

TOWN OF WATERBORO

Land Subdivision Regulations of Planning Board

ARTICLE I.

Under statutory power and authority granted to Planning Boards in accordance with 30 M. R. S. A., Chapter 454, Section 4956, the Waterboro Planning Board hereby adopts, in an official meeting convened on August 9, 1972, the following Land Subdivision Regulations of the Planning Board of the Town of Waterboro, Maine. The purpose of these Regulations 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.

ARTICLE II. - General Considerations

The Board shall consider the following criteria and before granting approval shall determine that the proposed subdivision:

- (A) Will not result in undue water or air pollution. In making this determination it shall at least consider: The elevation of land above sea level and its relation to the flood plains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; and the applicable State and local health and water resources regulations;
- (B) Has sufficient water available for the reasonably foreseeable needs of the subdivision;
- (C) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
- (D) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
- (E) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed;
- (F) Will provide for adequate solid and sewage waste disposal;
- (G) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized;
- (H) Will not place an unreasonable burden on the ability of the local governments to provide municipal or governmental services;
- (I) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable

natural areas;

- (J) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any; and
- (K) The subdivider has adequate financial and technical capacity to meet the above stated standards.
- (L) Whenever situated, in whole or in part, within 250 feet of any pond, lake, river or tidal waters, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water.

ARTICLE III. - Definitions

SUBDIVISION - A subdivision shall be the division of a tract or parcel of land into 3 or more lots for the purpose, immediate or future, of lease, sale, development or building, whether this division is accomplished by immediate platting of the land or by sale of the land by metes and bounds. The term subdivision shall include the subdivision of land for non-residential purposes, mobile home parks and the re-subdivision of land.

ALLEYS AND STREETS - The term "street" means a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place, or however otherwise designated.

- A. Primary streets and highways are those which are used primarily for fast and/or heavy traffic.
- B. Secondary streets are those which carry traffic from minor streets to a major system or arterial streets and highways, including the principal entrance streets of a residential development and streets for circulation within such a development.
- C. Neighborhood streets are those which are used primarily for access to the abutting properties.
- D. Summer roads are primarily for access to summer camps and cottages without winter maintenance.

ARTICLE IV. - Procedure

- A. The subdivider shall present a preliminary plan in accordance with data specified in ARTICLE V.
 - 1. The Planning Board shall inform the subdivider in writing within 30 days from the date of the next regular meeting of the Board after the data for preliminary plans have been submitted, that the plans and data as submitted, or as modified, do or do not meet the objectives

of these regulations. If the Board finds the plans and data do not meet the objectives of these regulations, it shall express its reason therefor.

2. Following the preliminary plan review, if the Board finds no modification or changes are necessary for conformity, the Board shall notify the sub-divider that final plans may be submitted as outlined in ARTICLE VI.
 - a. If modification or changes are required, the Board may require that revised preliminary plans must be resubmitted for consideration.

ARTICLE V. - Preliminary Plan Application

- A. A plan of the entire tract to be developed shall be prepared at a scale of one inch to 100 feet or larger, and shall show the following information:
 1. Deed description or survey of plat boundary.
 2. Subdivision name, north point, date, and scale.
 3. Name and address of record owner, subdivider, and proposed designer or surveyor or engineer.
 4. Location, names, and present widths of adjacent streets, rights-of way and existing easements.
 5. Every lot shall be identified by lot lines and number or name.
- B. With this plan, or upon this plan shall be prepared a preliminary plat, which shall show the following:
 1. Location and width of all proposed streets, other public ways, and existing or proposed easements within the plat.
 2. Proposed lot lines and approximate dimensions.
 3. Proposed drainage for the area covered by the plat and proposed sewage disposal for each lot.
 - a. Percolation test on each lot which is to be privately sewered is required before building permit is issued by Building Inspector.
 4. Proposed uses of property not included in development.
 5. Public areas proposed, if any.
- C. The Planning Board will meet with the developer and will examine the design of the subdivision in terms outlined in this section and in ARTICLES VI and VII following, and may give preliminary approval in terms of lot and street layout and drainage and sewerage to the plan developed from the meeting.

ARTICLE VI. - Final Plan

- A. Following preliminary approval of the Planning Board, the final plat may be prepared for approval and signing by the Board and recording.

- B. The final plat shall be clearly and legibly drawn in black India ink upon tracing cloth, on one or more sheets not exceeding 24" x 36" in size. The drawing shall be at a scale of one inch equals 60 feet or larger.
- C. An original plus two white background copies must be submitted to the Planning Board. The original will be returned after approval and signing.
- D. The final plat shall show:
 - 1. Subdivision name, north point, date, and scale.
 - 2. Name of record owner, and designer or surveyor or engineer.
 - 3. Accurate dimensions of exterior boundary lines.
 - 4. Location and names of abutting subdivisions and names of owners of abutting property if not subdivided.
 - 5. The streets, lots, reservations, easements, and areas to be dedicated to public use.
 - 6. Sufficient data to determine readily the location, angles, and length of every street line, and the length of every lot line and boundary line, in order to reproduce those items on the ground.
 - 7. The location of approved irons or monuments which are installed in the ground and labeled.
 - a. An approved iron or monument must be accurately placed at every corner, angle point, point of curve, and point of tangent.
- E. Approval of the final plat by the Board shall not be deemed an acceptance by the public or by the Town of the dedication of any street or other public way or grounds.
- F. The recording of the plat in the York County Registry of Deeds is the subdivider's or owner's responsibility and is required no later than six months after the date of its approval by the Planning Board. If such is not done, the subdivision must be resubmitted by the Planning Board for reconsideration.

ARTICLE VII. - General Requirements

- A. The Board in studying a plat, will take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention will be given to width, arrangement, and location of streets, drainage, lot sizes and arrangement. Adequate street connections may be required to insure free access to adjoining subdivisions, lands, remaining land of owner, and public works facilities.
- B. The subdivider shall observe the following:
 - 1. All streets which are a part of the main highway system shall be continuations of and in alignment with adjoining links in said system and at the same or greater width.

2. No street shall be less than 50 feet wide, except that on a through street a greater width is desirable.
 3. Streets shall intersect at as nearly right angles as is practicable.
 4. As far as practicable all proposed streets shall be continuous and in alignment with existing streets.
 5. Grades of all streets shall be at a reasonable minimum, but shall be not less than 0.5% nor more than 10% for main thoroughfares.
 6. Cul-de-sacs shall, in general, be of not more than 600 feet in length and shall have a suitable turn-around at the end. When a circle is used, it shall have a minimum radius of 50 feet.
 7. Streams, banks and low areas may be set aside for parks, playgrounds, or other open spaces.
 8. In general, the minimum block lengths shall be 400 feet and the maximum 1,200 feet. The blocks shall be sufficiently wide to accommodate two tiers of lots except next to exterior boundary lines or natural boundaries.
 9. In general, lot side lines shall be perpendicular to straight street lines.
 10. Buffer zones shall not be allowed which will interfere with streets and street lines.
 11. Road shall be constructed to State Aid Road specifications.
 12. A performance bond may be required for the proper construction of roads and streets and for subsequent road and street changes.
- C. If the developer has built a portion of the streets in his subdivision and wishes the remainder of the land to revert to acreage, a suitable turn-around will be required to be constructed and dedicated.
1. If extension of street is contemplated at some later date for which the Board may allow, the Board may require a suitable circle to be constructed as a temporary turn-around.
- D. All street names shown for proposed streets located in a subdivision shall be checked with the Town Clerk to assure that none are duplicates of any existing street names.
1. The engineering center line shall be indicated for all streets and roads, either on the plat or furnished to the Board in a separate document.
- E. VARIANCES:
1. A variation of the general requirements may be permitted when, in the opinion of the Board, topography or other consideration warrants such variation.

ARTICLE VIII. - Variances and Waivers

- A. Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these standards or where there are special circumstances of a particular Plan, it may vary these

standards so that substantial justice may be done and the public interest secure; provided that such variation will not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, or the Zoning Ordinance, where such exist.

- B. Where the Planning Board finds that, due to special circumstances of a particular Plan, the provision of certain required improvements is not requisite in the interest of public health, safety, and general welfare, or is inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions.
- C. In granting variances and modifications, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.

ARTICLE IX. - Appeals

- A. An appeal from a decision of the Planning Board may be taken to a General Board of Appeals if one has been established by the municipality in accordance with Title 30, M.R.S.A. Chapter 213, Section 2411, or to the Superior Court.

ARTICLE X. - Separability and Effective Date

- A. The invalidity of any provision of these standards shall not invalidate any other part.
- B. These standards shall take effect immediately on adoption of the same by the Planning Board or legislative body.