time and place of the public hearing, and site inspection if scheduled, shall be made as follows:

(1). Published by the Planning Board, or designee, at least once in a newspaper having general circulation within the Town of Stockton Springs. The date of the first publication shall be at least 14 days before the hearing.

In the event of cancellation due to inclement weather, the Public Hearing shall be rescheduled with notice published in a newspaper at least seven (7) days before the new date and in accordance with the rest of this section.

(2). Posted at the Town Office, the Stockton Springs Post Office, the Stockton Springs web site and on the public access channel.

(3). Mailed by the Planning Board, or designee, by First Class Mail to the Applicant.

(4), Mailed by the Planning Board, or designee, by First Class Mail to the last-known addresses of owners of property located within 500 feet of any property line of the parcel(s) on which the proposed development is located. Failure of any of these property owners to receive notice shall not invalidate the public hearing.

7.5.2 Cost

All costs of notification per requirements of this section and any other section of this Ordinance shall be borne by the Applicant per the Application, License, Permit, and Other Fees Ordinance.

Section 8. SUBMISSION REQUIREMENTS

Applications for site plan review must be submitted on application forms provided by the Town of Stockton Springs. The complete application form, evidence of payment of the required fees, and the required plans and related information must be submitted to the Code Enforcement Officer. The submission must contain at least the following exhibits and information unless specifically waived in writing. The Planning Board may waive any of the submission requirements based upon a written request of the applicant. Such request must be made at the time of the pre-application conference or at the initial review of the application if no pre-application conference is held. A waiver of any submission requirement may be granted only if

the Board makes a written finding that the information is not required to determine compliance with the standards.

All applications for site plan review must contain the following information:

(1) A fully executed and signed copy of the application for site plan review.

(2) Evidence of payment of the application and technical review fees.

(3) Eight (8) copies of written materials plus eight (8) sets of maps or drawings containing the information listed below. The written materials must be contained in a bound report. The maps or drawings must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than one hundred (100) feet to the inch for that portion of the tract of land being proposed for development:

8.1. General Information

(1) record owner's name, address, and phone number and applicant's name, address and phone number if different.

(2) the location of all required building setbacks, yards, and buffers.

(3) names and addresses of all property owners within five hundred (500) feet of any and all property boundaries.

(4) sketch map showing general location of the site within the Town of Stockton Springs based upon a reduction of the tax maps.

(5) boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.

(6) the tax map and lot number of the parcel or parcels on which the project is located.

(7) a copy of the deed to the property, an option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.

(8) the name, registration number, and seal of the person who prepared the plan, if applicable.

(9) evidence of the applicant's technical and financial capability to carry out the project as proposed.

8.2. Existing Conditions

(1) zoning classification(s), including overlay and/or sub-districts, of the property and the location of zoning district boundaries if the property is located in two (2) or more zoning districts or sub-districts or abuts a different district.

(2) the bearings and length of all property lines of the property to be developed and the source of this information. The Planning Board may waive this requirement of a boundary survey when sufficient information is available to establish, on the ground, all property boundaries.

(3) location and size of any existing sewer and water mains, culverts and drains, on-site sewage disposal systems, wells, underground tanks or installations, and power and telephone lines and poles on the property to be developed, on abutting streets, or land that may serve the development, and an assessment of their adequacy and condition to meet the needs of the proposed use. Appropriate elevations must be provided as necessary to determine the direction of flow.

(4) location, names, and present widths of existing public and/or private streets and rights-of-way within or adjacent to the proposed development.

(5) the location, dimensions and ground floor elevation of all existing buildings on the site.

(6) the location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.

(7) location of intersecting roads or driveways within two hundred (200) feet of the site.

(8) the location of open drainage courses, wetlands, stonewalls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with a description of such features.

(9) the direction of existing surface water drainage across the site.

(10) the location, front view, dimensions, and lighting of existing signs.

(11) location and dimensions of any existing easements and copies of existing covenants or deed restrictions.

(12) the location of the nearest fire hydrant, dry hydrant or other water supply for fire protection. A letter from the Fire Department Chief stating there is adequate access and coverage by the Fire Department shall fulfill this requirement.

8.3. Proposed Development Activity

(1) estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal, and evidence of their adequacy for the proposed use, including soils test pit data if on-site sewage disposal is proposed.

(2) the direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.

(3) provisions for handling all solid wastes, including hazardous and special wastes and the location and proposed screening of any on-site collection or storage facilities.

(4) the location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off-site.

(5) proposed landscaping and buffering.

(6) the location, dimensions, and ground floor elevation of all proposed buildings or building expansion proposed on the site.

(7) location, front view, materials, and dimensions of proposed signs together with the method for securing the sign.

(8) location and type of exterior lighting.

(9) the location of all utilities, including fire protection systems.

(10) a general description of the proposed use or activity.

(11) an estimate of the peak hour and daily traffic to be generated by the project.

(12) stormwater calculations, erosion and sedimentation control measures, and water quality and/or phosphorous export management provisions, if the project requires a stormwater permit from the Maine Department of Environmental Protection or if the Planning Board determines

that such information is necessary based upon the scale of the project or the existing conditions in the vicinity of the project.

8.4. Approval Block

Space must be provided on the plan drawing for the signatures of the Planning Board and date together with the following words, "Approved: Town of Stockton Springs Planning Board".

Section 9. APPROVAL STANDARDS AND CRITERIA

The following criteria shall be used by the Planning Board in reviewing applications for site plan review and shall serve as minimum requirements for approval of the application. The application shall be approved unless the Planning Board determines that the applicant has failed to meet one or more of these standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable criteria have been met.

9.1. Utilization of the Site

The plan for the development must reflect the natural capabilities of the site to support development. Buildings, lots, and support facilities must be clustered in those portions of the site that have the most suitable conditions for development. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, and sand and gravel aquifers must be maintained and preserved to the maximum extent. Natural drainage areas must also be preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

9.2. Adequacy of Road System

Vehicular access to the site must be on roads which have adequate capacity to accommodate the additional traffic generated by the development. For developments which generate one hundred (100) or more peak hour trips based on the latest edition of the Trip Generation Manual of the Institute of Traffic Engineers, intersections on major access routes to the site within one (1) mile of any entrance road which are functioning at a Level of Service of D or better prior to the development must function at a minimum at Level of Service D after development. If any such

intersection is functioning at a Level of Service E or lower prior to the development, the project must not reduce the current level of service. This requirement may be waived by the Planning Board if the project is located within a growth area designated in the Town's adopted Comprehensive Plan and the Board determines that the project will not have an unnecessary adverse impact on traffic flow or safety.

A development not meeting this requirement may be approved if the applicant demonstrates that:

(1) A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard, or

(2) The applicant will assume financial responsibility for the improvements necessary to bring the level of service to this standard and will assure the completion of the improvements with a financial guarantee acceptable to the Town of Stockton Springs.

9.3. Access into the Site

Vehicular access to and from the development must be safe and convenient.

(1) Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation standards, to the maximum extent possible.

(2) Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.

(3) The grade of any proposed drive or street must be not more than ±3% for a minimum of two (2) car lengths, or forty (40) feet, from the intersection.

(4) The intersection of any access/egress drive or proposed street must function: (a) at a Level of Service of D following development if the project will generate one thousand (1,000) or more vehicle trips per twenty-four (24) hour period; or (b) at a level which will allow safe access into and out of the project if less than one thousand (1,000) trips are generated.

(5) Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrians hazards. Access from other streets may be allowed if it is safe and does not promote shortcutting through the site.

(6) Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing the necessary funds for turning lanes, traffic directional islands, and traffic controls within public streets.

(7) Access-ways must be designed and have sufficient capacity to avoid queuing of entering vehicles on any public street.

(8) The following criteria must be used to limit the number of driveways serving a proposed project:

a. No use which generates less than one hundred (100) vehicle trips per day shall have more than one (1) two-way driveway onto a single roadway. Such driveway must be no greater than thirty (30) feet wide.

b. No use which generates one hundred (100) or more vehicle trips per day shall have more than two (2) points of entry from and two (2) points of egress to a single roadway. The combined width of all access-ways must not exceed sixty (60) feet.

9.4. Access-way Location and Spacing

Access-ways must meet the following standards:

(1) Private entrances/exits must be located at least fifty (50) feet from the closest un-signalized intersection and one hundred fifty (150) feet from the closest signalized intersection, as measured from the point of tangency for the corner to the point of tangency for the access-way. This requirement may be reduced if the shape of the site does not allow conformance with this standard.

(2) Private access-ways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.

9.5. Internal Vehicular Circulation

The layout of the site must provide for the safe movement of passenger, service, and emergency vehicles through the site.

(1) Nonresidential projects that will be served by delivery vehicles must provide a clear route for such vehicles with appropriate geometric design to allow turning and backing for a minimum of 2 vehicles.

(2) Clear routes of access must be provided and maintained for emergency vehicles to and around buildings and must be posted with appropriate signage (fire lane - no parking).

(3) The layout and design of parking areas must provide for safe and convenient circulation of vehicles throughout the lot.

(4) All roadways must be designed to harmonize with the topographic and natural features of the site insofar as practical by minimizing filling, grading, excavation, or other similar activities which result in unstable soil conditions and soil erosion, by fitting the development to the natural contour of the land and avoiding substantial areas of excessive grade and tree removal, and by retaining existing vegetation during construction. The road network must provide for vehicular, pedestrian, and cyclist safety, all season emergency access, snow storage, and delivery and collection services.

9.6. Parking Layout and Design

Off-street parking must conform to the following standards:

(1) Parking areas with more than two (2) parking spaces must be arranged so that it is not necessary for vehicles to back into the street. This requirement does not apply to existing parking in the downtown area (Main Street) of Stockton Springs as it exists as of the date of adoption of this ordinance.

(2) All parking spaces, access drives, and impervious surfaces must be located at least five (5) feet from any side or rear lot line, except where standards for buffer yards require a greater distance. No parking spaces or asphalt type surface shall be located within five (5) feet of the front property line. Parking lots on adjoining lots may be connected by access-ways not exceeding twenty-four (24) feet in width.

(3) Parking stalls and aisle layout must conform to the following standards.

Nine (9) feet wide by eighteen (18) feet long

(4) In lots utilizing diagonal parking, the direction of proper traffic flow must be indicated by signs, pavement markings or other permanent indications and maintained as necessary.

(5) Parking areas for nonresidential uses must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles. Double stack parking may be permitted for resident parking in conjunction with

residential uses if both spaces in the stack are assigned to the occupants of the same dwelling unit.

(6) Provisions must be made to restrict the "overhang" of parked vehicles when it might restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.

(7) **Off Street Parking and Loading:**

a. No structure shall be erected nor shall any of the following uses be established unless at least the minimum number of off-street parking spaces as provided below is provided. Off-street parking, either by means of open air spaces or by garage space, in addition to being a permitted use, shall be considered as an accessory use when required or provided to serve conforming uses located in any District.

b. The following minimum off-street parking requirements shall be provided and maintained in case of new construction, alterations and changes of use or as deemed appropriate by the Planning Board:

1. Residential – Two (2) parking spaces for each dwelling unit
2. Transient Accommodations:

    a. Bed and Breakfast accommodations, motels, hotels, boarding houses, and inns with ten (10) rooms or less – Two (2) parking spaces plus one space for each guest room

    b. Motels, hotels, boarding houses, and inns with more than ten (10) rooms – One (1) parking space for each guest plus one (1) for each three (3) employees

3. Schools – Five (5) parking spaces for each classroom plus one (1) for each four (4) employees
4. Hospitals, Nursing Homes (bed facilities only) – One (1) parking space for every three (3) beds, plus one (1) for each employee based on the expected average employee occupancy
5. Funeral Parlors – twenty (20) spaces or as determined by the Planning Board

6. Theaters, churches, and other public assembly places – One (1) parking space for every four (4) seats or for every one hundred (100) square feet or major fraction thereof of assemblage space if no fixed seats.

7. Retail Stores and Businesses – One (1) space for every two hundred (200) square feet of retail area, plus one for every two employees

8. Automotive Repair and Service Stations – One (1) space for each regular employee plus one (1) space for each fifty (50) square feet of floor area

9. Roadside Farm Stand – Four (4) spaces

10. Restaurants, eating and drinking establishments – One (1) parking space for every four (4) seats, plus one (1) for every two (2) employees

11. Drive-In Restaurants and Dairy Stands – Ten (10) spaces plus one (1) additional space for each person serving or preparing food

12. Professional Offices and Public Buildings – One (1) parking space for every two hundred (200) square feet of working space

13. Fraternal Organizations and Clubs – One (1) space for each five (5) members

14. Other Commercial Recreation Establishments (mini-golf courses, etc.) the number of spaces deemed appropriate by the Planning Board

15. Industrial – One (1) parking space for each 1.5 employees, based on the highest expected average employee occupancy, plus employee, visitor and customer parking to meet the needs of specific operations

16. For uses not specifically listed in this section, the Code Enforcement Officer shall prescribe the number which in no case will be less than an adequate number for employees and customers and visitors anticipated on the site

c. Location on Other Property -. If the required automobile parking spaces cannot be provided on the same lot where the principal use is conducted, the Planning Board can permit that such spaces may be provided on other off-street property provided that such property lies within one thousand (1,000) feet of the main entrance to such principal use. Such automobile parking space shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any

manner, provided however, that it may serve different principal uses at different times of day.

9.7. Pedestrian Circulation

The site plan must provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system must connect the major building entrances/exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system must be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

9.8. Stormwater Management

Adequate provisions must be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater drainage system and maintenance plan, which must not have adverse impacts on abutting or downstream properties.

(1) To the extent possible, the plan must retain stormwater on the site using the natural features of the site.

(2) Unless the discharge is directly to the ocean or major river segment, stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.

(3) The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.

(4) All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.

(5) The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.

(6) The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.

(7) The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site. The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source, or a great pond.

9.9. Erosion Control

All building, site, and roadway designs and layouts must harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible such that filling, excavation, and earth moving activity must be kept to a minimum. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation must be preserved and protected wherever possible.

Soil erosion and sedimentation of watercourses and water bodies will be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991.

9.10. Water Supply

The development must be provided with a system of water supply that provides each use with an adequate supply of water.

If the project is to be served by a public water supply, the applicant must secure and submit a written statement from the supplier that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic and fire protection flows.

9.11. Sewage Disposal

The development must be provided with a method of disposing of sewage which is in compliance with the State Plumbing Code.

(1) All sanitary sewage from new or expanded uses must be discharged into a public sewage collection and treatment system when such facilities are currently available or can reasonably be made available at the lot line and have adequate capacity to handle the projected waste generation.

(2) If the public collection system is not at the lot line, but can be extended in the public right-of-way, the collection system must be extended by the owner and the new or expanded use connected to the public system. Such extension shall be required if the public system is within one hundred (100) feet of a new use with a design sewage flow of less than five hundred (500) gallons per day or within three hundred (300) feet of a new use with a design sewage flow of five hundred (500) or more gallons per day and the system has adequate capacity to accommodate the additional flow. The Planning Board may waive this requirement if the use is already served by a properly functioning subsurface disposal system that is properly sized for the projected flows, provided that connection to the public system will occur if and when the subsurface system needs to be replaced.

(3) If the public system cannot serve or be extended to serve a new or expanded use, the sewage must be disposed of by an on-site sewage disposal system meeting the requirements of the Subsurface Wastewater Disposal Rules.

(4) When two (2) or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.

9.12. Utilities

The development must be provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project. New utility lines and facilities must be screened from view to the extent feasible. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

9.13. Natural Features

Unless an acceptable landscaping plan is presented and approved by the Planning Board, the landscape must be preserved in its natural state insofar as practical by minimizing tree removal,

disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction. Extensive grading and filling must be avoided as far as possible.

9.14. Groundwater Protection

The proposed site development and use must not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

9.15. Water Quality Protection

All aspects of the project must be designed so that:

(1) No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or ground-waters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

(2) All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

(3) If the project is located within the watershed of a 'body of water most at risk from development' as identified by the Maine Department of Environmental Protection (DEP), the project must comply with the standards of the DEP with respect to the export of total suspended solids and/or phosphorous.

9.16. Hazardous, Special and Radioactive Materials

The handling, storage, and use of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive must be done in accordance with the standards of these agencies.

No flammable or explosive liquids, solids or gases shall be stored in bulk above ground unless they are located at least seventy-five (75) feet from any lot line, or forty (40) feet in the case of underground storage. All materials must be stored in a manner and location which is in compliance with appropriate rules and regulations of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.

9.17. Shoreland Relationship

The development must not adversely affect the water quality or shoreline of any adjacent water body. The development plan must provide for access to abutting navigable water bodies for the use of the occupants of the development as appropriate.

9.18. Technical and Financial Capacity

The applicant must demonstrate that he/she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

9.19. Solid Waste Disposal

The proposed development must provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

9.20. Historic and Archaeological Resources

If any portion of the site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

9.21. Floodplain Management

If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site must be consistent with the Town's Floodplain management provisions.

9.22 Good Neighbor Factors

9.22.1 Buffering

The Planning Board may require the project to provide for buffering where reasonable and necessary, given the nature of the development and characteristics of the neighborhood. The Planning Board may require such buffering to be designed to provide a year-round visual screen in order to minimize nuisances on abutting properties. Such buffering may consist of fencing, evergreens, berms, rocks, boulders, mounds, or a combination thereof.

9.22.2 Lighting

The development may use lighting for security, safety, and operational needs. Such lighting may not directly or indirectly produce deleterious effects on abutting properties or impair the vision of a motor vehicle operator on adjacent roadways. Exterior lighting fixtures must be shielded or hooded so that the lighting elements are not exposed to normal view by pedestrians or from adjacent dwellings, and do not unnecessarily light the night sky.

All exterior lighting, except security lighting, and except such lighting as may be necessary to the operation of the business during permitted business hours, must be turned off between the hours of 11P.M. and 6 A.M.

9.22.3 Noise

The development must control noise to be at such levels as to not create a nuisance for neighboring properties as determined by the reasonable man doctrine or standard.

9.22.4 Odors

The development must control unreasonable odors so that they will not create a nuisance for neighboring properties as determined by the reasonable man doctrine or standard.

9.22.5 Hours of Operation

The Planning Board may impose reasonable conditions of approval with respect to hours of operation, based on the nature of the business and the characteristics of the neighborhood.

Section 10. POST APPROVAL ACTIVITIES

10.1. Limitation of Approval

The following timelines shall apply to any approval granted under this Ordinance. All timelines begin on and refer back to date of approval.

(1) Construction must be substantially commenced within twelve (12) months of date of approval.

(2) Construction must be substantially complete and the project must be operational within twenty-four (24) months of date of approval.

(3) The applicant may apply for up to two (2) six month extensions of either substantial commencement or substantial completion/commencement of operation dates. Such extensions will be reviewed and approved or denied by the Planning Board. Conditions under the Ordinance in place under which the original approval was granted will apply for the duration of the extension periods.

(4) Under no circumstance will any extensions be allowed to prolong substantial completion or start of project operation beyond thirty-six (36) months after date of approval. If the applicant wishes to complete the project after that time, the applicant must re-apply for a new approval under the terms of the Ordinance in effect at the time of said re-application.

10.2. Incorporation of Approved Plan

One copy of the approved site plan must be included with the application for the building permit for the project and all construction activities must conform to the approved plan, including any conditions of approval and minor changes approved by the Code Enforcement Officer to address field conditions.

10.3. Recording of the Approved Plan

This item intentionally omitted (June 19, 2010)

10.4. Improvement Guarantees

10.4.1. Application

(1) Improvement Guarantee - The Planning Board may require the posting of an improvement guarantee in such amount and form as specified in subsection 10.4.2. below as is reasonably necessary to ensure the proper installation of all off-site improvements required as conditions of approval. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the applicant.

(2) Upon substantial completion of all required improvements, the developer must notify the Planning Board of the completion or substantial completion of improvements, and must send a copy of such notice to the appropriate Municipal Officials. The respective Municipal Officials shall inspect all improvements and must file a report indicating either approval, partial approval, or rejection of such improvements with a statement of reasons for any rejection.

(3) The Planning Board shall either approve, partially approve, or reject the improvements on the basis of the report of the Municipal Officials.

(4) If the improvements are approved, the guarantee shall be released. Where partial approval is granted, the developer shall be released from liability only for that portion of the improvements approved.

10.4.2. Form of Guarantee

Performance guarantees may be provided by a variety of means including, but not limited to, the following which must be approved as to form and enforceability by the Board of Selectmen.

(1) Security Bond - The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.

(2) Letter of Credit - The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.

(3) Escrow Account - The applicant may deposit cash, or other instruments readily convertible into cash at face value, either with the Town of Stockton Springs, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon forty-eight (48) hour advance notice to the applicant to complete the guaranteed improvements.

10.5. Submission of As-Built Plans

Any project involving the construction of more than twenty thousand (20,000) square feet of gross floor area or fifty thousand (50,000) square feet of impervious surface, must provide the Code Enforcement Officer with a set of construction plans showing the building(s) and site improvements as actually constructed on the site. These "as-built" plans must be submitted within thirty (30) days of the issuance of a certificate of occupancy for the project or occupancy of the building.

10.6. Minor Changes to Approved Plans

Minor changes in approved plans necessary to address field conditions may be approved by the Code Enforcement Officer provided that any such change does not affect compliance with the standards or alter the essential nature of the proposal. Any such change must be endorsed in writing on the approved plan by the Code Enforcement Officer.

10.7. Amendments to Approved Plans

Approvals of site plans are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals, and supporting documents, except minor changes that do not affect approval standards, is subject to Planning Board review and approval.

Section 11. APPEAL OF PLANNING BOARD ACTIONS

Appeal of any actions taken by the Planning Board with respect to this section shall be to the Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 80B.

Section 12. AMENDMENTS TO THE ORDINANCE

Amendments of this ordinance may be initiated by the Selectmen, the Planning Board, or as specified in the Town Charter Title 20-A M.R.S.A.§2522.

No proposed amendments to this ordinance shall be referred to the Town Meeting until the Selectmen have held a public hearing on the proposal, notice of which shall be posted at least fourteen (14) days prior to such hearing and advertised in a newspaper of general circulation in the Town of Stockton Springs at least two (2) times with the date of first publication being at least fourteen (14) days prior to the hearing and the second at least seven (7) days prior to the hearing.

The proposed amendments shall be adopted by a simple majority vote of the Town Meeting.

Section 13. SEVERABILITY

The invalidity of any section or provision of this ordinance shall not be held to invalidate any other section or provision of this ordinance.