

5.2 SUBMISSIONS

To apply for preliminary subdivision approval, an applicant must submit a properly executed application form, 15 contact prints of the preliminary plan for examination by the Planning Board and other City officials, and 15 copies of the accompanying statements. The application shall be accompanied by a fee determined under the City's cost recovery ordinance. No review of the plans will begin until the fee has been received by the city. A preliminary plan submitted to the Board shall contain the following:

5.2.1 Location Plan Two location plans of the subdivision and neighboring areas within at least a 2000 foot radius at scales of 800 feet to the inch and 200 feet to the inch, showing right of way lines of all proposed streets in the subdivision and their location in relation to existing streets and readily identifiable as to locus on the Zoning Map of Saco, Maine, as most recently amended.

5.2.2 Preliminary Plan The preliminary plan must be a contact print of an original drawing in permanent black ink on mylar, or other reproducible, stable based transparent originals. It must be clearly designated as "preliminary plan," drawn at the scale not less than one inch equals 100 feet. Sheets shall be 24" by 36" and plans shall be prepared by an engineer, architect, landscape architect, or land surveyor registered in Maine. Surveyed plans shall be stamped and signed. If multiple sheets are used, they must be accompanied by an index sheet as a cover showing the entire subdivision. The preliminary plan shall contain the following information:

- (1) Subdivision name, boundaries, acreage, tax map and lot numbers, date and graphic scale, and a magnetic and true north arrow.
- (2) Name and address of record owner, subdivider, and engineer, surveyor, firm, and/or individual who prepared the plan.
- (3) An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a registered land surveyor.

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- (4) Boundary lines of adjacent land and names of owners as determined from most recent tax list.
- (5) Location, name, and present width of each street and public or private way bounding, approaching or within 500 feet of the subdivision, and any easements within or adjacent to the subdivision.
- (6) Locations and outlines of all existing buildings and significant site features such as stone walls, fences, large trees (24 inch diameter breast height) or wooded areas, rock ridges and outcroppings, cemeteries, water courses, wetlands and water bodies on the site. Wooded areas, watercourses, wetlands and water bodies within 200 feet of the site shall also be identified, when possible.
- (7) Topography with two-foot contours of existing and proposed grades to include the demarcation of wetlands, 100-year flood elevations, and flood hazard areas.
- (8) The location, direction, and length of every proposed street line, lot line and boundary line established on the ground, the location of temporary markers adequate to enable the Board to locate the layout in the field, and the names of proposed streets.
- (9) Lot lines with dimensions, zoning setback lines, and the area of each lot in square feet and acres, and lot numbers.
- (10) Locations of existing and proposed monuments, hydrants and the location and size of public utility facilities, sewers, culverts, drains, and water pipes.
- (11) Park, open, recreation, or common areas within a subdivision and a plan of any formal recreation area. (Amended 1/30/90)
- (12) A plan for the management of surface drainage waters, including existing waterways and the proposed disposition of water from proposed subdivision to new or existing subsurface drainage systems with sufficient capacity to dispose of the storm flows.

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- (13) Locations and species of proposed street trees and/or wooded areas to be retained within the sidelines of each street, and other no-cut areas.
- (14) Street plans and profiles showing the percent slope of each grade, and the radius, length, point of curvature and point of tangency of each curve.
- (15) Street plans and profiles showing proposed centerline grades and existing ground grades at fifty (50) foot stations. All existing and proposed elevations shall be based on the U.S.C. & G.S. Datum.
- (16) Location of all of the following proposed improvements unless specifically waived in writing by the Board: proposed monuments, parking areas, street lights, sidewalks, street signs, all utilities above and below ground, curbs, gutters, street trees, storm drainage, and all easements, service buildings and structures, and dumpsters. (Amended 1/30/90)
- (17) Erosion control plan showing the placement of all berms, silt fences, hay bales, sedimentation ponds and other erosion control devices, detention ponds, to the standards of the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," by the Cumberland County Soil and Water Conservation District and the Maine Department of Environmental Protection, latest revision. (Amended 10/26/93)
- (18) Areas within or adjacent to the proposed subdivision which have been identified as high or moderate value wildlife habitat by the Maine Department of Inland Fisheries and Wildlife or within the Comprehensive Plan. If any portion of the subdivision is located within an area designated as a critical natural area by the Comprehensive Plan or the Maine Natural Areas Program, the plan shall indicate appropriate measures for the preservation of the values which qualify the site for such designation.
- (19) The location of any identified historic and/or archaeological resources together with a description of such features. (Amended 10/30/01)

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5.2.3 Accompanying Statements and Data

The applicant shall submit with the preliminary plan 15 copies each of the following statements:

- (1) Verification of subdivider's legal right, title, or interest in the property (deed or purchase and sale agreement.)
- (2) A copy of the deed upon which the survey was based. A copy of all easements, covenants, and restrictions applying to the area proposed to be subdivided.
- (3) Proposed arrangements for water supply as required by the Biddeford Saco Water Company, and a letter from the water company stating that the water supply is adequate to serve the subdivision. If public water is not required and an on-site water supply is proposed, the developer must submit an explanation of why a public water supply is not feasible (See Section 10.17), and submit materials which will reasonably satisfy the Planning Board that each lot has the capability to support the well, the septic system, and a principal structure and will meet the minimum specifications of these standards, the Maine Rules Relating to Drinking Water (10-144 AC.M.R. 231) and all other pertinent State and local codes.
- (4) Proposed arrangements for storm drainage, with supporting data and design analysis, including plans and profiles showing location and size of drain lines and culverts, catch basins and manholes, and such other information as may be required to define the drainage provisions, stamped by an engineer registered in Maine, and an operating and maintenance plan for any detention basins.
- (5) A copy of that portion of the county Soil Survey covering the subdivision superimposed on a copy of the plan. When the medium intensity soil survey shows soils which are questionable for the uses proposed, the Planning Board may require the submittal of a high intensity soil survey.
- (6) An estimate of the amount and type of traffic to be generated daily

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and at peak hours. For developments involving 40 or more parking spaces or projected to generate more than 200 vehicle trips per day, a traffic impact analysis, prepared by a traffic engineer, shall be submitted. The analysis shall show, at a minimum, the expected average number of vehicle trips per day, peak-hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site, neighboring streets which may be affected, the intersection(s) nearest to the site and other intersections which may be affected, and recommended improvement to maintain the level of service on the road.

- (7) (A) The names, addresses and tax map and lot numbers of owners of record of adjacent property, including any property directly across an existing street from the subdivision, and (B) the names, addresses and tax map and lot numbers of owners of record of all property within 600 feet of the subdivision.
- (8) Description of how proposed open space will be owned and managed.
- (9) When sewage disposal is to be accomplished by subsurface disposal systems, test pit analyses prepared by a Licensed Site Evaluator shall be provided. A map showing the location of all test pits dug on the site shall be submitted. (The plumbing inspector must be notified before test pits are dug.)
- (10) Proof of financial and technical capacity as described in Article 8.7 and 8.8. (Amended 5/30/89)
- (11) A letter from the Biddeford Saco Water Company stating that it can serve the proposed development.
- (12) (Reserved) (Amended 10/26/93)
- (13) The anticipated amount of land to be covered by buildings and structures expressed in square feet and as a percentage of the site and lots.

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- (14) The anticipated amount of land to be covered by buildings, pavement, and other impervious coverage expressed in square feet, percentage of site, and percentage of lot.
- (15) If the project is subject to the stormwater quality standards of section 10.12.4, a stormwater quality management plan that includes the following:
 - a. A narrative describing how the site is oriented within the watershed, identifying downstream waterbodies including wetlands, and addressing the potential effects of site runoff. The narrative shall identify and discuss the stormwater treatment methods proposed to be used on the site.
 - b. A plan showing relevant existing contours, proposed contours, existing and proposed subwatersheds, proposed topographic features, and existing and proposed site features including buildings and other facilities, natural and manmade drainageways, streams, channels, culverts, catch basins, and stormwater treatment facilities. The plan shall include detail drawings of the stormwater Best Management Practices proposed to be used and the location of both structural and non-structural BMP's.
 - c. Calculations demonstrating that the proposed stormwater treatment facilities will meet the standards of Section 10.12.4.

A stormwater facilities management plan which sets forth the types and frequencies of proposed maintenance activities needed to maintain the efficiency of the stormwater treatment facilities and which identifies the party that will be responsible for carrying out each maintenance activity and for submitting the Annual Maintenance Report and the proposed institutional arrangements that will assure that all maintenance occurs as proposed. (Amended 10/30/01)

5.2.4 Community Facilities Impact Analysis

Proposed subdivisions of more than five lots or dwelling units, or commercial properties subject to subdivision review, shall conduct a

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community facilities impact analysis.

Demographic information shall be projected using the multipliers found in "The New Practitioner's Guide to Fiscal Impact Analysis," published by Center for Urban Policy Research, Rutgers University, available in the Planning Department. Alternative projections, based on local experience or other accepted methods, may supplement the required information.

The applicant shall submit the following information:

5.2.4.1 Demographic Description. For residential projects, the analysis must describe the demographic market the project is intended to serve, including:

- (1) Average family size, including number and ages of children.
- (2) Types and mix of dwelling units.
- (3) Projected selling price or rent per dwelling unit.
- (4) Anticipated time period to build and fill all lots or units.

Associated data, such as income levels, type and place of employment, and other demographic characteristics may also be presented. If transfers from existing city neighborhoods are expected, the secondary impacts shall be considered.

5.2.4.2 For all subdivisions with commercial uses the following data shall be provided.

- (1) Number of employees, shifts, and period of operation
- (2) Where retail business is concerned, anticipated trade area, trade area population description and desired customer mix;
- (3) Area of operating space, seating capacity, rooms, beds, or other appropriate measure of intensity of use.
- (4) Where waste production is involved, description of type, volume, and method of removal.

5.2.4.3 Community Facilities Impact Analysis

Utilizing the data in 5.2.4.1 and 5.2.4.2 above, the applicant shall conduct an analysis of the following:

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- (1) Estimated costs and impacts on sewage disposal system, including assessment of capacity and ability to accept particular types of flowage. (Use 280 gallons per household per day.)
- (2) Estimated costs and impacts on the water system, including flow estimates, impact on capacity and assessment of existing or potential water pressure.
- (3) Estimated costs and impacts on police and fire protection services. Include estimates of capital equipment requirements and response time. (Calculate police staffing at one officer per 1,000 population.)
- (4) Estimated costs and impacts on the school system. (Calculate cost of most recently added classroom divided by 25 times the number of children anticipated in the subdivision.)
- (5) Estimated costs and impacts on the recreation resources and provisions to meet proposed needs;
- (6) Estimated impact on public works department, including solid waste disposal and snow removal. (For solid waste, use .5 tons per capita per year. For plowing multiply road mileage times current costs per mile of plowing contracts.)
- (7) Estimated annual tax revenues from completed project and during each year of the construction phase. (Estimate of assessed value times estimate of tax rate.)

5.2.5 Additional Review

Before approving the preliminary plan, the Board or its agent will refer it to the following department or boards for their review, and will obtain written statements, when possible, from each as to the adequacy of the proposed improvements.

- (1) City Engineer, as to the design of the street system, the drainage system, the sewer system(s), and the water distribution system, the location of easements, and the provisions for the health and safety of the future inhabitants and the public, and the review of any other engineering and survey information in the plan;
- (2) The Department of Public Works for further engineering review and for the impact on sewers, roads, trash collection, and other services performed by that department.

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- (3) The Fire Chief as to impact on fire protection and other matters of public safety;
- (4) The Police Chief as to impact on police protection and other matters of public safety.
- (5) The Treatment Plant Superintendent as to the capacity of the plant, force mains, and pump stations.
- (6) The Parks and Recreation Department for review of proposed recreation and open space, and review of landscaping and tree planting plans.
- (7) The Code Enforcement Officer for conformance with the plumbing code, Saco Zoning Ordinance and other city ordinances, and applicable state and federal laws. When the code enforcement officer reports in writing that a plan or a portion of a plan does not conform with the zoning ordinance, the Planning Board shall not approve the plan unless the code enforcement officer's decision is reversed or modified by the Zoning Board of Appeals or the Courts.
- (8) The Conservation Commission as to the impact of the subdivision on any wetland areas, shoreland areas, or floodplains and on the City's open space program, and any other pertinent environmental matters;
- (9) The Historic Preservation Commission, if the development is in a historic district or may have an impact on buildings of historic significance.

5.2.6 Additional Professional Services

The Board may obtain or require the applicant to obtain at his or her expense such additional professional engineering or other technical advice as it deems necessary or desirable in order for it to complete its review of the plan.

5.2.7 Supplemental Submission Requirements for Mobile Home Parks (Amended 1/30/90). In addition to the materials required to be submitted above, the following additional information shall be submitted to the

8.7 FINANCIAL CAPACITY TO MEET SUBDIVISION REGULATIONS
(Amended 5/30/89)

8.7.1 Submissions. Applications for preliminary subdivision approval shall include evidence that affirmatively demonstrates that the developer has the financial capacity to undertake the proposed development, including the following information:

8.7.1.1 Accurate and complete cost estimates of the development; and

8.7.1.2 The time schedule for construction; and

8.7.1.3 One of the following three items:

- a. A letter from a financial institution, governmental agency, or other funding agency indicating a commitment to provide a specified amount of funds and the purposes for which the funds may be utilized; or
- b. In cases where funding is required but there can be no commitment of money until approvals are received, a letter of "intent to fund" from the appropriate funding institution indicating the amount of funds and their specified uses.
- c. Copies of bank statements or other evidence indicating availability of funds when the developer will personally finance the development.

8.7.1.4 Any other information deemed relevant by the Planning

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Board for the specific project.

8.7.2 Scope of Review. In determining whether the developer has the financial capacity to meet all subdivision standards, the Board shall consider all relevant evidence to the effect that the developer is able to construct, operate, and maintain all aspects of the development.

8.7.3 Approval. The Board shall not approve any plan if the applicant has not proven the financial capacity to undertake it.

8.7.4 Terms and Conditions. The Board may, as a term or condition of approval, establish any reasonable requirement to ensure that the developer has the financial capacity to meet the subdivision regulations, including but not limited to requiring a financial guarantee or deed restriction as outlined in Article 8.

8.8 TECHNICAL ABILITY TO MEET SUBDIVISION REGULATIONS
(Amended 5/30/89)

8.8.1 Submissions. Applications for approval of a proposed development shall include evidence that affirmatively demonstrates that the developer has the technical ability to undertake the proposed development, including the following information:

8.8.1.1 A statement of the developer's prior experience or appropriate training, relating to the nature of the proposed development.

8.8.1.2 A description of the training, qualifications and capabilities of the general contractor who will be employed to build the project and of the engineers and other professionals who will design it.

8.8.1.3 The names and locations of all projects in Saco during the last 10 years.

8.8.1.4 The names and locations of all projects elsewhere in the last five years.

8.8.1.5 Information concerning all previous violations of local, state,

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federal land use, environmental, and building laws, ordinances, and regulations.

8.8.1.6 Any other information deemed relevant by the Planning Board for the specific project.

8.8.2 Scope of Review. In determining whether the developer has the technical ability to meet these standards, the Board shall consider all relevant evidence to that effect, including:

8.8.2.1 Evidence regarding the developer's prior conduct as a measure of willingness to meet all terms and conditions of approval established by the Board. As evidence the Board shall consider:

- a. A history of violations of local, state, or federal land use, environmental, and building laws, ordinances and regulations; and
- b. A history of incomplete or poorly completed developments.

8.8.2.2 Evidence that the general contractor is capable of properly installing and maintaining roads, drains, sewers, septic systems, erosion and sedimentation controls, and all other aspects of the approved plan, particularly if a large or complex development is to be undertaken. (This submission requirement and 8.8.2.3 may be submitted at final plan if the general contractor is not known at the time of preliminary submission.)

8.8.2.3 Evidence that, even if the applicant's technical personnel have never before constructed a development like the one proposed, competent engineering and field operational personnel will be available and can adapt their training and experience to accomplish the required tasks.

8.8.3 Approval. The Board shall not approve any plan if the applicant has not proven the technical capacity to undertake it.

8.8.4 Terms and Conditions. The Board may, as a term or condition of

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approval, establish any reasonable requirement to ensure that the developer has the technical ability to meet the standards of these subdivision regulations. When the development is of substantial size and/or of a complex nature, the Board may require the provision of an independent consultant to conduct on-site inspection at the developer's expense to ensure proper execution of plans as approved, including any conditions imposed by the Board, or may require other reasonable measures to assure technical compliance. If after approval the general contractor or professionals designing the project are changed, the subdivider must seek approval from the Planning Board under these standards.