SITE PLAN REVIEW ORDINANCE

Table of Contents

Contents

SECTION A. PURPOSE 2
SECTION B. APPLICABILITY 3
SECTION C. AUTHORITY AND ADMINISTRATION 3
SECTION D. SUBMISSION REQUIREMENTS 5
SECTION E. DESIGN AND PERFORMANCE STANDARDS 7
SECTION F. APPEAL 19
SECTION G. ENFORCEMENT 19

SECTION A. PURPOSE

1. The purpose of site plan review is to ensure that the design and layout of commercial, retail, industrial or institutional uses or multi-family residential development will constitute suitable development and will not result in a detriment to the Town of Harrison or to the environment.

2. The purpose and objectives of site development requirements and the site plan review procedure for uses other than single-family and duplex dwellings are to:

    a. Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of the development;

    b. Discourage monotonous, drab, unsightly, dreary and inharmonious developments;

    c. Conserve the Town's natural beauty and visual character and charm by ensuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic quality of the natural terrain and landscaping, and that proper attention is given to exterior appearance of structures, signs, and other improvements;

    d. Protect and enhance the Town's appeal to its residents and visitors and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial properties;

    e. Stabilize and improve property values and prevent blighted areas and, thus, increase tax revenues.

    f. Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and, thus, decrease the cost of governmental services;

    g. Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvement.

    h. Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the town's favorable environment;

    And, thus, to promote and protect the health, welfare and safety of the Town.

SECTION B. APPLICABILITY

1. Except for single-family and duplex dwellings and "their" accessory uses, no building permit shall be issued for a new building, a new facility such as a golf course or public utility, or the major remodeling of an existing building or facility, and no sign permit shall be issued for the erection or construction of a sign relating to such new building or facility, or major remodeling, until the plans, drawings, sketches and other documents required under this section have been reviewed and approved by the Planning Board. For purposes of this Section, the term "major remodeling" shall mean any remodeling that substantially changes the use of the building or its exterior appearance. Any revision to or addition of paved areas, parking lots or drives shall constitute a "major remodeling".

2. Construction, site development and landscaping shall be carried out in substantial accord with the plans, drawings, sketches and other documents approved by the Board, unless altered with Board approval. Nothing in this Subsection shall be construed to prevent ordinary repair, maintenance and replacement of any part of the building or landscaping which does not involve a substantial change from the purpose and objectives of this ordinance.

SECTION C. AUTHORITY AND ADMINISTRATION

A. AUTHORITY

1. This Ordinance is adopted pursuant to Municipal Home Rule Authority as provided for in Article VIII. Part Second, Section 1 of the Maine Constitution and Title 30A M.R.S.A, Section 3001

2. This Ordinance shall be known as the "Site Plan Review Ordinance" of the Town of Harrison, Maine adopted and effective by vote of the Town Meeting.

B. ADMINISTRATION

The Planning Board of the Town of Harrison shall administer this Ordinance.

1. All applications for site plan review shall be made in writing to the Code Enforcement Officer on forms provided for this purpose. The application shall be made by the owner of the property or by his agent, as designated in writing by the owner. The application for site plan review shall be accompanied by a fee as established and revised from time to time, by the Board of Selectmen and listed in the Town Fee schedule.

Two (2) paper copies and an electronic copy of the completed application for site plan review, together with the
documentation required in these regulations, shall be submitted at least ten (10) business days prior to a scheduled Planning Board meeting.

2. Final Site Plan Review Acceptance

The Planning Board shall review the final site plan review application to determine whether the application is complete and in accordance with this Ordinance. The Board shall:

a. Accept the application and begin the final plan review process;
b. Accept the application with conditions, each of which must be satisfied prior to final site plan review approval; or
c. Reject the application because it fails to meet the requirements of this Ordinance.

In the case of rejection, the Board shall notify the applicant in writing of the reasons for rejection.

3. Site Plan Review Process

The Planning Board shall, within 30 days of a public hearing or within 60 days of having received a completed application, if no hearing is held, or within such other time limit as may mutually be agreed to, issue an order denying or granting approval of the final site plan review application subject to any conditions as it may deem advisable to satisfy the criteria contained in this Ordinance. In all instances, the burden of proof shall be upon the applicant. In issuing its decision, the Planning Board shall make findings of fact establishing that the proposed site in the application does or does not meet the provisions of this Ordinance.

4. Public Hearing

In the event that the Planning Board determines to hold a public hearing on the proposed, application it shall hold such public hearing within 30 days of having accepted a site plan review application, and shall cause notice of the date, time, and place of such hearing to be given to the applicant and to be published in a newspaper of general circulation in Harrison at least 7 days prior to the hearing. The decision to hold a public hearing is discretionary, and in making its decision, the Planning Board may consider the size and type of use, community impact, and whether any written requests for such hearing have been received.

5. Pre-Application Meeting

Prior to formal application, an owner or his authorized agent may request an informal review of the site plan by the Planning Board to determine its compliance with town regulations.

0. Recordkeeping

One copy of an approved site plan application shall be included in the application for a building permit.

The Site Plan Review Ordinance shall be accompanied by a fee as established and revised from time to time, by the Board of Selectmen and listed in the Town Fee Schedule.

6. Waiver Provisions

The Planning Board may waive individual requirements of site plan review, provided that the waiver does not result in:

a. Undue water or air pollution;
b. An inadequate water supply;
c. Unreasonable soil erosion;
d. Unreasonable traffic congestion or safety risk;
e. Inadequate sewage disposal capacity;
f. Inadequate solid waste disposal capacity;
g. An adverse impact on scenic or natural beauty, aesthetics, historic sites, or rare or irreplaceable natural areas;
h. Substantial non-conformance with this Ordinance or the Comprehensive Plan.

Factors appropriate for waivers include, but are not limited to: final plan submission requirements; design standards for streets; storm water management requirements; erosion and sedimentation requirements; performance guarantees; public open space; appearance assessment; development impact fees; design for solar access and for the provision of affordable housing.

SECTION D. SUBMISSION REQUIREMENTS

When the owner of the property or his authorized agenda makes formal application for site plan review, his application shall contain at least the following exhibits and information:

1. Application. An application for site plan review shall include an electronic copy e.g. (PDF), two copies of the following:

a. A fully executed and signed application for site plan review.

b. Name of owner, developer and agent; and interest of the applicant if other than the owner or developer.

c. Name of development, scale and meridian arrow, with specific definition of representation, date of plan and legend.

d. Names and addresses of all owners of record of all adjacent property, within 200 feet, as they appear on Assessor's records.

e. Names and addresses of designer, engineer, planner or landscape architect.

2. Map Requirements. One (1) copy 11 by 17, two (2) copies 24 by 36 of a site plan drawn at a scale of not more than 50 feet to the inch for that portion of the total tract of land being proposed for development, and showing the following:

a. Current zoning boundaries and 100-year floodplain boundaries including surrounding areas to a distance of 300 feet from the perimeter of the site.

b. Easements; rights-of-way, existing, planned or proposed; or other reservations adjacent to or intersecting the property.

c. A surveyed topographic map of the site showing existing and proposed contours at no more than five-foot intervals.

d. Location of watercourses, aquifers and aquifer recharge areas, wetlands, marshes, surface water, rock outcroppings, wooded areas and areas of significant tree growth.

e. Location of buildings existing on the tract to be developed and on adjacent tracts within a distance of 100 feet from the property line, indicating whether existing buildings on the tract are to be retained, modified or removed.

Locations of water mains, sewer mains, wells, fire hydrants, culverts, drains, pipe sizes, grades and direction of flow existing within 200 feet of the subject property, whether public or private.

Existing soil conditions and soil suitability test results for septic waste disposal, with all test pit locations shown on the plan. The Planning board also may require submission of a high intensity soils map.

h. Location of proposed buildings and uses thereof.

i. Proposed traffic circulation system including streets, parking lots, driveways and other access and egress facilities, curb lines, sidewalk lines, and existing streets including the projected traffic flow patterns into and upon the site for both vehicles and pedestrians and an estimate of the projected number of motor vehicle trips to and from the site for an average day and for peak hours.

J. Location of existing and proposed public utility lines indicating whether proposed lines will be placed underground.

k. Location and design of proposed off-street parking and loading areas indicating number and size of stalls.

I. Proposed location, direction, type and time of use of outdoor lighting.

m. Existing and proposed planting, fences and walls, including all landscaping and screening, and indicating existing trees to be retained and areas to be left undisturbed including design features intended to integrate the proposed new development into the existing landscape to enhance aesthetic assets and to screen objectionable features from neighbors.

n. Location, size, design and manner of illumination of signs.

o. Disposal of sewage, trash, solid waste, oily waste, hazardous waste or radioactive waste showing disposal facilities, receptacles or areas.

p. Perimeter boundaries of the site giving complete descriptive lot data by bearings, distances, and radii of curves including the name and seal of the registered land surveyor who prepared the plan.

q. A statement on the map of the amount of area of land involved in the site, the percentage of the site proposed to be covered by buildings, the total number of dwelling units proposed, the number of dwelling units proposed per acre, the area proposed to be devoted to open space, the area proposed to be paved for parking, driveways, loading space and sidewalks, the total number of parking spaces required by Section E. I. d. for the uses proposed, the number of employees expected per shift, and the total floor area of proposed commercial or industrial uses.

r. Description and plan of a "phased development concept" detailing the areas and sequence of phasing.

s. Any other information the Planning Board deems necessary.

3. Supporting Documents. The following additional documents may also be required.

a. A storm drainage study certified by a professional engineer and a proposed drainage system plan, both surface and subsurface, showing measures proposed to prevent pollution of surface or ground water, soil erosion, increased runoff, changes in ground water level and flooding.

b. Description and plan of capacity and location of means of sewage disposal and evidence of soil suitability for such disposal approved by a registered engineer, a soils scientist or site evaluator.

c. A notarized financial statement by the developer assuring that he has the financial capabilities to fully carry out the project and to comply with the conditions imposed by the Planning Board. Such statement shall be prepared by a certified public accountant.

d. A traffic impact analysis prepared by a recognized engineer in the field of transportation planning.

e. Review and comment, when required by the Planning Board, by appropriate Town boards or officials.

f. Any other information deemed necessary by the Planning Board.

SECTION E. DESIGN AND PERFORMANCE STANDARDS

The following criteria and standards shall be utilized by the Planning Board in reviewing application for site plan review. These standards are intended to provide a guide for the applicant in the development of site and building plans as well as a method or review for the Board. These standards are not intended to discourage creativity, invention and innovation.

1. Parking Area Design Standards

a. Access. There shall be adequate provisions for ingress and egress to all parking spaces. The width of access drives or driveways shall be determined as part of the site plan review, depending on use, topography and similar consideration, and they shall meet the requirements of this Article.

b. Size of aisles. The width of all aisles providing direct access to individual parking stalls shall be in accordance with the requirements set forth below. Only one-way traffic shall be permitted in aisles serving single-row parking spaces placed at an angle other than ninety degrees.

PARKING ANGLE (degrees)	AISLE WIDTH (feet)
0 parallel parking	12
30	12
45	13
60	18
90 (perpendicular parking)	25

q. Off-Street Parking. In any district where permitted, no use of premises shall be authorized or extended, and no building or structure shall be constructed or enlarged, unless there is provided for such extension, construction or enlargement, off-street automobile parking space within 300 feet of the principal building structure, or use of the premises, in accordance with the following schedule of parking requirements. No off-street parking facility shall have more than two (2) entrances and exits on the same street, and no entrance or exit shall exceed thirty (30) feet in width. Non-residential parking areas with more than two (2) parking spaces shall be so arranged that vehicles can maneuver within such areas and exit onto the street in a forward motion. No parking lot shall be constructed closer than five feet from any property line unless a common parking area is planned between adjacent lots.

r. Parking requirements shall be calculated utilizing one of the following formulas:

(1) Two (2) spaces per dwelling unit.

(2) One (1) space for each sleeping room in a tourist home, boarding or lodging house, motel or hotel.

(3) One (1) space for each tent or recreational vehicle site in a campground.

(4) One (1) space for each of (2) beds in a hospital or sanatorium.

(5) One (1) space for each four (4) beds for other institutions devoted to the board, care, or treatment of person.

(6) One (1) space for each 180 square feet of fraction thereof, of gross floor area of any retail, wholesale or service establishment or office or professional building. Except that the ratio may be changed to one space for each 225 square feet or fraction thereof if an amount of land area equivalent to the difference between the 180 square feet requirements and the 225 square feet requirement is developed in landscaped green area as defined herein.

(7) One (1) space for each three (3) seats, permanent or otherwise, for patron use for restaurants, and other places serving food or beverage and for theaters, auditoriums, and other places of amusement or assembly.

(8) One (1) space for each person employed or anticipated to be employed on the largest shift for all types of commercial, industrial, or other permitted uses.

(9) Adequate spaces shall be provided to accommodate customers, patrons, and employees at automobile service stations, drive-in establishments, open-air retail business and amusements and other permitted uses not specifically enumerated.

e. Parking Space Dimensions. Each parking shall be designed as follows:

Parking Angle	StallWidth	SkewWidth	Stall Depth	AisleWidth
90°	9'0"	0"	18'5"	26'0"
60°	8'6"	10'5"	19'0"	16'0" (1 Way)
45°	8'6"	12'9"	17'5"	12'0" (1Way)
30°	8'6"	17'0"	17'5"	12'0"
Parallel spaces	10'0"		20'0"	

Multiple Purpose. No required parking space shall, for the purpose of this Ordinance, serve more than one use.

g. General Location. No off-street parking or loading area shall be located in a minimum required front yard.

h. Sidewalk and Curbing. Sidewalks between parking areas and principal structures along aisles and driveways and wherever pedestrian traffic shall occur, shall be provided with a minimum width of four (4) feet of passable area and shall be raised six (6) inches or more above the parking area except when crossing streets or driveways. Guardrails and wheel stops permanently anchored to the ground shall be provided in appropriate locations.

i. Parked vehicles shall not overhang or extend over sidewalk areas unless an additional sidewalk width of two and one-half (2 'h) feet is provided to accommodate such overhang.

Marking and Delineation of Parking and Emergency Access Areas. Parking stalls, driveways, and aisles shall be clearly marked and delineated. The Planning Board may

require that certain areas are maintained for firefighting or other emergency purposes, such areas shall be appropriately designated.

k. General Circulation and Parking Design Principles.

(1) Parking space allocations should be oriented to specific buildings.

(2) Parking areas should be designed to focus on major walkways, which should be fenced or marked.

(3) Where pedestrians must cross service roads or access roads to reach parking areas, crosswalks should be clearly designated by pavement markings or signs and lighted. Crosswalk surfaces should be raised slightly to designate them to drivers, unless drainage problems would result. A one-way car movement (to the left or counterclockwise) should be encouraged. A major loop road should be developed around the parking areas, and parking bays should run perpendicular off the road.

(4) Driveways should approach from the right to permit passengers to alight to or from the sidewalk.

(5) Whenever possible, one-way traffic should be established at building entrances.

(6) Where buses are a factor, bus shelters and indentation slots off the roadway should be provided.

2. Entrance Location and Design Provisions. The following provisions apply to the entrance or exit of a proposed site.

a. All entrances and exits shall be located to afford maximum safety to traffic, provide for safe and convenient ingress and egress to and from the site and to minimize conflict with the flow of traffic.

b. Any entrance or exits shall be so designed in profile and grading and so located as to provide the following minimum sight distance measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the entrance/exit driveway with the front of the vehicle a minimum of ten (10) feet behind the curb line or edge of shoulder with the height of the eye three and seventy-five hundredths (3.75) feet to the top of an object four and five-tenths (4.5) feet above the pavement.

ALLOWABLE SPEED (miles per hour)	REQUIRED SIGHT Distance
25	250
40	400
45	450
50	500
55	550

Where appropriate, the applicant shall also apply ITE standards related to safe stopping distance.

c. Where a site occupies a corner of two (2) intersecting roads, no entrance or exit shall be located within fifty (50) feet of the point of tangency of the existing or proposed curb radius of that site.

d. No part of any entrance or exit shall be located within a minimum of ten (10) feet of a side property line. However, the Planning Board may permit an entrance or exit serving two (2) or more adjacent sites to be located on or within ten (10) feet of a side property line between the adjacent sites.

e. Where two (2) or more two-way entrance/exits connect a single site to anyone (1) road, a minimum clear distance of 1000 feet measured along the right-of-way line shall separate the closest edges of any two (2) such entrances/exits onto a road. The Planning Board may reduce that width down to 400 feet, provided the road in question is not a major arterial serving significant through traffic.

f. Driveway Angles. Entrances or exits used for two-way operation shall intersect the road at an angle of as near ninety (90) degrees as site conditions will permit and in no case less than sixty (60) degrees. Entrances or exits used by vehicles in one (1) direction of travel (right turn only) shall not form an angle smaller than forty-five (45) degrees with a road unless acceleration and deceleration lanes are provided.

Entrance/Exit Profile. Any vertical curve on an entrance or exit shall be low enough to prevent the dragging of any vehicle undercarriage. Should the sidewalk be so close to the curb at a depressed curb entrance/exit as to cause the slope to be too steep and to be likely to cause undercarriage drag, the sidewalk shall be appropriately lowered to provide a suitable ramp gradient.

h. Entrance/Exit Grades. Entrances or exits shall not have a grade in excess of ten (10) percent over their entire length. At intersections with roads, the grade shall not be more than three (3) percent for the first twenty-five (25) feet from the center of the intersection for the road or driveway unless otherwise approved by the Planning Board.

i. Entrance/Exit Dimensions. The dimensions of entrances or exits shall be designed to accommodate adequately the volume and character of vehicles anticipated to be attracted daily onto the land development for which a site plan is prepared. The required maximum and minimum dimension for entrance/exits are indicated below. Entrance/exits serving large volumes of daily traffic or traffic of over fifteen (15) percent truck traffic shall be required to utilize high-to-maximum dimensions.

	One-Way Operation Entrance/Exits* Width	Two-Way Operation Entrance/Exits* Width
3 to 10 dwelling units	10 - 15	15— 25
10 dwelling units or over	15— 25	20— 35
Commercial and industrial	15 — 30	25 — 35

All entrance/exits shall be five (5) feet or wider, depending upon conditions, at the curb line and this additional width shall be maintained for a distance of twenty (20) feet into the site.

Surfacing. Any driveway or parking area shall be constructed with the surface approved by the Planning Board in accordance with the specifications of the Code Enforcement Officer. Such surface shall extend to the paved portion of the road and shall extend throughout the area defined by the required entrance/exit dimensions specified above.

3. Road Standards

When a project entails the construction of public or private ways, these ways shall conform to Town standards.

4. Lighting

In connection with every site plan, the applicant shall submit plans for all proposed exterior lighting. These plans shall include the location, type of light, radius of light, manufacturer's specifications sheet and the intensity in foot-candles. The following design standards shall be followed:

a. The style of the light and light standards shall be consistent with the architectural style of the principal building.

b. The maximum height of freestanding lights shall be the same as the principal building but not exceeding twenty-five (25) feet.

c. All lights shall be shielded to restrict the maximum apex angle of the cone of illumination to 150 degrees.

d. Lighting shall be shielded so as not to cross property lines and be directly visible to adjacent residents.

e. Spotlight-type fixtures attached to buildings are prohibited.

Freestanding lights shall be so located and protected as to avoid being easily damaged by vehicles.

g. Lighting should be located along streets, parking areas, at intersections and crosswalks, and where various types of circulation systems merge, intersect or split.

h. Pathways, sidewalks and trails should be lighted with low or mushroom-type standards.

i. Stairways and sloping or rising paths, building entrances and exits require illumination.

j. Lighting should be provided where buildings are set back or offset.

k. The following intensity in foot-candles should be provided:

(1) Parking lots: an average of one and five-tenths (1.5) foot-candles throughout.

(2) Intersections: three (3) foot-candles.

(3) Maximum at property lines: 0.10 foot-candles

(4) In residential areas: average of six-tenths (0.6) foot-candles.

1. Display lighting shall be shielded and shall be located and maintained as not to constitute a hazard or nuisance to the traveling public or to neighbors. In particular, so-called "string lights" shall not be permitted.

5. Buffers

Buffers are fences, landscaping, berms and mounds used to minimize any adverse impacts or nuisance on the site or form adjacent areas. The following guidelines apply:

a. Evergreens can be used as buffers, provided they are planted properly. An evergreen buffer requires two (2) or three (3) rows of staggered plantings. The rows can be five (5) feet apart and the evergreens planted four (4) feet on center.

b. Buffers shall be considered in or for the following areas and purposes:

(1) Along property lines, to shield various uses from each other.

(2) Along interior roads running parallel to roads exterior to the site, to prevent confusion, particularly at night.

(3) Parking areas, garbage collection areas, and loading and unloading areas.

(4) To block parallel wind patterns and to stop wind-borne debris from leaving the site.

c. Natural features shall be maintained wherever possible to provide a buffer between the proposed development and non-compatible abutting properties and public roadways. When natural features such as topography, gullies, stands of trees, shrubbery, or rock outcrops do not exist or are insufficient to provide a buffer, other kinds of buffers shall be considered.

d. Buffers shall be sufficient to shield structures and uses from the view of non-compatible abutting properties and public roadways, and to otherwise prevent any nuisances including but not limited to all loading and unloading operations, storage areas, commercial vehicle parking, waste disposal and collection areas.

e. Fencing and screening shall be durable and properly maintained at all times by the owner.

Fencing and screening shall be so located within the property line to allow access for maintenance on both sides without intruding upon abutting properties.

g. All buffer areas shall be maintained in a neat and sanitary condition by the owner.

1. Site Conditions During Construction

a. During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon an order by the Building Inspector or other authorized personnel. The developer shall make provision for disposal of oil and grease from equipment and the site area should be regularly sprayed to control dust from construction activity.

b. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris, and excess or scrap building materials shall be removed or destroyed immediately following applicable local laws and upon request of and to the satisfaction of the Code Enforcement Officer prior to issuing an occupancy permit.

c. No change shall be made in the elevation or contour of any lot or site by the removal of earth to another lot or site other than as shown on an approved site plan. Minimal changes in elevations or contours necessitated by field conditions may be made only after approval of the Code Enforcement Officer. All the changes necessitated by field conditions shall be shown on the final plan and indicated as a change from the preliminary, or if final approval has been granted, the changes shall be shown on the as-built plans.

d. Temporary improvements. Prior to or during construction, the Code Enforcement Officer may require the installation or construction of improvements to prevent or correct temporary conditions on the site which could cause personal injury, damage to property or erosion and landslide, flooding, heavy construction traffic, creation of steep grades and pollution. Improvement may include berms, mulching, sediment traps, detention and retention basins, grading, planting, retaining walls, culverts, pipes, guardrails, temporary roads and others appropriate to the condition. All temporary improvements shall remain in place and in operation until otherwise directed by the Code Enforcement Officer.

2. Performance Guarantees

a. Establishing the Level and Type of Guarantee. The developer shall, in an amount set by the Planning Board, file with the Town, prior to the issuance of a building permit, a performance guarantee in the form of a certified check payable to the Town of Harrison, a performance bond running to the Town of Harrison, an irrevocable letter of credit to cover the full cost of required improvements or some other form of surety that is acceptable to the Planning Board. For the purposes of this section, required improvement shall mean all public and private roads, all drainage structures and ditches, all erosion control measures, all utilities, all landscaping and all recreation facilities. Any such bond shall be satisfactory to the Planning Board and the municipal attorney as to form, sufficiency, manner of execution and surety.

(1) At the discretion of the Planning Board, the developer may be allowed to submit individual bonds for each phase of a project's development. If this option is chosen,

prior to submission of each individual bond, the developer shall submit to the Town a written statement detailing completion dates for all roads and other public improvements planned for that phase.

(2) A period on one (1) year (or such period as the Planning Board may determine appropriate, not to exceed three (3) years shall be set forth in the bond time within which required improvements must be completed.

b. Inspection of Required Improvements. At least fifteen (15) days prior to commencing construction of required improvements, the developer shall notify in writing the Code Enforcement Officer of the time when he proposes to commence construction of such improvements so that the Code Enforcement Officer can cause inspection to be made to assure that all specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Board. Inspection shall be made of all required public improvements as defined above.

(1) At least five (5) days prior to commencing construction of required improvements, the developer shall pay an inspection fee equal to the estimated cost of inspection by an engineer appointed by the Town, payable by check to the Town of Harrison, stating the purpose of the fee. No building permits shall be issued on the project and no work begun until the inspection fee has been paid.

(2) If the inspector shall find, upon inspection of the improvement performed before the expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the developer, he shall so report to the Town Manager, Road Commissioner and Building Inspector. The Town Manager shall then notify the developer and, if necessary, the bonding company or bank, and take the necessary steps to preserve the municipality's rights under the bond or letter of credit. No plan shall be approved by the Board as long as the developer is in default on a previous approved Plan.

(3) Upon completion and final inspection of all required improvements, any funds remaining in a project's inspection fee account, after all inspection fees have been paid, shall be returned to the developer.

(4) The applicant shall be required to maintain all improvements and provide for snow removal on streets and sidewalks until acceptance of said improvements by the legislative body.

c. Release of the Performance Guarantee. The performance guarantee shall not be released by the Town Manager until:

(1) The inspecting engineer has completed his final inspection of the project and has submitted a written report stating that all require public improvements as defined above have been completed in accordance with approved plans and specifications.

(2) The Town Manager and Code Enforcement Officer have examined the site, have reviewed the inspecting engineer's report and concur with these findings.

(3) Performance guarantees collected on phased work segments shall be released in the same manner as outlined above, upon the completion of each phase.

3. Hazardous Matter. For any toxic or hazardous matter storage as defined in 38 M.R.S.A. Section 13, the Planning Board may require:

a. an environment evaluation of the geologic, hydrologic, and soils conditions of the site;

b. a description of wastes to be stored, the storage method, and the disposal method;

c. information as to the existing ground water quality around the site and a system to monitor any changes should contamination occur;

d. findings and use of hazardous matter must be shown to be consistent with other local and State regulations.

4. Odors. Adequate provisions must be made to control the emission of odors from the site. The Planning Board may require the applicant to establish pre and post construction odor levels.

5. Noise. Adequate provisions must be made to control unnecessary noise from and at the site such that pre and post-construction levels remain the same at the property lines. The Planning Board may require the applicant to establish pre and post-construction decibel levels.

6. Vibrations. Adequate provisions must be made to control vibrations such that vibrations for pre and post-construction remain the same at the property line. The Planning Board may require the applicant to establish pre and post-construction vibration levels.

7. Unique Features. Adequate provision must be made to migrate adverse impact on existing scenic or natural beauty, rare or irreplaceable historic sites, or other features of importance to the Town, as identified in the Comprehensive Plan.

8. Storm Water Management, Groundwater, Pollution and Erosion and Sedimentation Control.

The Storm Water Management, Groundwater Pollution and Erosion/Sedimentation Requirements are as follows:

a. Storm Water Management Plan. The storm water management plan must be included in the final plan application. The primary objective of the program is to limit peak discharge, after development, to equivalent levels before development. In the development of the plan, the following practices are required: (1) Peak Discharge Measurement. Peak discharge must be measured for the 2 and 25-year storm period. Estimation of the peak discharge and volume must be completed, using Urban Hydrology for Small Watersheds. TR-55. Soil Conservation Service as revised. The engineering design must include

provisions for surface and subsurface runoff, especially where the displacement of surface and subsurface water is involved. Pre-construction and post-construction water flow estimates and estimates of surrounding watershed impact and displacement of subsurface water are required.

(1) Reduction of Peak Discharge. In reducing peak storm water runoff so as to maintain pre-construction water flow levels, the management plan must include techniques to detain water on the proposed site by:

i. Minimizing slope length through trenching and maintaining flat slopes where possible.

ii. Infiltrating precipitation at the source prior to the runoff, which may be accomplished by delaying runoff from flat roofs, utilizing french drains for low water table soils, or precast concrete lattice blocks and bricks.

iii. Increasing the flow length by using diversion ditches and level lip spreaders.

iv. Infiltrating runoff after concentration in dry wells or trenches, natural swales or dugout basins, seepage beds or ditches, where there are low water swales.

v. Using detention ponds for a short-term storage of runoff, or permanent retention ponds for long-term storage. Embankments for such ponds must have a slope ratio of no less than four units horizontal to one unit vertical.

(2) Construction Standards. In developing storm drainage plans, the following construction standards apply:

i. Shoulders beyond the pavement must be compacted and stabilized, and storm water runoff from adjoining properties and from the roadway must be conducted so that road shoulder embankments and pavement edges will not be undermined or raveled away.

ii. Headwalls, catch basins and manholes must be constructed according to specifications approved by the Town Planner. Catch basins must be located to accept drainage from all low points and sags in the roadway, and to prevent storm water from flowing along the gutters for more than 400 feet.

([3]) Soil Conservation Service. The Planning Board may require the applicant to submit the storm water management plan to the Cumberland County Soil and Water Conservation District.

(4) Improvement Costs. If the development depends upon storm water control, which affects the existing system, whether natural or man-made, all costs of improvements must be paid by the applicant.

b. Groundwater Pollution. The Planning Board may require the applicant to demonstrate that there will be no adverse effect on subsurface water quality. The applicant may have to

establish present water quality conditions and install a monitoring system. Special precautions must be taken where records indicate the existence of a sand and gravel aquifer or an aquifer recharge area.

c. Erosion and Sedimentation Plan. A site plan must include a plan for erosion and sedimentation control during and after the construction period. The range of erosion and sedimentation control options to be incorporated in the plan should be dependent upon the guidance of the Environmental Quality Handbook of Maine and on the additional standards stated below. Any individual option or combination is acceptable, as long as it is considered in relation to the overall site stormwater management plan.

(1) Stripping of vegetation, regrading or other development shall be done in such a way as to minimize erosion.

(2) Development shall preserve salient natural features, keep cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.

(3) Whenever feasible, natural vegetation shall be retained, protected and supplemented.

(4) The disturbed area and the duration of exposure shall be kept to a practical minimum.

(5) Disturbed soils shall be stabilized as quickly as practicable.

(6) Temporary vegetation or mulching shall be used to protect exposed critical areas during development.

(7) The permanent (final) vegetation and mechanical erosion control measure shall be installed as soon as practical on the site.

(8) Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or other acceptable methods.

9. Landscape and Site Plan Assessment. The following requirements related to site plan layout shall be incorporated into the site plan:

a. Special Features. Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being viewed from surrounding properties.

b. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas.

If a site includes a ridge or ridges which are elevated above the surrounding areas and provide scenic vistas for the natural environment of the skyline of the ridge, buildings shall be located so that they are not clearly visible from surrounding areas. Siting away from the skyline, plantings and buffering landscaping are potential methods of preserving the scenic vista.

c. Relation of Proposed Buildings to the Environment. Proposed structures shall be related harmoniously to the terrain and to the existing buildings in the vicinity which have a visual relationship to the proposed buildings. Special attention shall be paid to the scale of the proposed building (s), massing of the structure (s), and such natural features as slope, orientation, soil type, and drainage courses.

d. Landscaping. Landscaping shall be designed and installed to define, soften or screen the appearance of off-street parking areas from the public right-of-way and abutting properties, to enhance the physical design of the building (s) and site, and to minimize the encroachment of the proposed use of neighboring land uses. Particular attention should be paid to the use of planning to break up parking areas.

SECTION F. APPEAL

The applicant, abutting landowner, or aggrieved party may appeal a site plan review decision of the Planning Board to the Zoning Board of Appeals within 30 days of the Planning Board decision. If it is shown after public hearing that the Planning Board erred in the interpretation of these regulations in making its final decision, the Zoning Board of Appeals may affirm, amend or reverse the decision of the Planning Board. The appeals process shall be consistent with the process described in Section; 16. H. 3-4 of the Harrison Shoreland Zoning Ordinance.

SECTION G. ENFORCEMENT

It shall be the duty of the Code Enforcement Officer to enforce the provisions of this site plan review ordinance and any final site plan action taken by the Planning Board. Any enforcement action shall be carried out in accordance with Section 16. I. 1-4 of the Harrison Shoreland Zoning Ordinance.