

ARTICLE 3
DEFINITIONS

3.1 In general, words and terms in these standards shall have their customary dictionary meanings. Any words defined in the Zoning Ordinance shall apply to this document, "Subdivision Regulations of the City of Saco, Maine"; and further, if the word is defined in both documents, the more restrictive definition shall apply. More specifically, certain words and terms used herein are defined as follows:

Adjacent Lot Lots which adjoin at any point, or are separated at any point by a body of water less than 40 feet-wide.

Agent of the Planning Board The city planner(s) or other persons designated by the City to perform administrative functions for the Planning Board.

Board The Saco Planning Board.

Buffer Vegetation, fences, and other means used to form a visual separation of one use from another, or to shield or block noise, lights, or other nuisances. Buffer strips may be required to include, but are not limited to, berms, fences, trees, shrubs or other material, as required by the governing section of these standards, by the board, or by the zoning ordinance.

Building Inspector The building inspector of the city of Saco.

City Engineer The person or firm employed or retained by the city to review plans, specifications, and other engineering data.

Complete Application An application shall be considered complete upon the Planning Board's decision that all information required by these regulations has been submitted and the required fee under the city's cost recovery ordinance has been submitted. When the Planning Board votes that the application is complete, if the required fee has been submitted, the Board shall issue a receipt to the applicant.

Comprehensive Plan Any part or element of the over-all plan or policy for development of the City as defined in Title 30 M.R.S.A. Chapter 239, Section 4961.

Community Septic System: A subsurface septic system which is not administered by the City of Saco, and which serves more than two dwelling units. (Amended 1/10/89)

Director of Public Works The director of the city's public works department or other person designated by the City.

Disturbed Area All land areas that are stripped, graded, or grubbed at any time during the site preparation for, or construction of, a project unless the areas are returned to a condition with the same drainage patterns and vegetative cover type that existed prior to the disturbance. Both planting conducted to restore the previous cover type and restoration of any altered drainage patterns must occur within one year of disturbance. (Amended 10/30/01)

Developed Area Any area on which a site improvement or change is made, including, but not limited to, buildings, landscaping, parking areas, streets, etc.

Family One or more persons occupying a premise and living as a single housekeeping unit, as distinguished from a group occupying a boarding house or hotel. Such unit shall not exceed five persons not related by blood or marriage.

Final Subdivision Plan The final drawings on which the applicant's plan of subdivision is presented to the Board for approval and which, if approved, may be recorded at the Registry of Deeds.

Frontage The linear distance of the line separating a lot from a publicly or privately maintained thoroughfare open to the public, but not including private driveways.

Impervious Area The area that is or will be covered by: 1) buildings and associated constructed facilities, 2) a low-permeability material such as asphalt or

concrete, and/or 3) gravel roads and parking areas that will be compacted through use or design so as to reduce their permeability. Common impervious areas include, by way of example, rooftops, walkways, patios, driveways, parking lots, storage areas, concrete or asphalt paving, compacted gravel, packed earthen materials, macadam, and other surfaces that impede the natural infiltration of stormwater. (Amended 10/30/01)

100 Year Flood The highest level of flood that, on the average, is likely to occur once every 100 years (i.e. that has a one percent chance of occurring in any year).

Normal High Water Elevation of Coastal Waters The elevations at which vegetation changes from predominantly salt tolerant to predominantly non-salt tolerant, by way of illustration, salt tolerant vegetation includes, but is not limited to: salt marsh grass, salt meadow hay, black arrow grass, seaside lavender, silverweed, salt marsh bulrush, seaside plantain, orach, salt marsh sedge, and salt marsh aster. In places where vegetation is not present, the high water elevation shall be the identifiable debris line left by non-storm tidal action. On a sand dune, the high water elevation shall be the mean seaward limit of salt tolerant vegetation.

Normal High Water Elevation of Inland Waters The line on the shores or banks of non-tidal waters which is apparent because of the contiguous different character of the soil or the vegetation due to the prolonged action of the water. Relative to vegetation, it is the line where the vegetation changes from predominantly terrestrial to predominantly aquatic (by way of illustration, aquatic vegetation includes but is not limited to the following plants and plant groups: water lily, pond lily, pickerelweed, cattail, wild rice, sedges, rushes, and marsh grasses; and terrestrial vegetation includes but is not limited to the following plants and plant groups: upland grasses, aster, lady slipper, wintergreen, partridge berry, sarsaparilla, pines, cedars, oaks, ashes, alders, elms, and maples.) In places where a shore or bank is of such character that the high water mark cannot be easily determined, the normal high water elevation shall be estimated from places where it can be determined by the above method.

High Intensity Soil Survey A map prepared by a Certified Soil Scientist, identifying the soil types down to 1/8 acre or less at a scale equivalent to the

subdivision plan submitted. The soils shall be identified in accordance with the National Cooperative Soil Survey. The map shall show the location of all test pits used to identify the soils, and shall be accompanied by a log of each sample point identifying the textural classification and the depth to seasonal high water table or bedrock at that point. Single soil test pits and their evaluation for suitability for subsurface wastewater disposal systems shall not be considered to constitute high intensity soil surveys.

Industrial Park or Development An area zoned and planned for varied industrial uses and developed and managed as a unit, usually with provision for common services for the users.

Official Submittal Date The date upon which the Board issues a receipt indicating that a complete application has been submitted.

Performance Guarantee Funds set aside by the applicant in an amount sufficient to cover any costs incurred by the city, its agents, or contractors to complete the improvements required by the Planning Board. The performance guarantee may be in the following forms: performance bond; irrevocable letter of credit; deposits in the name of the city and the applicant, held by the city; deposits in the joint name of the applicant and the city, held by a third party in conformance with a tri-party agreement. A performance guarantee may also take the form of a record covenant with the city to prohibit the sale of lots until roads are complete.

Person Includes a firm, association, organization, partnership, trust, company, or corporation, as well as an individual.

Planning Board The Planning Board of the City of Saco created under Title 30, M.R.S.A. Section 4964.

Preapplication The period before a formal subdivision application is filed. A sketch plan may be submitted for staff and Planning Board comment during this period.

Preliminary Subdivision Plan The preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Board for its

consideration.

Recording Plan A copy of the Final Plan recorded in the registry of deeds which need not show information not relevant to the transfer of interest in the property, such as sewer and water line locations and sizes, culverts, and building lines.

Resubdivision The division of an existing subdivision or any change in the plan for an approved subdivision which affects the lot lines, including land transactions by the subdivider not indicated on the approved plan.

Sketch Plan A conceptual plan for a subdivision prepared and submitted as part of the pre-application process.

Solar Collector A device, or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy and that contributes significantly to a building's energy supply.

Solar energy system A complete design or assembly consisting of solar energy collector, an energy storage facility (where used), and components for a distribution of transformed energy.

Stormwater Best Management Practices (BMP'S) Methods, techniques, designs, practices, and other means to control the quality and quantity of stormwater that are approved by the Maine Department of Environmental Protection. Stormwater BMP'S are identified in "Stormwater Management in Maine: Best management Practices" which is published periodically by the Maine Department of Environmental Protection. (Amended 10/30/01)

Street Such public or private ways as, but not limited to, alleys, avenues, boulevards, highways, roads and streets.

Subdivision Subdivision shall be defined as in the state subdivision law.

Tract or Parcel of Land For the purposes of these regulations, a tract or parcel of land is defined as all contiguous land in the same ownership, whether or not the

tract is separated at any point by: (1) intermittent or non-navigable stream, (2) tidal waters where there is no flow at low tide, or (3) a private road.

Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification wetlands must have all of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes; (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.