

Town of Cumberland Subdivision Ordinance

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**CHAPTER X
TOWN OF CUMBERLAND
SUBDIVISION ORDINANCE**

The Town of Cumberland hereby ordains that the revised and codified Ordinances of the Town of Cumberland dated July 31, 1972 is hereby amended by revising Chapter X, Town of Cumberland Subdivision Ordinance.

SECTION 1 PURPOSE

- 1.1** The purpose of these standards shall be to assure the comfort, convenience, safety, health and welfare of the people, to protect the environment and to promote the development of an economically sound and stable community. To this end, in approving subdivisions within the Town of Cumberland, Maine, the Board shall consider the following criteria and before granting approval shall determine that the proposed subdivision:
1. Pollution. The proposed subdivision will not result in undue water or air pollution. In making this determination, it shall at least consider:
 - A. The elevation of the land above sea level and its relation to the flood plains;
 - B. The nature of soils and subsoils and their ability to adequately support waste disposal;
 - C. The slope of the land and its effect on effluents;
 - D. The availability of streams for disposal of effluents; and
 - E. The applicable state and local health and water resource rules and regulations;
 2. Sufficient water. The proposed subdivision has sufficient water available for the reasonable foreseeable needs of the subdivision;
 3. Municipal water supply. The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used;
 4. Erosion. The proposed subdivision will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results;

5. Traffic. The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed;
6. Sewage disposal. The proposed subdivision will provide for adequate sewage waste disposal and will not cause an unreasonable burden on municipal services, if they are utilized;
7. Municipal solid waste disposal. The proposed subdivision will not cause an unreasonable burden on the municipalities ability to dispose of solid waste, if municipal services are to be utilized;
8. Aesthetic, cultural and natural values. The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline;
9. Conformity with local ordinances and plans. The proposed subdivision conforms with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan or land use plan, if any. In making this determination, the municipal reviewing authority may interpret these ordinances and plans;
10. Financial and technical capacity. The subdivider has adequate financial and technical capacity to meet the standards of this section;
11. Surface waters; outstanding river segments. Whenever situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38 chapter 3, subchapter I, article 2-B, the proposed subdivision will not adversely affect the quality of that body of water or unreasonably affect the shoreline of the body of water;
 - A. When lots in a subdivision have frontage on an outstanding river segment, the proposed subdivision plan must require principal structures to have a combined lot shore frontage and setback from the normal high-water mark of 500 feet.
 - (1) To avoid circumventing the intent of this provision, provision, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted,

the proposed subdivision shall be reviewed as if lot lines extended to the shore;

- (2) The frontage and set-back provision of this paragraph do not apply either within areas zoned as general development or its equivalent under shoreland zoning, Title 38, chapter 3, subchapter I, article 2-B, or within areas designated by ordinance as densely developed. The determination of which areas are densely developed must be based on a finding that existing development based on a finding that existing development met the definition requirements of section 4401, subsection 1, on September 23, 1983;

12. Ground water. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water;
13. Flood areas. Based on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps, and information presented by the applicant whether the subdivision is in a flood-prone area. If the subdivision, or any part of it, is in such an area, the subdivider shall determine the 100-year flood elevation and flood hazard boundaries within the subdivision. The proposed subdivision plan must include a condition of plan approval requiring that principal structures in the subdivision will be constructed with their lowest floor, including the basement, at least one foot above the 100-year flood elevation;
14. Storm water. The proposed subdivision will provide for adequate storm water management;
15. Freshwater wetlands. All potential freshwater wetlands, as defined in 30-A M.R.S.A. §4401 (2-A), within the proposed subdivision have been identified on any maps submitted as part of the application, regardless of the size of these wetlands. Any mapping of freshwater wetlands may be done with the help of the local soil and water conservation district; and
16. River, stream or brook. Any river, stream, or brook within or abutting the proposed subdivision has been identified on any map submitted as a part of the application. For purposes of this section, "river, stream or brook" has the same meaning as in Title 38, Section 480-B, Subsection 9. [Amended; Effective. 11/27/89]

SECTION 2 AUTHORITY AND ADMINISTRATION

2.1 AUTHORITY

- A. This Ordinance has been prepared in accordance with the provisions of Title 30-A MRSA Section 4401 et seq. [amended, effective 4/12/99]
- B. These standards shall be known and may be cited as "Town of Cumberland Subdivision Ordinance."

2.2 ADMINISTRATION

- A. The Planning Board of the Town of Cumberland, hereinafter called the Board, shall administer this Ordinance.
- B. The provisions of this Ordinance shall pertain to all the land proposed for subdivision as herein defined within the boundaries of the Town of Cumberland.

SECTION 3 DEFINITIONS

- 3.1** In general, words and terms used in these standards shall have their customary dictionary meanings. More specifically, certain words and terms used herein are defined as follows:

A. Byway:

A traffic way alongside or adjacent to one side of the paved portions of roads to be used by persons including, but not limited to, pedestrians, bicyclists, and handicapped persons operating motorized wheelchairs and which otherwise specifically excludes motorized vehicles, except as otherwise provided in this Ordinance or State law. Byways include sidewalks, freewalks and paved shoulders. [Effective 5/15/89]

B. Clustered Residential Development or Subdivision

A type of development where building lots are smaller with lot frontages that are shorter than those in a traditional subdivision, are grouped on certain portions of the site that are best suited for development, and other areas remain open and free from development. The homes may or may not be connected to the public sewer system. [amended, effective 4/12/99]

C. Comprehensive Plan or Policy Statement:

Any part or element of the overall plan of policy for development of the Town as defined in Title 30-A, MRSA, Chapter 187. [amended, effective 4/12/99]

D. Construction Drawings:

Drawings showing the location, profile, grades, size and type of drains, sewers, water mains, underground fire alarm ducts and underground telephone duct, pavements, cross-section of streets, miscellaneous structures, etc.

E. Dispersed Residential Development or Subdivision

A type of development where building lots are smaller with lot frontages that are shorter than those in a traditional subdivision, are grouped on certain portions of the site that are best suited for development, and other areas remain open and free from development. [amended, effective 4/12/99]

F. Easement:

The written authorization of a property owner for the use by another, and for a specified purpose, of any designated part of the owner's property.

G. Engineer:

Municipal Engineer or consulting engineer licensed by the State of Maine.

H. Final Plan:

The final drawings on which the subdivider's plan of subdivision is presented to the Planning Board for approval and which, if approved, may be filed for record with the Municipal Clerk and County Registry of Deeds.

I. Legislative Body:

Town Council

J. Municipality:

Town of Cumberland

K. Net Residential Acreage:

Net residential acreage shall be determined by subtracting from gross acreage available the following:

- .1 15% for roads and parking.
- .2 Land which is cut off from the main parcel by a road, existing land uses, a utility easement or right-of-way or major stream so as to serve as a major barrier to common use, or so that it is isolated and unavailable for building purposes. (Final determination by Planning Board.)
- .3 Other areas which are difficult to develop in their natural state because of topography, drainage or subsoil conditions. Specific conditions include but are not limited to:
 - (i) Slopes in excess of 20% sustained for 30,000 square feet or more,
 - (ii) wetlands as defined in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands dated 1/10/89 and as amended from time to time
 - (iii) Land shown to be in a 100 year flood zone as shown on the Flood Insurance Rate Map (FIRM)
- .5 Land in rights-of-way or easements, but not including land in open space easements under Sec. 406 of the Zoning Ordinance A.
- .6 Resource Protection Districts. [Amended, effective 5/15/89, amended, effective 4/12/99]

L. Official Zoning Map:

The most current Zoning Map adopted by the Town Council, as amended from time to time. [amended, effective 4/12/99]

M. Official Submittal Date:

The time of submission of a Pre-application Plan, Preliminary Plan, or Final Plan shall be considered the submission date of the application for such Plan approved to the Board, complete and accompanied by any required fee and all data required by these standards.

N. Person:

Includes a firm, association, organization, partnership, trust, company or corporation, individual, or other legal entity.

O. Planning Board:

The Planning Board of the Municipality created under Title 30-A, MRSA, Section 3001. [amended, effective 4/12/99]

P. Planting Screen Easement:

A visual buffer consisting of dense vegetation sufficient to substantially screen the use indicated.

Q. Preliminary Plan:

The preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Board for its consideration.

S. Required Improvements:

The following are required improvements: monuments, street signs, street lights, streets, sidewalks, water supply, sewage disposal and storm drainage, lighting and signing and pavement markings for traffic control, walking and biking trails, erosion control, or other improvements required by the Board, except where the Board may waive or modify such improvements in accordance with the provisions of these standards. [amended, effective 4/12/99]

T. Resubdivision:

The division of an existing subdivision or any change of lot size therein or the relocation of any street or lot in a subdivision.

U. Sketch Plan

A non-engineered plan based on topography, wetlands, steep slopes, water bodies, appropriate septic locations if applicable, and as further defined in Section 4.4A of this ordinance. [amended, effective 4/12/99]

V. Street:

Public and private rights-of-ways such as alleys, avenues, boulevards, roads, and highways. [amended, effective 4/12/99]

W. Structure:

Anything built for the support, shelter, or enclosure of persons, animals, goods, or property of any kind.

X. Subdivision

A subdivision shall be as defined by 30-A M.R.S.A. §4401, as amended from time to time. Lots of 40 or more acres shall not count as lots for purposes of this ordinance when the parcel of land being divided is located entirely outside any shoreland area as defined in 38 M.R.S.A. §435, as amended from time to time [Amended; Effective 11/27/89][Amended, effective 8/14/06]

Y. Subdivision, Major:

Any subdivision containing more than four lots; or requiring new streets or private ways, or extensions of existing streets or private ways; or construction and/or extension of public utilities, or any subdivision proposing that any of its lots not meet the minimum area or lot requirements of the zones in which they are located.

Z. Subdivision, Minor:

A subdivision containing not more than four (4) lots, and not otherwise requiring classification as a major subdivision, as defined in Section 3.1(Y).

AA. Traditional Residential Development or Subdivision:

A type of development where building lots are at least the minimum lot size for the district in which it is located. A small portion of the lot may remain open and free from development. [amended, effective 4/12/99]

SECTION 4 SUBDIVISION APPLICATION PROCEDURES

4.1 GENERAL PROCEDURES

Classification of a proposed project as either a minor or major subdivision shall be made by the Code Enforcement Officer, subject to Planning Board approval at the time of the initial application submission. Once the project is so classified, the applicant shall follow the applicable procedures in Section 4.3 or Sections 4.4. The pre-application conference step Section 4.2, is recommended but not mandatory for minor subdivisions. A copy of the required application form is included as Appendix A of this Ordinance. The Subdivision Review Fee Schedule is established by order of the Town Council. Outside consulting fees shall be charged in accordance with Section 608 of the Zoning Ordinance. Appendices C and D list the submission requirements for minor and major subdivision plans respectively. Overall Subdivision Review sheets for minor and major subdivision plans are included in Appendix E and Appendix F respectively. An application checklist for minor subdivision plans is included in

Appendix G. Appendix H contains an application checklist for preliminary major subdivisions, and Appendix I contains an application checklist for final major subdivisions. Appendix J contains an Application Completeness form and Appendix K contains a Notice of Decision form. In all instances throughout the subdivision review process, the burden of proof shall be upon the person or persons proposing the subdivision. [Amended, effective 3/25/87; amended, effective 8/10/98; amended, effective 4/12/99; amended, 2/25/02, effective 3/19/02]

4.2 PRE-APPLICATION CONFERENCE PROCESS

A subdivider may meet with the Planning Board prior to formal submission of a plan to discuss his proposal. A sketch plan of the proposed subdivision and other relevant materials may be presented by the subdivider. The Planning Board may ask questions of the subdivider and make general comments about the proposal.

4.3 REVIEW AND APPROVAL OF PLAN FOR MINOR SUBDIVISION

A. General

The Planning Board may, where it deems it necessary for the protection of public health, safety and welfare, require that a Minor Subdivision comply with any or all of the requirements specified for Major Subdivisions.

B. Procedures

1. An application for final plan approval, a completed application checklist and fifteen (15) copies of the Final Plan and accompanying materials shall be submitted to the Town Planner at least twenty-one (21) days prior to the meeting at which it is to be considered, and shall be accompanied by the fee, which is established by order of the Town Council. If the application is found to be deficient any additional information must be submitted no later fourteen (14) days prior to the meeting at which it is to be considered. [amended 2/25/02, effective 3/19/02]
2. The Town Planner shall then determine whether the application is complete or incomplete and shall notify the applicant of the determination in writing within 30 days of the date that the receipt is issued. If determined to be incomplete, the Town Planner shall list the materials that must be submitted in order to make the application complete. When the application is determined to be

complete, the Town Planner shall notify the applicant. Any application not determined to be complete within 180 days of the issued receipt date shall become null and void.

4. The Planning Board shall, within 45 days from the date that the application is determined to be complete, or within such other time that may be mutually agreed to by both the Planning Board and the applicant, approve, approve with conditions, or disapprove the Final Plan. The Planning Board shall specify in writing its decision and findings of fact regarding the decision. A separate copy of the written decision and findings of fact shall be maintained apart from the Planning Board minutes and stored in the Town Planner's files.
5. The Planning Board, at its discretion, may hold a public hearing regarding any proposed minor subdivision within 30 days of the determination of application completeness.

C. Submission Requirements

Minor Subdivision plan submissions shall conform to the standards and requirements contained in Appendix C of this Ordinance.

D. Final Plan Approval & Filing

1. Upon completion of the requirements above and approval of the Final Plan, the Final Plan shall be signed by a majority of the voting members of the Planning Board and shall be filed by the applicant with the Cumberland County Registry of Deeds.
2. Approval of any subdivision plan not filed for recording within 90 days after Final Plan approval shall become null and void. A note referencing this time provision shall be placed upon the Final Plan. The developer shall provide the Town Planner with the plan book number and page number, upon recording of the subdivision plan.

4.4 REVIEW AND APPROVAL OF PLAN FOR MAJOR SUBDIVISION

A. Sketch Plan [amended, effective 4/12/99]

1. The purpose of the sketch plan approval is for the applicant to submit concept plans for at least two of the following types of subdivisions -- clustered, dispersed, or traditional, and to receive the Board's decision as to which type of development is most appropriate for the site, based upon a consideration of all of the factors set forth in subsection 4. An application for sketchplan review and fifteen (15) copies of each sketchplan and accompanying materials shall be submitted to the Town Planner at least twenty-one (21) days prior to the meeting at which it is to be considered. If the application is found to be deficient any additional information must be submitted no later fourteen (14) days prior to the meeting at which it is to be considered.
[amended 2/25/02, effective 3/19/02]
2. The applicant shall present the sketch plans and make a verbal presentation regarding the site and the proposed development. The Board may ask questions and make suggestions to be incorporated by the developer into the application.
3. The sketch plan shall show, in simple form, the proposed layout of streets, lots, building envelopes, and proposed open spaces. The plan shall include a delineation of topography, wetlands, steep slopes, water bodies, adequate septic system locations, if applicable, and other known natural features.
4. The Board shall determine which type of subdivision best suits the property in relation to the natural features of the land, adjacent properties and neighborhoods, and the characteristics of open space to be maintained, if applicable.
5. The applicant shall be given a decision at the meeting what type of development is most appropriate, or be told what additional information is necessary for the Board to make a decision. The Board shall specify in writing its decision within 10 days of the meeting.
6. The type of subdivision development approved at the sketch plan meeting shall not be changed unless the Board finds that unforeseen circumstances require the decision to be altered.

7. The acceptance of a sketch plan shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1 M.R.S.A., §302.
8. Following the sketch plan meeting the Board shall establish a file for the proposed subdivision. All correspondence and submissions shall be maintained in the file.

B. Preliminary Plan Procedures

1. An application for preliminary plan approval, a completed application checklist and fifteen (15) copies of the Preliminary Plan and accompanying materials shall be submitted to the Town Planner at least twenty-one (21) days prior to the meeting at which it is to be considered, and shall be accompanied by the fee as established by order of the Town Council. If the application is found to be deficient, all additional information must be submitted no later than fourteen (14) days prior to the meeting at which it is to be considered. [Amended 2/25/02, effective 3/19/02]
2. The Town Planner shall determine whether the application is complete or incomplete and shall notify the applicant of the determination in writing within 30 days of the date that the receipt is issued. If determined to be incomplete, the Town Planner shall list the materials that must be submitted in order to make the application complete. Any application not determined to be complete within 180 days of the issued receipt date shall become null and void.
4. A public hearing shall be scheduled within 30 days after the date that the application is determined to be complete, with written notice given to property owners within 500 feet of the proposed subdivision; and written notice to the general public in a newspaper of general circulation in the Town. The Planning Board may, at its discretion, hold any additional public hearings as it deems appropriate. Failure of any property owner or any member of the public to receive a notice of the public hearing shall not necessitate another public hearing and shall not invalidate the action of the Planning Board.
5. The Planning Board shall, within 30 days after the date of the last public hearing, approve, approve with conditions, or disapprove the Preliminary Plan. The Planning Board shall specify in writing its findings of fact and the Board's decision. A separate copy of the written decision and findings of fact shall be maintained apart from the Planning Board minutes and stored in the Town

Planner's files. The Planning Board, at its discretion, may require annotations to be placed directly on the Preliminary Plan.

6. Preliminary Plan approval shall not constitute approval of the Final Plan, but rather shall be deemed an expression of approval of the design submitted on the Preliminary Plan as a guide to preparation of the Final Plan.

C. Preliminary Plan Submission

Preliminary Plan submissions shall conform to the standards and requirements contained in Appendix D of this Ordinance.

D. Final Plan Procedures

1. An application for Final Plan approval and a completed application checklist shall be submitted to the Town Planner within 180 days after Preliminary Plan approval and at least twenty-one (21) days prior to the meeting at which it is to be considered, along with fifteen (15) copies of the Final Plan and accompanying materials. If the application is found to be deficient all additional information must be submitted no later fourteen (14) days prior to the meeting at which it is to be considered. The 180 day time limit may be extended by the Planning Board, at its discretion, if the subdivider makes a written request for such an extension to the Planning Board prior to the expiration of said 180 day time limit. [amended, 2/25/02, effective 3/19/02; amended 2/15/05, effective 2/28/05]
2. Prior to submission of the Final Plan application, the subdivider shall have fulfilled the following requirements:
 - (a) Written approval shall be secured by the Maine Department of Environmental Protection, if the proposed subdivision is subject to review by said Department;
 - (b) The proposed water supply system shall be approved in writing by the Water District if existing public water service is to be used, or by the Maine Department of Human Services if a central water supply system is proposed;
 - (c) Allocation of sewer user units by the appropriate municipal agency shall be secured if said units are required for the proposed subdivision, and the proposed sewage disposal system shall conform to Section 7.15 of the Subdivision Ordinance; and

- (d) A solid waste disposal plan shall be prepared, if deemed necessary by the Planning Board during the Preliminary Plan review process.
 - (e) The proposed surface drainage plan or stormwater management plan and the proposed soil erosion and sediment control plan shall be endorsed in writing by the Cumberland County Soil and Water Conservation District. The soils report shall also be reviewed in writing by the Cumberland County Soil and Water Conservation District. [Amended, effective, 11/2/86].
3. The Town Planner shall then determine whether the application is complete or incomplete and shall notify the applicant of the determination decision in writing within 30 days of the date that the receipt is issued. If determined to be incomplete, the Town Planner shall list the materials that must be submitted in order to make the application complete.
 5. A public hearing may be scheduled by the Planning Board within 30 days after the date of the Final Plan is determined to be complete, with adequate notice given to the general public.
 6. Prior to the final plan approval, the Planning Board may grant approval to permit the Plan to be divided into two or more sections and may impose such conditions upon the phases as it deems necessary to insure the orderly development of the subdivision. Each phase shall be reviewed by the Planning Board, both as a potentially independent subdivision and as a section of the total subdivision. Each phase shall constitute at least 25% of the total number of lots contained in the approved final plan.
 7. Performance Guarantees

The purpose of a performance guarantee is to secure the completion of all required improvements or the restoration of the site as the Town deems appropriate

Prior to Final Plan Approval, or as a condition of Final Plan Approval, the applicant shall provide a construction schedule and cost estimate for all required improvements to the Town Planner. Required improvements include, but are not limited to street and utility construction, stormwater management, landscaping, erosion control,

and monumentation, The Town Planner shall submit the cost estimate to the Town Engineer and Town Manager for review and approval. Once the amount for the performance guarantee is set, the applicant shall provide a performance guarantee in one of the following acceptable forms:

- A. An escrow account funded by cash or a certified check payable to the Town of Cumberland and governed by an escrow agreement in a form reviewed by the Town Attorney and acceptable to the Town Manager. Any interest earned on the escrowed funds shall be retained by the Town.
- B. An irrevocable letter of credit from a financial institution in a form reviewed by the Town Attorney and acceptable to the Town Manager that provides at least 60 days written notification of expiration. The terms and conditions shall include a maximum 2 year time limit and an inflation clause.
- C. Any other performance guarantee reviewed by the Town Attorney as to form that provides security in an amount substantially equivalent to an escrow account or an irrevocable letter of credit.

In the event that a Final Plan is to be divided into two or more phases, the Performance Guarantee may be provided in an amount commensurate with the level of improvement to be undertaken in the section or sections to be filed with the Registry of Deeds and may defer the remaining required amount(s) until the remaining sections of the proposed subdivision are ready for filing with the Registry of Deeds. The terms and conditions of the performance guarantee for each phase shall include a maximum two year time limit and an inflation clause.

Completion of required improvements shall be determined by the Town Manager who shall receive written certification from the Town Engineer that all improvements assured by the Performance Guarantee have been constructed in conformance with the Final Plan and all applicable codes and ordinances. In addition, the developer shall furnish at his own expense the signed certification by a registered surveyor or civil engineer that all permanent boundary markers or monuments have been installed and are accurately in place in the locations designated in the final plan.

The performance guarantee may, in the discretion of the Town Manager, provide for a partial release of the performance guarantee

amount as specific portions of the required improvements are completed.[Amended, effective 9/12/11].

8. The Planning Board shall, within 60 days after the date that the Final Plan is determined to be complete, or within such other time limit that may be mutually agreed to by both the Planning Board and the applicant, approve, approve with conditions or disapprove the Final Plan. The Planning Board shall specify in writing its findings of fact and the Board's decision. A separate copy of the written decision and findings of fact shall be maintained apart from the Planning Board minutes and stored in the Town Planner's files. The Planning Board at its discretion may require annotations to be placed directly on the Final Plan.
9. This 60 day time limit may be extended once by 30 days, by the Planning Board, if the Board determines that additional information needs to be secured by the subdivider or the Planning Board.

D. Final Plan Submission

Final Plan submissions shall conform to the standards and requirements contained in Appendix D of this Ordinance.

E. Final Plan Approval and Filing

1. Upon completion of the requirements above and approval of the Final Plan, the Final Plan shall be signed by a majority of the voting members of the Planning Board and shall be filed by the applicant with the Town Planner.
2. The performance bond or irrevocable letter of credit, with the terms and conditions previously set by the Planning Board, shall be filed with the Town Manager before the Final Plan is released for recording by the developer at his expense with the Cumberland County Registry of Deeds.
3. Approval of any subdivision plan not filed for recording within 90 days after Final Plan approval shall become null and void. A note referencing this time provision shall be placed upon the Final Plan. The developer shall provide the Town Planner with the plan book number and page number, upon recording of the subdivision plan.

4.5 PLAN REVISIONS AFTER APPROVAL

- A. No changes, erasures, modifications, or revisions shall be made in any Final Plan after approval has been given by the Planning Board and endorsed in writing on the Final Plan, unless said plan is first resubmitted and the Planning Board approves any modifications. Any application for subdivision approval that constitutes a revision or amendment to a subdivision plan which has been previously approved shall indicate that fact on the application and shall identify the original subdivision plan being revised or amended. Approved changes shall be endorsed on the revised Final Plan by the Planning Board, and the Plan as modified should be recorded in the Cumberland County Registry of Deeds within sixty (60) days after such approval. The developer shall provide the Town Planner with the plan book number and page number, upon recording of the revised subdivision plan. [Amended: effective, 11/2/86]

4.6 PUBLIC ACCEPTANCE OF STREETS, RECREATION AREAS

- A. When a street, easement, open space area, park, playground, or other recreation area is shown on the Final Plan, approval of the Plan shall not constitute an acceptance by the Town of such areas. All Plans shall be endorsed with the following note: "The approval of this Plan by the Planning Board does not constitute acceptance by the Town of any street, easement, open space area, park, playground, or other recreation area thereon." The Planning Board may also require the filing of a written agreement between the applicant and the Town Council covering future deed and title requirement, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such areas.

4.7 TIMES FOR COMMENCEMENT AND COMPLETION OF CONSTRUCTION; PRE-CONSTRUCTION CONFERENCE

All improvements required by Section 6.1 and all quasi-public improvements required by the Planning Board for approval of the plan shall be completed no later than two (2) years after approval of the final plan (for phased plans, these time periods shall apply separately for each phase approved by the Planning Board); provided, however, the Planning Board may grant an extension for a period not to exceed six (6) months for good cause shown if such application is made prior to the two-year expiration date. Only one such extension may be granted.

Once commenced, all such improvements shall be prosecuted diligently to completion. Construction time shall not exceed six (6)

months unless the Planning Board, upon written application and for good cause shown, shall extend the construction period. Prior to commencement of construction there shall be a mandatory pre-construction conference with the developer, his general contractor, the Code Enforcement Officer, the Town Planner and such other Town department heads as deemed appropriate by the Town Planner to review the proposed construction activities to assure compliance with the requirements of the Ordinance and any special terms of the project's approval. Also, notwithstanding the provisions of Section 4.4 (D) (7) and (E) (2) to the contrary, the Planning Board at time of final approval may authorize a delay in the filing of an effective performance guarantee until the pre-construction conference provided satisfactory evidence of the developer's ability to obtain the same is submitted at time of final plan approval. [Effective 11/27/89; amended 2/25/02, effective 3/19/02]

SECTION 5 ENFORCEMENT

- 5.1** No plan of a subdivision of land within the municipal boundaries which would constitute a subdivision as defined herein shall hereafter be filed or recorded in the Registry of Deeds until a Final Plan thereof shall have been approved by the Planning Board in accordance with all of the requirements, design standards, and construction specifications set forth elsewhere in these standards nor until such approval shall have been entered on such Final Plan by the Planning Board.
- 5.2** No person, firm, corporation or other legal entity may convey, offer or agree to convey any land in a subdivision which has not been approved by the Planning Board and recorded in the Registry of Deeds.
- 5.3** Any person, firm, corporation or other legal entity who conveys, offers or agrees to convey any land in a subdivision which has not been approved as required by this section or who builds or develops a subdivision other than in strict conformance with the requirements of this Ordinance and his approval, including any conditions attached thereto, shall be subject to a civil action seeking injunctive relief to prevent any such violation, restore or repair the land if appropriate, and be further subject to a civil fine, attorney's fees and costs of court as provided under 30-A M.R.S.A. §4452. The municipality or the Code Enforcement Officer may institute such proceedings. [Amended. 11/27/89]
- 5.4** No public utility, water district, sanitary district or any utility company of any kind shall serve any lot in a subdivision for which a Final Plan has not been approved by the Planning Board.

- 5.5** Not only is making a subdivision without Planning Board approval a violation of law, but so also within such a subdivision is grading or construction of roads, grading of land or lots, or construction of buildings until such time as a Final Plan of such subdivision shall have been duly prepared, submitted, reviewed, approved, and endorsed as provided in these standards, and until the original copy of the Final Plan so approved and endorsed has been duly recorded in the Cumberland County Registry of Deeds.

SECTION 6 REQUIRED IMPROVEMENTS

- 6.1** The following are required improvements: monuments, street signs, streets, byways, water supply, sewage disposal, storm drainage, lighting and signing and pavement markings for traffic control, walking and biking trails, erosion control, or other improvements required by the Board, except where the Board may waive or modify such improvements in accordance with the provisions of these standards. [Effective 5/15/89, [amended, effective 4/12/99]].

6.2 INSPECTION OF REQUIRED IMPROVEMENTS [amended, effective 4/12/99]

- A. At least five (5) days prior to commencing construction of required improvements the subdivider shall:
1. Pay an inspection fee equal to two (2) percent of the cost of the required improvement, or
 2. Pay an inspection fee equal to the estimated cost of inspection by the Town Engineer and/or Public Works Director if any, or
 3. Pay an inspection fee equal to the estimated cost of inspection by an engineer appointed by the Planning Board payable by check to the Town of Cumberland, Maine stating the purpose of the fee. The subdivider shall notify the Municipal Officers in writing of the time when he/she proposes to commence construction of such improvements so that the Municipal Officers can cause inspection to be made to assure that all municipal specifications and requirements shall be met during the construction of required improvements and utilities required by the Planning Board. Any amount in excess of actual cost shall be returned to the developer.
- B. If the Town Engineer, appointed engineer, or Director of Public Works shall find, upon inspection of the improvements performed before expiration date of the performance bond, that any of the required

improvements have not been constructed in accordance with plans and specifications filed by subdivider, he shall so report to the Municipal Officers, Code Enforcement Officer, and Planning Board. The Municipal Officers shall then notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the municipality's right under the bond. No plan shall be approved by the Planning Board as long as the subdivider is in default on a previously approved plan. [amended, effective 4/12/99; amended 2/25/02, effective 3/19/02]

- C. If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the Town Engineer or Town appointed engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the Town Engineer or Town appointed engineer may authorize modifications provided these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The Town Engineer or Town appointed engineer shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Board at its next regular meeting. [Amended, effective 10/22/90]
- D. 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.
- E. Upon completion of the subdivision, the subdivider shall notify the municipal officers in writing stating that all improvements have been completed. Along with this statement shall be submitted "as-built" record construction drawings on mylar which were previously approved by the Planning Board.

SECTION 7 GENERAL REQUIREMENTS

7.1 In reviewing applications for the subdivision of land, the Board shall consider the following general requirements. In all instances the burden of proof shall be upon the person proposing the subdivision.

7.2 REVIEW AND APPROVAL BY OTHER AGENCIES

- A. Where review and approval of any subdivisions or site plan by any other governmental agency is required, such approval shall be submitted to the Planning Board in writing prior to the submission of the Final Plan.

7.3 SUBDIVISION PLAN SHALL CONFORM TO COMPREHENSIVE PLAN

- A. Any proposed subdivision shall be in conformity with a Comprehensive Plan or policy statement of the municipality and with the provision of all pertinent state and local codes and ordinances.

7.4 RELATIONSHIP OF SUBDIVISION TO COMMUNITY SERVICES

- A. Any proposed subdivision shall be reviewed by the Board with respect to its effect upon existing services and facilities. The Final Preliminary Plan shall include a list of the construction items that will be completed by the developer prior to the sale of lots; and the list of construction and maintenance items that must be borne by the municipality, which shall include, but not be limited to: Schools, including busing; Road maintenance and snow removal; Police and fire protection; Solid Waste disposal; Recreation Facilities; Runoff water disposal drainage ways and/or storm sewer enlargement with sediment traps.
- B. The Board may require the developer to provide a Community Impact Statement to the Town for the above services.

7.5 RETENTION OF PROPOSED PUBLIC SITES AND OPEN SPACES

- A. Depending on the size and location of the subdivision, the Board may require the developer to provide up to 10% of his total area for recreation. It is desirable that areas reserved for recreation be at least 5 acres in size and easily accessible from all lots within the subdivision.
- B. Land reserved for park and/or recreational purposes shall be of a character, configuration and location suitable for the particular use intended. A site to be used for active recreational purposes, such as a playground or a playfield, should be relatively level and dry, have a total frontage on one or more streets of at least 200 feet, and have no major dimensions of less than 200 feet. Sites selected primarily for scenic or passive recreation purposes shall have such access as the Board may deem suitable and shall have no less than 25 feet of road frontage. The configuration of such sites shall be deemed adequate by the Board with regard to scenic attributes to be preserved, together with sufficient areas for trails, lookouts, etc., where necessary and appropriate.
- C. Where the proposed subdivision is located on a lake, pond, river, or stream, a portion of the waterfront area, when feasible, shall be included in the reserved land. The land so reserved shall be at least 200 feet wide measured perpendicularly from the normal high water mark.
- D. The Board may further require that the developer provide space for future municipal uses, in accordance with a Comprehensive Plan or policy statement, giving the Town first option on the property.
- E. The Planning Board may require the developer to dedicate easements not less than ten (10) feet wide to the Town over those areas of the subdivision that are shown on the Town's Greenbelt Map enacted as part of the Town's ordinances. Such easements shall be for the benefit of the public and the Town shall have the right, but not the obligation to maintain such easements. Any such dedication must be made through appropriate legal instruments approved by the Town attorney. [Effective 5/15/89]
- F. The provisions of this Section shall not apply to mobile homes parks. The retention of open space areas in mobile home parks is governed by Sec. 416-A of the Town's Zoning Ordinance. [Amended; effective 12/18/89]

7.6 PRESERVATION OF NATURAL AND HISTORIC FEATURES

- A. The Board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees (10" diameter or more), the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic, or environmentally desirable areas. The street and lot layout shall be adapted to the topography and extensive grading and filling shall be avoided.

The board shall require the developer to identify any historic buildings or sites and/or historic or pre-historic archaeological sites. [amended, effective 4/12/99]

7.7 LAND NOT SUITABLE FOR DEVELOPMENT

- A. The Board shall not approve any plan for development that would alter the natural state of any of the following types of land: [amended, effective 4/12/99]
1. Are located within the 100 year frequency flood plain as identified by an authorized Federal or State agency, or when such identification is not available, are located on flood plain soils identified and described in the National Cooperative Standard Soil Survey.
 2. Are located on land which must be filled or drained or on land created by diverting a watercourse; except the Board may grant approval if a central sewage collection and treatment system is provided. In no instance shall the Board approve any part of a subdivision located on filled tidal wetlands or filled or drained Great Ponds (natural body of water 10 acres or more in size).
 3. Contain soils unsuitable for construction and development of structures due to their very severe limitations of drainage, flooding, organic nature of settlement properties, including Chocorua, Whately, Sebago, Saco, Saco-Limerick, Borohemists, Borosaprists, and Sulfihemists. [Amended, effective 5/26/87]

7.8 BLOCKS

- A. The length, width and shape of blocks shall be determined with due regard to:

1. Provision of adequate building sites suitable to the special needs of the type of use contemplated;
 2. Zoning requirements as to lot sizes and dimensions;
 3. Needs for convenient access, circulation, control and safety of street traffic;
 4. Limitations and opportunities of topography.
- B. In blocks exceeding 800 feet in length, the Planning Board may require the reservation of a 30-foot wide easement through the block to provide for the crossing of underground utilities and pedestrian traffic where needed or desirable and may further specify, at its discretion, that a five (5) foot wide paved foot path be included.

7.9 LOTS

- A. The lot size, depth, width, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- B. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.
- C. The subdividing of the land shall be such as to provide that all lots shall have a minimum lot frontage on a street which conforms to the requirements set by the Town of Cumberland Zoning Ordinance. [amended, effective 4/12/99]
- D. Double frontage lots (lots with frontage on two streets that are opposite each other) shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. [amended, effective 4/12/99]
- E. Except in the MDR and LDR districts, a subdivision in which the land cover type at the time of application is forested shall maintain a wooded buffer strip no less than fifty (50) feet in width along all existing public streets.

Except in the MDR and LDR districts, buildings shall be restricted from open fields, and shall be located within forested portions of the subdivisions. When the subdivision contains no forest or insufficient forested portions to include the buildings, the subdivision shall be

designed to minimize the appearance of buildings when viewed from existing public streets.

- F. Side-lot lines shall be substantially at right angles or radial to street lines.
- G. Where a tract is subdivided into lots substantially larger than the minimum size required in the Zoning District in which a subdivision is located, the Board may require that street and lots be laid out so as to permit future resubdivision in accordance with the requirements contained in these standards.
- H. Subdivision lots with frontage on both the collector street and the subdivision road shall be on a lot of at least 4 acres. The existing land cover on these lots shall be preserved for a depth of at least 75' along the collector street. Buildings on these lots shall be sited in a manner which minimizes impacts on areas such as farmlands, wildlife habitats, scenic areas and other significant natural resources.

7.11 UTILITIES

- A. The size, type and location of public utilities, such as street lights, electricity, telephones, gas lines, fire hydrants, etc., shall be approved by the Board and installed in accordance with local practice.
- B. Utilities shall be installed underground except as otherwise approved by the Board.
- C. The provision of this Section shall not apply to mobile home parks. The installation and location of utilities in mobile home parks is governed by Sec. 415-A of the Town's Zoning Ordinance. [Amended; effective 12/28/89]

7.14 WATER SUPPLY

- A. A public water supply system with fire hydrants shall be installed at the expense of the subdivider, or, if in the opinion of the Board, service to each lot by a public water system is not feasible the Board may allow individual wells to be used.
- B. The subdivider shall demonstrate by actual test or by a signed affidavit from an authorized representative of the servicing water company that water meeting State of Maine Rules of the Department of Human Services Relating to Drinking Water can be supplied to the subdivision at the rate of at least 350 gallons per day per dwelling unit and at an adequate pressure for fire fighting purposes.

- C. Storage shall be provided as necessary to meet peak domestic demands and fire protection needs.
- D. The subdivider shall demonstrate in the form of signed affidavits from the servicing water company or by engineering reports prepared by a civil engineer registered in the State of Maine, that the proposed subdivision will not result in an undue burden on the source, treatment facilities or distribution system involved, or provide adequate assurance that such source, treatment facility or distribution system will be modified to meet the expanded needs.
- E. The minimum water-main permitted shall be 6-inches and shall be installed at the expense of the subdivider.
- F. The water supply system shall be designed and installed in accordance with requirements of the Maine Department of Health and Welfare.
- G. Because they are difficult to maintain in a sanitary condition, dug wells shall be permitted only if it is not economically or technically feasible to develop other ground water sources.
- H. If a central water supply system is provided by the subdivider, location and protection of the source, and design, construction and operation of the distribution system and appurtenances and treatment facilities shall conform to the recommendations included in the State of Maine Rules of the Department of Human Services Relating to Drinking Water.
- I. The Planning Board may require the developer at his cost to evaluate the effect of withdrawal of groundwater if on-site groundwater supply wells are proposed. An analysis of lowering of the water table during pumping, ground subsidence, reduction in groundwater recharge, saltwater intrusion and/or modification of groundwater flow patterns may be required. The analysis may require pump testing of on-site wells or measurements of soil and/or rock permeability, measurement of existing groundwater levels, soil borings, and/or installation of groundwater observation wells. [Amended, effective 5/26/87]
- J. No development or use of land shall lower the groundwater table more than 10 feet, reduce on-site groundwater recharge by more than 20 percent, cause saltwater intrusion, undesirable change in groundwater flow patterns, or cause ground subsidence of more than 1 inch on abutting property. If the analysis of groundwater withdrawal (Section 7.14 I above) shows that one or more of these effects will occur, that

will be the basis for denial of the application. [Amended, effective 5/26/87]

7.15 SEWAGE DISPOSAL

- A. A sanitary sewer system shall be installed at the expense of the subdivider, or, if in the opinion of the Board, service to each lot by a sanitary sewer system is not feasible, the Board may allow individual septic tanks to be used.
- B. A developer shall submit plans for sewage disposal designed by a professional engineer and/or licensed site evaluator, as appropriate, in full compliance with the requirements of the State of Maine Plumbing Code, except as noted herein or in the Zoning Ordinance.
- C. Connections and/or extensions to a public sanitary sewer line shall comply with the requirements of the Sewer Use Ordinance and/or Sewer Extension Design Specifications for the Town of Cumberland.
- D. The subdivider shall apply to the appropriate municipal agencies for certification that the proposed connection(s) and/or extension(s) will not be a burden on the system.
- E. The Board may require a hydrogeologic evaluation where it is concerned about possible groundwater or surface water contamination. Any cluster system shall require a hydrogeologic investigation. The investigation could involve soil borings and installing groundwater observation wells, measurement of groundwater elevation at wells, estimation of the direction and rate of ground water flow, hydraulic mounding estimate beneath any leachfield, measurement of existing groundwater and/or surface water quality, identification of existing water supply wells or springs on abutting properties, and a projection by analytical methods of groundwater and/or surface water quality within and at the property boundaries as a result of development. [Amended, effective 5/26/87]
- F. The Developer shall specify the location, both horizontally and vertically, of on-site well and septic systems to avoid contamination of proposed or existing water supplies by septic system effluent. No development or use of land shall result in existing groundwater quality exceeding 50 percent of the physical, biological, chemical and radiological levels for raw and untreated drinking water supply sources specified in the Maine State Drinking Water Regulations, pursuant to 22 MRSA 601. If existing groundwater quality is inferior to the State Drinking Water Regulations, the developer or land owner will not degrade the water quality any further. This criterion shall apply to the

property boundaries existing and proposed water supply wells and springs. If the hydrogeologic evaluation and projection of groundwater and/or surface water quality (Section 7.15E above) show that the effect of the development or use of land will be to exceed whichever of these groundwater quality standards applies, that will be the basis for denial of the application. [Amended, effective 5/26/87]

7.16 ADDITIONAL REQUIREMENTS

- A. Street trees, esplanades, and open green spaces may be required at the discretion of the Planning Board. Where such improvements are required, they shall be incorporated in the Final Plan and executed by the subdivider as construction of the subdivision progresses.
- B. The subdivision design shall minimize the possibility of noise pollution either from within or without the development (from highway or industrial sources) by providing and maintaining a planting screen easement at least 20 feet wide, except as may otherwise be required by the Zoning Ordinance, between abutting properties that are so endangered.

SECTION 8 STREET DESIGN AND CONSTRUCTION STANDARDS

(Amended, effective 8/10/98, amended, effective 4/12/99)

8.1 STREETS (GENERAL)

A. Classification

In accordance with the Comprehensive Plan of the Town of Cumberland and for the purposes of these standards, streets are classified according to the average daily traffic (ADT) they are intended to serve, as calculated by the number of Average Daily Trips; as follows:

1. Average Daily Trip - Average daily trip shall be defined as the anticipated number of daily vehicle trips generated by a use as established by the *Trip Generation Manual*, published by the Institute of Transportation Engineers, 1991. If the developer disagrees with the estimated number of trips per day generated by a particular use, as listed by the *Trip Generation Manual*, published by the Institute of Transportation Engineers, the developer may request a waiver of these standards if information is submitted demonstrating that the *Trip Generation Manual* estimate is inaccurate. Table 8-1 lists estimated number of average weekday trips for residential uses.

Table 8-1

Housing Type	Average Weekday Trip Generation Rates
Single-family detached	10 trips/dwelling unit
Duplex, multiplex, townhouse, apartments condominium, etc.	8 trips/dwelling unit
Mobile Home	5.5 trips/dwelling unit
Retirement Home	3.5 trips/dwelling unit

1. **Arterial Streets:** Arterial streets and highways serve primarily as major traffic ways for travel between and through towns.
2. **Residential Private Streets:** Private streets serve as feeders to access, sub-collectors, and collector residential streets, and may be the principal entrance streets of a residential development. Private streets are permitted only when the average daily traffic is less than 50.
3. **Residential Access Streets:** Access streets serve primarily for access to abutting residential properties, and as feeders to other residential streets of equal or greater capacity. Access streets are intended to serve developments with average daily trips less than 200.
4. **Residential Sub-collector Streets:** Sub-collector streets serve as collectors from access or private streets and as feeders to collector streets; they are intended to serve developments with average daily trips of 200 - 500.
5. **Residential Collector Street** - Collector streets serve as collectors from Sub-collector streets and as feeders to arterial streets, they are intended to serve developments with average daily trips greater than 500.
6. **Commercial Access Streets** - Access streets shall be defined as streets servicing commercial and industrial developments with average daily trips less than 2000.
7. **Commercial Collector Streets** - Collector streets shall be defined as streets servicing commercial and industrial developments with average daily trips greater than 2000.
8. Classification of street types will be made by the Planning Board within the considerations outlined above.

B. Layout

1. Proposed streets shall conform, as far as practical, to such Comprehensive Plan or policy statement as may have been adopted, in whole or in part, prior to the submission of a Preliminary Plan.
2. All streets in the subdivision shall be so designed that, in the opinion of the Board, they will provide safe vehicular travel while discouraging movement of through traffic over local streets.
3. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to existing or planned streets, to topographical conditions to public convenience and safety, and their appropriate relation to the proposed use of the land to be served by such streets. Grades of streets shall conform as closely as possible to the original topography.
4. In the case of dead-end streets, where needed or desirable, the Board may require the reservation of a minimum thirty (30) foot wide utility easement and/or minimum twenty (20) foot wide right-of-way for pedestrian and/or bicycle traffic.

The Board may require that additional right-of-way widths be provided if it determines that future extension of the street may occur. Such additional widths shall be consistent with the right-of-way width of the dead-end street.

5. In front of areas zoned and designed for commercial use, or where a change of zoning to a zone which permits commercial use is contemplated by the municipality, the street right-of-way and/or pavement width shall be increased by such amount on each side as may be deemed necessary by the Board to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial or business district. In no case shall the street have a right-of-way width and pavement width less than that specified in Table 8-3.
6. Where a subdivision borders on or contains a railroad right-of-way, the Planning Board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land, as for

park purposes in appropriate districts. Such distances shall also be determined with due regard for approach grades and future grade separations.

7. Where a subdivision borders an existing narrow road (below standards set herein) or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the subdivider shall be required to show areas for widening or realigning such roads on the Plan, marked "Reserved for Road Realignment (or Widening) Purposes." It shall be mandatory to indicate such reservation on the Plan when a proposed widening or realignment is shown on the Official Map. Land reserved for such purposes may not be counted in satisfying setback or yard or area requirements of the Zoning Ordinance.
8. The extension or continuation of an existing street, right-of-way less than that specified herein, may be permitted with the approval of the Planning Board.
9. If deemed necessary by the Planning Board, the subdivision may be required to provide at least two street connections with existing public streets or streets on an approved Subdivision Plan for which a bond has been filed.
10. Entrances, either proposed driveways or streets, onto existing state-aid or state highways must be approved by the Maine Department of Transportation. Copies of such approval shall be submitted to the Board at the time of final review.
11. Utility plans must be approved by the responsible utilities. Copies of written approval shall be submitted to the Board at the time of final review.
12. If the Planning Board determines that future development will occur on land adjacent to or near the proposed subdivision, whether it is owned by the applicant or not, then the Board shall retain the right to require the developer to meet the requirements for collector street design and construction as specified herein at no cost to the Town.

C. Street Signs, and Names [amended, effective 4/12/99]

1. Streets which join or are in alignment with streets of abutting or neighboring properties shall bear the same name. Names of new streets shall not duplicate, nor bear phonetic resemblance to the

names of existing streets within the municipality and shall be subject to the approval of the Board.

2. Street name signs shall be furnished and installed by the subdivider. The type, size and location shall be to the approval of the Board.

D. Traffic Control Devices

The Developer shall furnish and place all appropriate signing and pavement markings required for the proper control of pedestrian, bicycle and vehicular traffic within the subdivision. The types and locations of all such devices shall be determined by the Planning Board, Police Chief, and Town Engineer and shall be in conformance with the "Manual on Uniform Traffic Control Devices" as currently revised.

E. Street Lighting

The Developer shall coordinate with the appropriate servicing utility, the Road Commissioner, and the Police Chief for furnishing, locating and placing of any lighting. Light poles and luminaries shall be a type approved by the Planning Board and said utility.

- F. Byways shall be provided along all roads within a proposed development. [Effective 5/15/89]

G. PRIVATE WAYS

- A. Private ways built to the "private residential" standards of this section shall not be accepted as a public way; provided, however, that privately owned roads in mobile home parks are exempt from the requirements set forth in Section 8 but shall be considered as "streets" for building purposes. If at a future date users of the road upgrade the private way to the standards set forth in Section 8, the users may petition the Town Council to consider the acceptance of the road as a public way. The plan shall contain a note which shall read, "The Town of Cumberland shall not be responsible for the maintenance, repair, plowing, or similar services for the private way shown on this plan. [Amended, effective 12/28/89, amended, effective 4/12/99]

8.2 DESIGN AND CONSTRUCTION STANDARDS

- A. All streets in the subdivision shall be designed and constructed to meet the following standards for streets according to their classification

, including whether Urban or Rural standards apply, as determined by the Planning Board:

1. Urban: Urban standards shall apply to all roads that are constructed using subsurface drainage and curbing. Urban standards may be applied to "Rural" roads at the Planning Board's discretion, if conditions so warrant such as topography, soil conditions and aesthetics.. Urban design standards shall be defined as paved streets with such appurtenances as curbs, esplanades, byway, and an enclosed storm drainage system with catch basins, manholes, and associated piping. [Effective 5/15/89]

The Planning Board shall require the provision of a byway under the urban design standards, which for purposes of this subparagraph A.1. shall include only a sidewalk or freewalk; provided however, that under the waiver standard set forth in Section 15 of this ordinance, a freewalk may be substituted for a sidewalk if in the opinion of the Board such substitution will not significantly lessen drainage efficiency, or the requirement of a byway may be waived altogether. [Effective 5/15/89]

2. Rural: Rural design standards as tabulated herein shall be used for all street designs in the Town of Cumberland, except as specified above. Rural design standards shall be defined as paved streets with gravel shoulder, side ditches for the transportation of storm water and a byway. [Effective 5/15/89]

The Planning Board shall require the provision of a byway under the rural design standards, which for purposes of this subparagraph A.2. shall include only a freewalk or paved shoulder; provided however, that under the waiver standard set forth in Section 15 of this ordinance, a paved shoulder may be substituted for a freewalk, or the requirement of a byway may be waived altogether. [Effective 5/15/89]

B. Dimensions of Street Construction

the dimensions for street construction shall be shown in Table 8-2

- C. Minimum sight distance for all streets and roadways, except local and private streets, shall be calculated using the standard of 10 feet of sight distance per every 1 mile of posted speed limit. This standard may be reasonably reduced by the Planning Board for local and private streets, where appropriate. Sight distance requirements at intersections shall follow the guidelines specified in "A Policy on

Table 8-2: Geometric Design Standards

<i>Dimensional Description</i>	Residential Private	Residential Access	Residential Sub-collector	Residential Collector	Commercial Access	Commercial Collector
Average Daily Trips	< 50	0 - 200	200-500	> 500	< 2000	> 2000
Right of Way Width	50 feet	50 feet	60 feet	60 feet	60 feet	70 feet
Pavement Width						
- Rural	18 ft.	20 ft.	22 ft.	24 ft.	22 ft.	24 ft.
- Urban with paved shoulders	N/A	30 ft.	30 ft.	36 ft.	32 ft.	36 ft.
- Urban with curbing	24 ft.	28 ft.	30 ft.	30 ft.	32 ft.	32 ft.
Add for Shoulder Width (each side)						
- Rural without parking (gravel)	2 ft.	4 ft.	6 ft.	6 ft.	6 ft.	8 ft.
- Rural with parking (gravel)	N/A	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.
- Urban with parking (paved)	8 ft.	5 ft.	4 ft.	4 ft.	4 ft.	4 ft.
Sidewalk or Freewalk Width						
- Rural	PB Option	PB Option	5 ft.	5 ft.	PB Option	PB Option
- Urban	N/A	5 ft.	5 ft.	5 ft.	PB Option	PB Option
Minimum Grade (1.0% preferred)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Maximum Grade	10%	10%	10%	8%	8%	8%
Minimum Centerline Radius	100 ft.	150 ft.	150 ft.	300 ft.	300 ft.	450 ft.
Minimum Tangent Between Curves of Reverse Alignment	50 ft.	150 ft.	200 ft.	300 ft.	300 ft.	300 ft.
Minimum Angle of Street Intersections	75 degrees	75 degrees	75 degrees	85 degrees	75 degrees	85 degrees
Minimum distance between Street Intersections on - same side	200 ft.	300 ft.	400 ft.	500 ft.	300 ft.	400 ft.
- opposite side	100 ft.	150 ft.	250 ft.	350 ft.	200 ft.	300 ft.
Minimum Pavement Radii at Intersections - Rural	20 ft.	30 ft.	45 ft.	50 ft.	50 ft.	50 ft.
- Urban	20 ft.	25 ft.	40 ft.	45 ft.	45 ft.	50 ft.
Minimum Pavement Crown	1/4" per foot	1/4" per foot	1/4" per foot	1/4" per foot	1/4" per foot	1/4" per foot
Min. slope of gravel shoulder	1/2" per foot	1/2" per foot	1/2" per foot	1/2" per foot	1/2" per foot	1/2" per foot
K factor, crest vertical curve	15	20	30	30	50	50
K factor, sag vertical curve	20	30	40	40	50	50
MPH Design Speed	25	25	30	30	35	35
Max. grade at intersection and within 75 feet of intersection	3%	3%	3%	3%	2%	2%
Min. property line radius at intersection	15 ft.	20 ft.	30 ft.	30 ft.	30 ft.	30 ft.

Geometric Design of Highways and Streets, 1984" as published by the American Association of State Highway and Transportation Officials.

D. Dead End Streets

1. Presentation of special design, discussion and written permission by the Planning Board shall be required for those conditions that may require dead end streets under the category of Residential Sub-Collector, Residential Collector, Commercial Access, or Commercial Collector.
2. The terminus of any dead end street must have a cul-de-sac, with standards as listed in Section 3 below. Other types of turn around may be approved by the Planning Board after receiving a recommendation by the Fire Chief and Public Works Director. Cul-de-sac island area shall be restricted to grass or where the radius is large enough the Planning Board may permit other cover types.
3. Standards as listed under Section B shall be applicable for dead-end streets. In addition, the following requirements shall be fulfilled:
 - a. Max. length of dead-end streets shall be limited to 2,000 feet measured from the centerline of the feeder street to the center of the turnaround radius. However, the Planning Board may allow longer lengths because of property configuration and/or topographical constraints.
 - b. Radii at Cul-de-sac with Center Island:

Property line:	70 feet
Outer edge of pavement:	60 feet
Inner edge of pavement:	30 feet
 - c. Radii at Cul-de-sac without Center Island:

Property line:	60 feet
Over edge of pavement:	50 feet
4. At the end of temporary dead-end streets, a temporary turnaround with an outside roadway diameter of 90 feet or a backing space extending at least thirty (30) feet from the edge of the street, and thirty (30) feet beyond the edge of the backing space. Pavement widths for backing spaces shall be identical to the type of street involved.

E. Driveways

1. Driveways shall be designed and constructed in such a way so as to preclude the possibility of damage to the underside of vehicles due to excessive changes in grade. Dimensions and break-over angles of vehicles, such as those published by the Automobile Manufacturing Association, should be used as a guide in the design and construction of all driveways within the subdivision.
2. Where streets are built to urban standards, driveways shall enter a street at the level of the edge of the traveled way. They shall, in no way, impede the flow of storm water along the gutter line. Where a driveway crosses a sidewalk or a reservation for same, it shall do so with little or no change in the longitudinal grade at the back edge of the sidewalk. All driveways shall be paved to a point at least four feet beyond the right-of-way in order to prevent damage to sidewalk areas.
3. Where streets are built to rural standards, driveways shall enter a street at the level of the outer edge of the gravel shoulder. They shall be graded in such a manner so as to direct as much storm water as practical into roadside ditches. All driveways shall be paved to the street right-of-way. Such paving shall include the gravel shoulder of the roadway; and when completed, it shall be at the proposed grade of the gravel shoulder.
4. All driveways shall be constructed with adequate drainage systems to prevent water flow from entering garages or basements.
5. The portion of any driveway within the right-of-way shall be constructed to the same road construction materials standards as the adjoining road.

8.3 ROADWAY CONSTRUCTION MATERIALS

A. General

1. Roadway construction materials as specified herein shall conform to the current specifications of the Maine Department of Transportation.
2. Standards and dimensions tabulated herein shall be considered as minimum. The subdivider shall be required to investigate and determine the types and classifications of the soils.

Computations shall be made to determine pavement design standards for construction, which shall be submitted to the Town Engineer for review.

If the existing native soil through the sub-base course area can be defined as being equal in quality and thickness to the minimum requirements specified herein, the Planning Board may waive a portion or all of the minimum requirements for sub-base courses. In any event, the ultimate density of any material left in place shall conform to the minimum requirements for compaction specified in Section 9.4(B) contained herein.

If, during construction, subsurface soils vary from the original classification, the pavement design shall be modified to reflect the new soil types. Revised pavement designs shall be submitted to the Town Engineer for approval.

B. Materials

1. The minimum thickness of the various materials courses shall be shown in Table 8-3.

2. Curbing Materials

Curbing materials shall be either granite stone curbing, Type 1; or Bituminous curbing, Type 3. Type 1 vertical circular curbing shall be used for radii at intersections.

3. Minimum paving requirements on island street shall consist of a penetration treated surface using asphalt. Bituminous surface treatment shall consist of a prime coat using a low viscosity liquid bituminous material to coat and bind mineral particles. A coat of cover material - sand - will be required. After a minimum five (5) day curing period or such other time as the Road Commissioner may require, a seal coat consisting of bituminous material and a sand cover shall be applied. Bituminous materials, their application rates and the cover material to be used, shall be approved by the Road Commissioner prior to paving.

Table 8-3: Street Material Thickness Standards

	Residential Private	Residential Access	Residential Sub-collector	Residential Collector	Commercial Access	Commercial Collector
Road Construction Materials						
Aggregate Sub-base Course - Sand (or use Geotextile Fabric); when required by Town Engineer	6"	6"	6"	6"	6"	6"
Aggregate Sub-base Course - Gravel (max. stone size no greater than 6")	12"	15"	15"	18"	18"	18"
Aggregate Base Course - Crushed	3"	3"	3"	3"	3"	3"
Hot Bituminous Pavement						
- Surface course (C-1 grade)	1"	1"	1"	1 1/2"	1"	1 1/2"
- Base Course (B grade)	2"	2"	2"	2 1/2"	2 1/2"	3 1/2"
Sidewalk or Freewalk Materials						
Aggregate Sub-base course (no vehicular traffic)	8"	8"	8"	8"	8"	8"
Hot bituminous pavement						
- Surface course (D grade)	1"	1"	1"	1"	1"	1"
- Base course (C grade)	1"	1"	1"	1"	1"	1"

8.4 CONSTRUCTION STANDARDS

All streets within the subdivision shall be constructed according to the specifications herein as overseen by the Road Commissioner and/or Town Engineer.

A. Grading: All streets shall be graded to their full width by the subdivider so that pavements and sidewalks can be constructed on parallel profiles. Due to special topographical conditions, deviation from the above will be allowed only with special approval of the Planning Board.

1. Preparation: Before grading is started, the entire right-of-way area shall be cleared of all stumps, roots, brush, and other objectionable material and all trees not intended for preservation.
2. Cuts: Tree stumps, roots, and other organic materials shall be removed to a depth of two (2) feet below the subgrade. Rock and boulders, when encountered, shall be removed to subgrade.
3. Fill: All materials used in the construction of embankments shall meet the standards for embankment construction, Section 203.09 through 203.16 of the Maine Department of Transportation Standard Specifications. Excess material including organic materials, etc., shall be removed from the street site. The fill shall be spread in layers not to exceed twelve (12) inches loose and compacted. The filling of utility trenches and other such areas shall be mechanically tamped.
4. All underground utilities and their services shall be installed within the street right-of-way prior to placement of the aggregate base course (crushed gravel).
5. Side Slopes: All side slopes shall be a maximum slope of three (3) horizontal to one (1) vertical. All slopes shall be graded, loamed (four inches compacted), fertilized, limed and seeded as required.

B. Bases and Pavement

The appropriate sections of the Bases and Pavements Divisions of the Maine Department of Transportation Standard Specifications currently in effect at the date of submission of the preliminary plan shall be applicable.

Bases:

1. Aggregate Sub-base Course - Gravel (Type D)
Aggregate sub-base shall not contain particles of rock exceeding six (6) inches in any dimension.

Aggregate Base Course - Crushed (Type A)

Aggregate base shall not contain particles of rock that will not pass the 2 inch square mesh sieve.

2. Where pavement placed joins an existing pavement, the existing pavement shall be cut along a smooth line and to a neat, even, vertical, joint. Broken or raveled edges will not be permitted, nor deviation from grade.

Gradation of aggregates for Plant Mix Hot Bituminous Pavements shall be as specified in Division 700 of the Maine Department of Transportation Standard Specifications.

C. Curbing: Section 609 of the Maine Department of Transportation Standard Specifications shall be applicable to this section, except as follows:

1. Curbing shall be limited to Type 1 and Type 3.
2. Vertical or sloped curbing shall be used in accordance with the design standards set forth herein for the particular type of street. All curbs shall have a typical reveal of six (6) inches.
3. Type 1 curbing shall be used for radii at all intersections.

Amended 1/23/78- Effective 2/22/78.

D. Byways: [Effective 5/15/89]

1. Sidewalk: Sidewalk construction shall comply with Section 608 of the Maine Department of Transportation Standard Specifications. Sidewalks shall have typical cross slopes of 3/8"/foot.
2. Freewalk: A freewalk shall be 4 feet wide, shall consist of 2-inch thick asphalt with an 8-inch gravel subsurface and shall be separated from the paved portion of the road by a grassy esplanade with a minimum width of 4 feet.
3. Paved Shoulder: A paved shoulder shall be constructed to the same road construction materials standards as the adjoining road. The paved shoulder shall be contiguous with the roadbed

and shall be separated from the roadway by a painted, solid white line.

8.6 MONUMENTS

A. Granite or precast reinforced portland cement concrete monuments four (4) inches square, four (4) feet long with a flat top shall be set at the following locations:

1. All street corners;
2. All points where the street line intersects the exterior of the subdivision; and,
3. All angle points or all points of horizontal curvature in each street.

The tops of monuments shall have an indented cross or drill hole to properly identify the location and shall be set flush with the finished grade.

B. All other lot corners shall be marked with iron pipe not less than one (1) inch in diameter and forty-eight (48) inches long and driven so as to be flushed with the finished grade.

SECTION 9 STORM DRAINAGE DESIGN AND CONSTRUCTION STANDARDS

9.1 INTENT

An adequate stormwater control and conveyance system shall be provided including appurtenances such as sediment and detention basins as needed, and catch basins, manholes, and piped or professionally designed ditch conveyance systems to assure that stormwater discharged from the site are in compliance with the guidelines contained herein and all other requirements of this Ordinance.

9.2 DEFINITIONS

A. Urban Systems: Storm drainage facilities located within areas defined by this ordinance as urban shall be an enclosed underground system capable of effectively removing stormwater from the street and adjacent areas. Discharge of stormwater shall be into natural drainage courses.

Storm drainage systems conforming to the standards specified herein may be constructed in rural areas at the option of the developer or if required by the Planning Board.

If conditions warrant, the Planning Board may allow a combination of rural and urban drainage standards or utilize rural standards entirely.

- B. Rural Systems: Storm drainage facilities located within areas defined by this ordinance as rural shall consist of a system of culverts and open drainage channels capable of effectively carrying stormwater into natural drainage courses.

9.3 STORM WATER MANAGEMENT PLAN REQUIRED

All subdivision applications shall contain a surface drainage plan with profiles and cross sections designed by a State of Maine registered professional engineer. This plan shall show ditches, culverts, easements and other proposed improvements with the statement in writing attached to the drainage plan indicating that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in adjacent properties; and, file with the Planning Board properly executed easements as required by the Planning Board. The plan shall also contain a soil erosion and sediment control plan containing the endorsement of the Cumberland County Soil and Water Conservation District.

Applications submitted pursuant to this Ordinance for projects which will expose more than 60,000 square feet of soil at one time or which will produce more than 10,000 square feet of additional impervious surface must submit a stormwater management plan to the Planning Board for its review and approval.

9.4 PERFORMANCE STANDARDS

Stormwater Management Plans shall show means whereby the peak discharge for the developed site shall not exceed the peak discharge for the undeveloped site for the 2 and 25 year storms. Emergency overflow facilities shall be provided for storms in excess of the 25 year storm. Sediments and other pollutants shall be limited through appropriate management practices to prevent adverse downstream water quality impacts. Regulations specifying hydraulic calculation techniques and design standards for facilities to achieve this performance standard shall be as approved by the Planning Board.

9.5 DESIGN STANDARDS

A. General

1. All stormwater systems within the subdivision shall be designed to meet the criteria of the performance standards for a twenty-five storm based on rainfall data from the National Weather Service records in Portland. Flows shall be computed by appropriate professional methods with design computations being submitted for review.
2. Upstream drainage shall be accommodated by an adequately sized drainage system through the proposed subdivision for existing and future potential development in the upstream drainage area or areas tributary to the proposed subdivision as determined by the Planning Board.
3. Existing downstream drainage facilities shall be studied to determine the affect of the proposed subdivision's drainage. The developer shall demonstrate to the satisfaction of the Planning Board that the storm drainage from the proposed subdivision will not, in any way, overload or damage existing storm drainage systems downstream from the proposed subdivision.
4. Where open ditches (other than roadway ditches), channels, streams, or natural drainage courses are used to collect, discharge, and/or transmit water through the development, an adequately sized, perpetual drainage easement shall be provided. Said easement shall be centered as closely as possible to the middle of the watercourse and shall be no less than thirty (30) feet in width.
5. Where subsurface soils are poorly drained, an underdrain system may be required by the Planning Board. Underdrains shall be installed and discharged in a positive manner.

B. Urban

1. Design standards for urban drainage systems shall be approved by the Planning Board.
2. Minimum pipe size for any storm drainage pipe shall be twelve (12) inches.
3. Design of storm drains shall be on a basis of flowing full at a minimum velocity of 2.5 feet per second.

4. Three hundred (300) feet shall be considered as a maximum length for carrying storm water in a street gutter prior to intake at a catch basin.
5. No water shall be permitted to drain across a street or an intersection.
6. Manholes shall be placed at all vertical or horizontal changes in the alignment of pipe. However, in no case shall manholes be spaced at intervals exceeding four hundred (400) feet, unless otherwise approved by the Planning Board.
7. Drains shall be designed such that a minimum of four (4) feet of cover over the pipe is provided in paved areas and/or three (3) feet of cover is provided in unpaved areas outside the street right-of-way.
8. The Planning Board may require that house foundation drains be connected to the storm drainage system. All connections shall be made with wyes, tees, or saddles which are compatible with the storm drain. All such work shall be done under the supervision of the Plumbing Inspector.

C. Rural

1. Design standards for rural drainage systems shall be approved by the Planning Board.
2. Roadside ditches and outlet channels shall be of a configuration and size to carry the contributory storm water and subsurface flows from the roadway structure and roadside embankments. In all instances the invert of the ditch shall be a minimum of six (6) inches below the subgrade of the roadway extended to the shoulder except as modified below:
 - a. In areas of well drained native soils; or
 - b. In areas where subsurface soils are of a nature requiring an under drain system, subgrades may be constructed to direct subsurface water to the underdrain pipes.
3. Ditch linings shall be provided to protect the side and slopes and bottom from erosion and scour. Minimum channel linings for corresponding longitudinal slopes shall conform to the following table:

- 0-3% - Loam and seed
- 3-6% - Loam and seed, protected by erosion control mesh
- 6-8% - Sod placed over loam
- Over 8% - Stone, masonry, bituminous concrete or metal linings.

Ditches adjacent to roadways shall be of a configuration that does not create a hazard to vehicular traffic.

4. Culverts

- a. Cross Culverts: Culverts crossing under roads or streets shall be sized to pass a twenty-five (25) year frequency storm from the contributing drainage area without hydrostatic head. Design shall be based on accepted hydrological methods and culvert capacity analysis. Minimum culvert diameter shall be fifteen (15) inches.
- b. Driveway Culverts: Culverts shall be installed under any proposed or existing driveway that interrupts natural or proposed longitudinal drainage along any street or road. Driveway culverts shall be of a size capable of passing the amount of storm water equal to the next upstream culvert within the same drainage course. Driveway culverts shall have a minimum diameter of twelve (12) inches. Final determination of culvert size shall be determined by the Road Commissioner.
- c. Minimum cover over culverts in roadway areas shall be twenty-four (24) inches. Minimum cover over driveway culverts shall be twelve (12) inches.

9.6 MATERIALS

A. The following material shall be utilized for storm drain construction:

- 1. Reinforced Concrete Pipe (Urban and Rural): Reinforced concrete pipe and fittings shall meet the requirement of ASTM Designation C-76. The classification of pipe shall be as required to meet soil and traffic loads with a factor of safety of 1.0 on the .01 inch crack strength with a class B bedding. Joints shall be of the rubber gasket type meeting ASTM Designation C-443, or of an approved pre-formed plastic jointing material such as "Ramnek".

2. Polyvinyl Chloride (PVC) Pipe. PVC pipe and fittings shall conform to the requirements of AASHTO M278. All pipe shall be supplied with gasket type joints meeting the requirements of ASTM D3212. Pipe shall be designed to withstand soil and traffic loads with a maximum deflection of 5% in diameter.
3. Corrugated Metal Pipe (Rural): Corrugated metal pipe and fittings shall be plain galvanized, aluminum or bituminous coated conforming to the requirements of Section 707 - Metallic Pipe, of the State of Maine Department of Transportation Standard Specifications. All pipe shall be of sufficient gauge to withstand soil and traffic loads with a maximum deflection of 5%.
4. Underdrain Pipe (Urban and Rural): Underdrain pipe may be of polyvinyl chloride (PVC) perforated pipe meeting the requirements of AASHTO M278 or perforated bituminous coated corrugated metal pipe meeting the requirements of AASHTO M136 and shall be coated with bituminous material to meet the requirements of AASHTO M190, Type A coating. Coupling bands shall be fully coated.
5. Manholes: Manholes shall be of precast concrete sections construction or of precast concrete block construction. Precast units shall conform to the requirements of ASTM Designation C-478. Precast concrete manhole blocks shall be of load-bearing masonry units meeting the requirements of ASTM Designation C-139, radial type. Manhole cones shall be truncated. Manhole bases may be cast-in place concrete with a 28 day strength of 3000 psi, or may be of precast concrete.

Concrete block manholes shall be treated with two coats of asphalt waterproofing material conforming to ASTM Designation D-41 or a cement base coating suitable for brush coat application.

Manhole steps shall be dropfront type of cast aluminum conforming to Federal Specification QQ-A-200/8 aluminum magnesium silicide type alloy. All steps shall be cast into the walls of the manholes so as to form a continuous ladder with a distance of twelve (12) inches between steps.

Manhole frames and covers shall be either a "M24 x 8 manhole" or "E24 x 5 manhole" as manufactured by Etheridge Foundry of Portland, Maine, or an approved equal. Covers shall be solid diamond and marked "storm".

Manhole inverts shall be constructed of brick and shall be shaped to the crown of the pipe for sizes up to eighteen (18) inches and to the spring line for larger pipes.

6. Catch Basins: Catch basins shall be of precast concrete construction or of precast concrete block construction conforming to the appropriate ASTM Designations specified in subsection 5 (Manholes) above.

Castings shall be twenty-four (24) inch square grating Type M as manufactured by Etheridge Foundry, Portland, Maine, or an approved equal. All catch basins shall be provided with a curb face inlet unless otherwise approved by the Road Commissioner.

Catch basins shall have a minimum two (2) foot sump for retention of water borne solids.

7. Catch Basin Drain Pipe: Catch basin drain pipe shall be of the same material as the main storm drain and shall meet the design requirements as specified in "1" above for the material being used. Catch basin leads shall enter the drain at manholes or at tee or wye fittings. When entering at manholes, the invert elevations of the lead and the main drain shall not be greater than twelve (12) inches. Where the difference in invert elevations differ by more than twelve (12) inches, drop connections will be provided.

9.7 GENERAL CONSTRUCTION REQUIREMENTS

- A. All trenching shall be accomplished in accordance with all appropriate state and federal safety requirements.
- B. Maximum trench width at the pipe crown shall be the outside diameter of the pipe plus two (2) feet.
- C. Pipe shall be bedded in crushed or screened stone with a minimum depth of six (6) inches to provide a Class B bedding. The stone will be deposited in the trench and brought to proper invert grade. The maximum size of stone aggregate will be three-fourths (3/4) inch. When the trench bottom has been excavated, it shall be filled and thoroughly compacted to grade before the utility pipe is placed. When the excavated trench bottom is not sufficiently firm to properly support the utility pipe, the Town Engineer may direct the subdivider to excavate below grade and bed the trench bottom with a specified depth of select material. Unless otherwise shown on the final plan, the

stone shall be brought to the spring line of the pipe. Bedding materials other than those stated above may be used but only by a written statement from the Town Engineer. The statement will include a description of materials that will be substituted.

- D. Pipe alignment shall be straight in both the horizontal and vertical unless specific approval of a curvilinear drain is obtained in writing from the Planning Board.
- E. Manholes shall be provided at all changes in vertical or horizontal alignment, and at all junctions. On straight runs, manholes shall be placed at a maximum of four hundred (400) foot intervals.
- F. Manholes and catch basins shall be founded below the frost line on a minimum depth of six (6) inches of crushed or screened gravel compacted to a uniform density.
- G. All drain outlets shall be terminated in a concrete end wall or shall be ripped to prevent erosion. Facilities for energy dissipation shall be provided. Culvert pipe inlets shall be constructed so as to prevent or decrease damage to embankment and/or to improve efficiency of the culvert. Inlet control devices shall be as approved by the Town Engineer.
- H. Underdrains shall be laid with perforations down on a minimum six (6) inch bed of granular material used for the bed. Granular material for bedding and backfill shall be as specified for Type "B" underdrain in Section 703.22, Underdrain Backfill Materials, of the "State of Maine, Department of Transportation Standard Specifications."

9.8 EASEMENTS FOR NATURAL DRAINAGE WAYS

- A. Where a subdivision is traversed by a natural water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course and such further width or construction, or both, as will assure that no flooding occurs and all storm water can be disposed of properly. Such easement or right-of-way shall be not less than 30 feet in width.

SECTION 10 - FIRE PROTECTION

Fire Protection – The subdivision design must comply with the Fire Protection Ordinance. The Fire Chief shall issue the applicant a “Certificate of Compliance” once the applicant has met the design requirements of the Town’s Fire Protection Ordinance. [amended 9/13/04, adopted 9/13/04]

SECTION 11 SOIL EROSION [amended, effective 4/12/99]

11.1 Design and Construction Standards

- A. The proposed subdivision shall prevent eroded soil from entering water bodies, freshwater wetlands, and adjacent properties.
- B. The procedures outlined in the erosion and sedimentation control plan shall be implemented during the site preparation, construction, and clean-up stages.
- C. Topsoil shall be considered part of the subdivision and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations.

SECTION 12 IDENTIFICATION OF FRESHWATER WETLANDS [amended, effective 4/12/99]

- 12.1** Freshwater wetlands shall be identified in accordance with the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, published by the Federal Interagency Committee for Wetland Delineation, January, 1987.

SECTION 13 TRAFFIC CONDITIONS [amended, effective 4/12/99]

13.1 Intent

Provisions shall be made for vehicular access to the subdivision and circulation within the subdivision in such a manner as to; safeguard against hazards to traffic and pedestrians in existing streets and within the subdivision, avoid traffic congestion on any street, and provide safe and convenient circulation on public streets and within the subdivision.

13.2 Design Standards

- A. No subdivision shall reduce a street giving access to the subdivision and neighboring streets and intersections to a Level of Service to "E" or below.
- B. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, sidewalks, byways, and traffic controls within public streets.

- C. Access ways to non-residential subdivisions or to multi-family developments shall be designed to avoid queuing of entering vehicles on any street. Left lane storage capacity shall be provided to meet anticipated demand. A warrant analysis to determine the need for a left-turn storage lane shall be done.

- D. Where topographic and other site conditions allow, provisions shall be made for street connections to adjoining lots of similar existing or potential use, for the purposes of facilitating public safety services, and/or to enable the public to travel between the two developments without the need to travel on a collector street.

SECTION 14 FINANCIAL AND TECHNICAL CAPACITY [amended, effective 4/12/99]

14.1 Financial Capacity

The applicant shall have adequate financial resources to construct the required improvements and meet the criteria of the statute and the standards of these regulations. In making the above determinations the Board shall consider the proposed time frame for construction and the effects of inflation.

14.2 Technical Capacity

The applicant shall retain qualified contractors and consultants to supervise, construct and inspect the required improvements in the proposed subdivision. In determining the applicant's technical ability the Board shall consider the applicant's previous experience, the experience and training of the applicant's consultants and contractors, and the existence of violations of previous approvals granted by the applicant.

SECTION 15 WAIVER AND MODIFICATION OF THESE REGULATIONS

[amended, effective 4/12/99]

15.1 Hardships

Where the Planning Board finds that an unnecessary hardship may result from strict compliance with these standards, or where there are special circumstances of a particular plan which the Board finds make a particular standard inapplicable, it may waive these standards; provided that such waiver will not have the effect of nullifying the intent and purpose of the Comprehensive Plan, Subdivision Ordinance or the Zoning Ordinance and that such waiver will not endanger public safety. An unnecessary hardship shall be defined as a substantial burden on the subdivider which affects his ability to achieve a reasonable economic return on said project. Special circumstances shall relate to the unique circumstances of the property, such as its proximity to similar public improvements or the adequacy of connecting facilities. [Effective 5/15/89]

15.2 Conditions

In granting waivers and modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards so waived or modified.

15.3 Appeals

Appeals from the decisions of the Board shall be to the Superior Court.

SECTION 16 CONFLICT WITH OTHER ORDINANCES OR REGULATIONS

[amended, effective 4/12/99]

Where a provision of this ordinance appears to be in conflict with any provision of any other ordinance, rule, regulation, restriction, or statute, that provision which imposes the greater restriction and/or provides for the lesser density of land use shall have precedence.

SECTION 17 SEPARABILITY AND EFFECTIVE DATE

[amended, effective 4/12/99]

17.1 The invalidity of any provision of these standards shall not invalidate any other part.

17.2 The effective date of these regulations is July 9, 1986.

APPENDIX 'A'

**Town of Cumberland
Planning Board Application**

Map: _____
Lot: _____

1. APPLICANT:

Name: _____ Telephone: _____
Address: _____ Cell: _____
_____ Fax: _____
_____ E-mail: _____

Interest in Property: _____
Interest in Abutting Properties, if any: _____

2. OWNER:

Name: _____ Telephone: _____
Address: _____ Cell: _____
_____ Fax: _____
_____ E-mail: _____

3. APPLICANT'S ARCHITECT, LANDSCAPE ARCHITECT, ENGINEER, PLANNER OR SURVEYOR:

Name: _____ Telephone: _____
Address: _____ Cell: _____
(If more than one, please attach name and contact information for each.) Fax: _____
_____ E-mail: _____

4. PROJECT:

Name of Project: _____
Address of Site: _____

Project Data: Book: _____ Map: _____
Page: _____ Lot: _____
Zoning District: _____ No. of Dwellings: _____
Overlay District: _____ No. of Buildings: _____
Size of Site: _____ No. of Lots: _____
Minor Subdivision _____ Minor Site Plan _____
Major Subdivision _____ Major Site Plan _____
Other: _____

5. OTHER INFORMATION:

- a) Is Board of Appeals Approval Required? _____
- b) Are Any Ordinance Waivers Requested? _____ Yes _____ No
(If 'Yes' attach a list of waivers and reasons for their request.)
- c) Application Fee per Town Ordinance: _____
- d) This application form and all accompanying materials must be submitted to the Town Planner *at least 21 days prior* to the meeting at which it is to be considered by the Planning Board.

The undersigned, being the applicant, owner or legally authorized representatives, states that all information contained in this application is true and correct to the best of his/her knowledge and hereby does submit the information for review by the Town and in accordance with applicable ordinances, statutes and regulations of the Town, State and Federal governments.

Signature of Applicant/Owner/Representative

Date

APPENDIX C
MINOR SUBDIVISION SUBMISSION REQUIREMENTS

- A. The subdivision plan for a Minor Subdivision shall consist of ten (10) copies of one or more maps or drawings drawn to a scale of not more than forty (40) feet to the inch, which shall be legibly reproduced on a durable material or clearly drawn in ink on mylar and the size of the sheets shall be 8 1/2 X11 inches or a multiple thereof, but in no case larger than 24 X 36 inches. Such sheets shall have a margin of two (2) inches outside of the border lines on the left side for binding and a one (1) inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by all appropriate agencies. The application for approval of a Minor Subdivision shall include all the following information.
1. Proposed name of the subdivision or identifying title, and the name of the municipality in which it is located.
 2. The date of submission, north point, graphic map scale, name and address of record owner and subdivider, and names of adjoining property owners.
 3. Locations, widths and names of existing, filed or proposed streets, easements, and building lines pertaining to the proposed subdivision and to the adjacent properties.
 4. The boundaries and designations of zoning districts, parks and other public spaces.
 5. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments as herein required, and shall be referenced as shown on the Plan. The survey plan shall show dimensions and areas of each proposed lot.
 6. Sufficient data to readily determine location, bearing and length of every lot line, and boundary line and to reproduce such lines upon the ground. Where practical these should be tied to reference points previously established.
 7. The survey of the outside boundaries of the tract and the computation of the lot lines shall be performed to an accuracy of one foot in 5,000 feet. If requested by Planning Board, the surveyor shall furnish copies of computation sheets for outside boundaries showing.
 - a. Sketch of traverse lines;
 - b. Closures;
 - c. Adjustments;
 - d. Coordinates; and
 - e. Computation of outside boundaries
 8. Contour lines at intervals of two (2) feet or at such intervals as the Planning Board may require, based on United States Geological Survey datum, referenced to mean sea level. Surface drainage patterns including drainage channels and watershed areas shall be shown.
 9. A soils report identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification. The Planning Board may request that the applicant submit the soils report to the Cumberland County Soil and Water Conservation District for a written review.

10. All on-site public or communal sewerage and water supply facilities shall be shown, both horizontally and vertically, and designed to meet the minimum specifications of these standards and all pertinent state and local ordinances. Compliance shall be stated on the Plan and signed by a licensed site evaluator. If on-site groundwater wells are proposed, the effect of withdrawal of groundwater may be required by the Board as set forth in this Ordinance. If a cluster system or collective private sewage disposal system(s) is (are) proposed, a hydrogeologic investigation shall be submitted meeting the sewage disposal standards as set forth in this Ordinance. A hydrogeologic investigation may be required by the Board for individual sewage disposal systems as set forth in this Ordinance. [Amended, effective 5/26/87]
11. A surface drainage plan or stormwater management plan, with profiles and cross sections drawn by a professional engineer, registered in the State of Maine, showing preliminary design of all facilities and conveyances necessary to meet the stormwater management standards as set forth in this ordinance. The Planning Board may request that the applicant obtain the endorsement in writing of the stormwater management plan by the Cumberland County Soil and Water Conservation District.
12. Electrical facilities.
13. A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
14. Any other data as determined by the Planning Board to ascertain compliance with this ordinance.
15. There shall be submitted to the Board with Final Plan:
 - a. Written offers of cession to the Municipality of all easements and public open space shown on the Plan, and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the subdivider, are to be maintained.
 - b. Written evidence that the Municipal Officers or their appointed agent are satisfied with the legal sufficiency of the documents referred to in Paragraph (a), above. Such written evidence shall not constitute an acceptance by the municipality of any public open space referred to in this Appendix.

APPENDIX D
MAJOR SUBDIVISION SUBMISSION REQUIREMENTS

A. Preliminary Plan Location Map

The Preliminary Plan shall be accompanied by a Location Map drawn at a scale of not over one thousand (1000) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The Preliminary Plan shall show all the area within one thousand (1000) feet of any property line of the proposed subdivision.

Within such area the Location Map shall show:

1. All existing subdivisions and approximate tract lines of adjacent parcels together with the names of the record owners of all adjacent parcels of land, those directly abutting or directly across any street adjoining the proposed subdivision.
2. Locations, widths and names of existing, filed or proposed streets, easements, and building lines pertaining to the proposed subdivision and to the adjacent properties.
3. The boundaries and designations of zoning districts, parks and other public spaces.
4. An outline of the proposed subdivision together with its street system and an indication of the future probable street system of the remaining portion of the tract, if the Preliminary Plan submitted covers only part of the subdivider's entire holding.

B. Preliminary Plan Maps and Information

The Preliminary Plan shall be submitted in fifteen (15) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale of 1 inch equals not more than one hundred (100) feet or for plans describing construction of required improvements, a scale of one inch equals forty (40) feet; drawings not to exceed 24" x 36". All plans shall be accompanied by the following information:

1. Proposed subdivision name or identifying title and the name of the municipality.
2. Name and address of record owner, subdivider and designer of Preliminary Plan.
3. Date of plan submission, true north point and graphic scale.
4. Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, watercourses and other essential existing physical features.
5. The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
6. The space standard and setback provisions of the Zoning Ordinance applicable to the area to be subdivided and any zoning district boundaries affecting the subdivision.
7. The location and size of any existing or proposed sewers and water mains, culverts, hydrants, and drains on the property to be subdivided. This shall show the connections with existing sewer or water systems. Where public water and/or sewerage is not to be provided, alternative means of water supply and sewage treatment and disposal shall be shown, both horizontally and vertically. If on-site groundwater wells are proposed, the effect of withdrawal of groundwater may be required by the Board as set forth in this ordinance. [Amended, effective 5/26/87]

8. If individual or collective private sewage disposal system(s) is (are) proposed, the location and results of tests to ascertain subsurface soils and groundwater conditions shall be signed and numbered by a licensed site evaluator. If a cluster system or collective private sewage disposal system(s) is (are) proposed, a hydrogeologic investigation shall be submitted meeting the sewage disposal standards as set forth in this ordinance. A hydrogeologic investigation may be required by the Board for individual systems as set forth in this ordinance. [Amended, effective 5/26/87]
9. Location, names and present and proposed widths of existing and proposed streets, highways, easements, building lines, alleys, parks and other public open spaces both within and abutting the subdivision. Grades and street profiles of all streets, sidewalks or other public ways proposed by the subdivider shall be shown.
10. Contour lines at intervals of two (2) feet or at such intervals as the Planning Board may require, based on United States Geological Survey datum and referred to mean sea level.
11. A high intensity soil survey shall be conducted by a certified soil scientist to identify soils within the proposed development in accordance with USDA Soil Conservation Services National Cooperative Soil Classification. The soil boundaries and names shall be superimposed on a plot plan of the proposed development.
12. Deed reference and map of survey of tract boundary made and certified by a registered land surveyor, tied into established reference points. Deed restrictions, if any, shall be described.
13. A surface drainage plan or stormwater management plan, with profiles and cross sections drawn by a professional engineer, registered in the State of Maine, showing preliminary design of all facilities and conveyances necessary to meet the stormwater management standards as set forth in this ordinance.
14. The proposed lot lines with dimensions and suggested locations of buildings.
15. The location of temporary markers adequate to enable the Board to locate readily and appraise the basic layout in the field.
16. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
17. The location of all natural features or site elements to be preserved.
18. A grading and landscaping plan including natural features to be preserved.
19. Plans shall bear the seals or numbers of the registered professionals responsible for preparing appropriate sections of the plan. Surveys shall be stamped by registered professional engineers, soil surveys shall bear the numbers of a soil scientist, subsurface sewage disposal plans shall bear the number of the professional site evaluator responsible for those evaluations, geological evaluations shall bear a registered geologists number and architectural work shall bear the architect's seal.

C. Final Plan Submissions

1. The Final Plan shall consist of fifteen (15) copies of one or more maps or drawings which shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies. The Final Plan shall show:
 - a. All of the information presented on the Preliminary Plan and Location Map and

any amendments thereto required by the Board or otherwise added to the plan. Engineering plans submitted shall be final plans on which construction may be based.

- b. The name, registration number and seal of the engineer, land surveyor, geologist, soil scientist, architect or planning consultant who prepared the plan.
 - c. Street names and lines, pedestrian ways, lanes, easements, rights-of-ways and areas to be reserved for or dedicated to public use.
 - d. The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distance and tangent bearings for each street.
 - e. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments as herein required, and shall be referenced as shown on the Plan.
 - f. Sufficient data acceptable to the municipal officials to determine readily the location, bearing and length of every lot line, and boundary line and to reproduce such lines upon the ground. Where practical these should be tied to reference points previously established.
 - g. The survey of the outside boundaries of the tract and the computation of the lot lines shall be performed to an accuracy of one foot in 5,000 feet. If requested by the Planning Board, the surveyor shall furnish copies of computation sheets for outside boundaries showing:
 - i. Sketch of traverse lines;
 - ii. Closures;
 - iii. Adjustments;
 - iv. Coordinates; and
 - v. Computation of outside boundaries.
 - h. By proper designation, all public open space for which offers of cession are made by the subdivider and those spaces to which the title is reserved by him.
 - i. Lots and blocks within the subdivision numbered in accordance with local practice.
2. There shall be submitted to the Board with Final Plan:
- a. Copies of declarations, agreements or other documents showing the manner in which open space or easements are to be held and maintained.
 - b. Where conveyance of public open space or easements to the Town is contemplated, a written offer to make such conveyance to the town, and written evidence that the Municipal Officers are willing to accept such conveyances and are satisfied with the terms and conditions of the proposed conveyance and with the legal sufficiency of the proposed transfer documents. Such written evidence shall not constitute an acceptance by the municipality of any such public open space.

APPENDIX E
SUBDIVISION REVIEW SHEET
Minor Subdivision

Proposed Subdivision Name _____

Name of Applicant _____

Number of Lots or Units _____ Zoning District _____

	<u>Dates</u>	
	C.E.O.	Planning Board
<u>FINAL PLAN REVIEW</u>		
1. 10 copies of Application and Accompanying Material	_____	_____
2. Fee Paid (Amount \$ ____)	_____	_____
3. Advisory Determination of Application Completeness	_____	_____
4. a. Initial Presentation by applicant	_____	_____
b. Receipt Issued	_____	_____
5. Application Complete	_____	_____
6. a. Application Incomplete	_____	_____
b. Written List of Missing Items	_____	_____
c. List Sent to Applicant	_____	_____
7. a. Public Hearing Held (optional)	_____	_____
b. Notice Provided	_____	_____
8. Technical Review Completed	_____	_____
9. a. Decision Made	_____	_____
b. Written Findings of Fact	_____	_____
c. Written Decision	_____	_____
d. Final Plan Signed	_____	_____
10. a. Final Plan Filed with Registry of Deeds within 90 days of Approval	_____	_____
b. Plat Book No. ____ Page No. ____	_____	_____

APPENDIX F
SUBDIVISION REVIEW SHEET
Major Subdivision

Proposed Subdivision Name _____

Name of Applicant _____

Number of Lots or Units _____ Zoning District _____

	<u>Dates</u>	
<u>PRELIMINARY PLAN REVIEW</u>	<u>C.E.O.</u>	<u>Planning Bd.</u>
1. 10 copies of Application and Accompanying Materials Received	_____	_____
2. Fee Paid (Amount \$_____)	_____	_____
3. Advisory Determination of Application Completeness	_____	_____
4. a. Initial Presentation by Applicant	_____	_____
b. Receipt Issued	_____	_____
5. Application Complete	_____	_____
6. a. Application Incomplete	_____	_____
b. Written List of Missing Items	_____	_____
c. List Sent to Applicant	_____	_____
7. Public Hearing Notice Provided	_____	_____
8. a. Public Hearing Held	_____	_____
b. Additional Hearings, if any	_____	_____
9. Technical Review Completed	_____	_____
10. a. Decision Made	_____	_____
b. Written Findings of Fact	_____	_____
c. Written Decision	_____	_____

FINAL PLAN APPROVAL

11. 10 Copies of Application and
Accompanying Materials Received _____

12. Application Received Within 180
days of Preliminary Plan Approval _____

- | | | |
|--|-------|-------|
| 13. Fee Paid, if any (Amount \$_____) | _____ | _____ |
| 14. Agency Approvals Obtained, if so required | _____ | _____ |
| 15. Sewer User Units Allocated, if so required | _____ | _____ |
| 16. Solid Waste Disposal Plan, if so required | _____ | _____ |
| 17. a. Initial Presentation by Developer | _____ | _____ |
| b. Receipt Issued | _____ | _____ |
| 18. Application Complete | _____ | _____ |
| 19. a. Application Incomplete | _____ | _____ |
| b. Written List of Missing Items | _____ | _____ |
| 20. Public Hearing Held (if any) | _____ | _____ |
| 21. Performance Guarantee Terms and Conditions Approved by Planning Board (Amount Set \$_____) | _____ | _____ |
| 22. Technical Review Completed | _____ | _____ |
| 23. a. Decision Made | _____ | _____ |
| b. Written Findings of Fact | _____ | _____ |
| c. Written Decision | _____ | _____ |
| d. Final Plan Signed | _____ | _____ |
| 24. Performance Guarantee Filed with Town Manager | _____ | _____ |
| 25. Final Plan Released to Developer | _____ | _____ |
| 26. a. Final Plan Filed with Registry of Deeds within 90 Days of Approval | _____ | _____ |
| b. Plat Book No. ____ Page No. ____ | _____ | _____ |
| 27. Required Improvements Completed per Terms and Conditions of Performance Guarantee | _____ | _____ |
| 28. Performance Guarantee Released by Town Manager | _____ | _____ |

APPENDIX G
APPLICATION CHECKLIST
MINOR SUBDIVISION - FINAL PLAN REVIEW

Subdivision Name _____

Applicant Name _____

Owner Name _____

	Check When Satisfactory			Indicate Date When Satisfactory
	<u>Applicant</u>	<u>C.E.O.</u>	<u>Planning Bd.</u>	
1. 10 Copies of Final Plan and Accompanying Materials	_____	_____	_____	
2. Location Map	_____	_____	_____	
3. Name of Subdivision	_____	_____	_____	
4. Date	_____	_____	_____	
5. Scale	_____	_____	_____	
6. North Arrow	_____	_____	_____	
7. Topography (contour intervals)	_____	_____	_____	
8. Name of Owner	_____	_____	_____	
9. Name of Engineer, Land Surveyor, Architect or Planner	_____	_____	_____	
10. Name of Adjoining Property Owners or Subdivision	_____	_____	_____	
11. Dimensions and Bearings or Angles of All Property Boundary Lines	_____	_____	_____	
12. Name, Location and Width of Adjacent Streets	_____	_____	_____	
13. Location and Sizes of Existing Utilities and Width of Easements	_____	_____	_____	

- | | | | |
|---|-------|-------|-------|
| 14. Location and Size of Rock Outcrops, Streams, Swamps, Other Pertinent Features, Buildings, Trees, etc. | _____ | _____ | _____ |
| 15. Existing Deed Restrictions | _____ | _____ | _____ |
| 16. Zoning District | _____ | _____ | _____ |
| 17. Landscaping | _____ | _____ | _____ |
| 18. Erosion Control | _____ | _____ | _____ |
| 19. Street Lighting Standards | _____ | _____ | _____ |
| 20. Street Signs | _____ | _____ | _____ |
| 21. Water Supply System | _____ | _____ | _____ |
| 22. Fire Hydrants | _____ | _____ | _____ |
| 23. Sanitary Sewage System | _____ | _____ | _____ |
| 24. Dimensions and Area of Lots | _____ | _____ | _____ |
| 25. Soil Characteristics | _____ | _____ | _____ |
| 26. Location of Temporary Monuments | _____ | _____ | _____ |
| 27. Location of Permanent Monuments | _____ | _____ | _____ |
| 28. Location and Sizes of Proposed Utilities and Easements | _____ | _____ | _____ |
| 29. Location of Non-Utility Easements | _____ | _____ | _____ |
| 30. Proposed Restrictive Covenants | _____ | _____ | _____ |
| 31. Proposed Parks, Playgrounds and Other Public Areas | _____ | _____ | _____ |

TO THE APPLICANT:

If you are requesting a waiver from a particular requirement or you don't feel that the requirement is applicable to your proposed project, place an asterisk (*) in the space and explain your reasons in the space below or on attached sheets.

APPENDIX H
APPLICATION CHECKLIST
MAJOR SUBDIVISION - PRELIMINARY PLAN REVIEW

Subdivision Name _____

Applicant Name _____

Owner Name _____

	Check When Satisfactory	Indicate Date When Satisfactory	
	<u>Applicant</u>	<u>C.E.O.</u>	<u>Planning Bc</u>
1. 10 Copies of Final Plan and Accompanying Materials	_____	_____	_____
2. Location Map	_____	_____	_____
3. Name of Subdivision	_____	_____	_____
4. Date	_____	_____	_____
5. Scale	_____	_____	_____
6. North Arrow	_____	_____	_____
7. Topography (contour intervals)	_____	_____	_____
8. Name of Owner	_____	_____	_____
9. Name of Engineer, Land Surveyor, Architect or Planner	_____	_____	_____
10. Name of Adjoining Property Owners or Subdivision	_____	_____	_____
11. Dimensions and Bearings or Angles of All Property Boundary Lines	_____	_____	_____
12. Name, Location and Width of Adjacent Streets	_____	_____	_____
13. Location and Sizes of Existing Utilities and Width of Easements	_____	_____	_____
14. Location and Size of Rock Outcrops, Streams, Swamps, Other Pertinent Features, Buildings, Trees, etc.	_____	_____	_____
15. Existing Deed Restrictions	_____	_____	_____
16. Zoning District	_____	_____	_____

- 17. Proposed Street Layout(Conformity with Official Map and Comprehensive Plan) _____
- 18. Right-of-Way Location Width _____
- 19. Pavement Width _____
- 20. Street Names _____
- 21. Street Elevations _____
- 22. Street Grades _____
- 23. Sidewalks _____
- 24. Off-Street Parking (if applicable) _____
- 25. Storm Sewers, Catch Basins and Culverts _____
- 26. Landscaping _____
- 27. Erosion Control _____
- 28. Street Lighting Standards _____
- 29. Street Signs _____
- 30. Water Supply System _____
- 31. Fire Hydrants _____
- 32. Sanitary Sewage System _____
- 33. Dimensions and Area of Lots _____
- 34. Soil Characteristics _____
- 35. Location of Temporary Monuments _____
- 36. Location of Permanent Monuments _____
- 37. Location and Size of Proposed Utilities and Easements _____
- 38. Location of Non-Utility Easements _____
- 39. Proposed Restrictive Covenants _____
- 40. Proposed Parks, Playgrounds and Other Public Areas _____

TO THE APPLICANT: If you are requesting a waiver from a particular requirement or you don't feel that the requirement is applicable to your proposed project, place an asterisk (*) in the space and explain your reasons in the space below or on attached sheets.

APPENDIX I
APPLICATION CHECKLIST
MAJOR SUBDIVISION - FINAL PLAN REVIEW

Proposed Subdivision Name _____

Applicant Name _____

Owner Name _____

	Check When Satisfactory			Indicate Date When Satisfactory
	<u>Applicant</u>	<u>C.E.O.</u>	<u>Planning Bd.</u>	
1. 10 Copies of Final Plan and Accompanying Materials	_____	_____	_____	
2. Title	_____	_____	_____	
3. Scale	_____	_____	_____	
4. North Arrow	_____	_____	_____	
5. Date of Plan	_____	_____	_____	
6. Name, Address, and Signature of Owner	_____	_____	_____	
7. Name, Address, and Signature of Subdivider	_____	_____	_____	
8. Name, Address and Signature of Licensed Engineer, Land Surveyor, Architect or Planner	_____	_____	_____	
9. Names, of Adjoining Property Owners or Subdivisions	_____	_____	_____	
10. Check for Conformity with Preliminary Plan	_____	_____	_____	
11. Dimensions and Bearings of Property Being Subdivided	_____	_____	_____	
12. Location, Names and Widths of Existing and Proposed Streets	_____	_____	_____	

- | | | | |
|---|-------|-------|-------|
| 13. Location and Names of Existing and Proposed Parks, Playgrounds and Other Public Areas | _____ | _____ | _____ |
| 14. Lot Lines and Accurate Dimensions and Bearings or Angles | _____ | _____ | _____ |
| 15. Lot Areas | _____ | _____ | _____ |
| 16. Building Setback Lines | _____ | _____ | _____ |
| 17. Curve Data | _____ | _____ | _____ |
| 18. Location, Description and Size of All Monuments | _____ | _____ | _____ |
| 19. Certification by Agencies as Required | _____ | _____ | _____ |
| 20. Restrictive Covenants | _____ | _____ | _____ |
| 21. Street Plans and Profiles | _____ | _____ | _____ |
| 22. Typical Cross-Sections of Street Pavements Including Curbs and Gutters, Sidewalks, Manholes and Catch Basins | _____ | _____ | _____ |
| 23. Landscaping | _____ | _____ | _____ |
| 24. Plan and Profiles Showing Location, Size and Invert Elevations of Existing and Proposed Sanitary Sewers and Storm Sewers | _____ | _____ | _____ |
| 25. Plan and Profiles Showing Location and Size of All Water Lines, Gas Lines, and Other Underground Utilities and Structures | _____ | _____ | _____ |

TO THE APPLICANT:

If you are requesting a waiver from a particular requirement or you don't feel that the requirement is applicable to your proposed project, please place an asterisk (*) in the space and explain your reasons in the space below or on attached sheets.

APPENDIX J
APPLICATION COMPLETENESS FORM

Name of Proposed Subdivision/Project _____

Name of Applicant _____

Address of Applicant _____

Location of Property _____

No. of Proposed Lots or Units _____ Zoning District _____

RECEIVED MATERIALS:

_____ Application

_____ 10 Copies of plans and materials

_____ Copy of Application Checklist (completed by the applicant)

Have all application submission requirements been met? ___ Yes ___ No

APPLICATION COMPLETENESS:

_____ Application Determined to be Complete

_____ Application Determined to be Incomplete

ADDITIONAL MATERIALS REQUIRED TO MAKE APPLICATION COMPLETE

(If Application is Incomplete):

Date

Planning Board Chairman's Signature

APPENDIX K
NOTICE OF DECISION

TO: _____ DATE: _____

This is to advise you that the Planning Board has acted on your
Application/Request for: _____
as follows:

1. Findings of Fact: _____

2. Decision:
____ Approved as Submitted; _____ Approved, Subject to Below
Conditions; _____ Disapproved for Below Reasons; or _____ Other Action as
Noted Below:

Cumberland Planning Board
By: _____
Chairman

