

ARTICLE 5
PRELIMINARY PLAN

5.1 PROCEDURE

The subdivider shall submit to the Planning Board's agent a completed application form, a preliminary plan and accompanying statement incorporating all requirements in "submissions" below, and the appropriate fee under the city's cost recovery ordinance at least three weeks before a regularly scheduled meeting of the Planning Board (See appendix for cost recovery ordinance).

5.1.1 The fee shall be set aside by the city to cover the costs of reviewing the subdivision and shall be replenished in accordance with the ordinance as it is drawn down during the review. The funds may be used to hire independent consulting services to review portions of the application. The fee shall also be used for the costs of advertising and postal notification of public hearings, and any other costs directly related to the city's review and inspection of the subdivision.

5.1.2 The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to present the Preliminary Plan.

5.1.3 Upon receiving an application and the fee required under the city's cost recovery ordinance, the Planning Board shall issue to the applicant a dated receipt. Within 30 days from receipt of an application, the Planning Board shall notify the applicant in writing either that the application is a complete application or, if the application is incomplete, the specific additional material needed to make a complete application. After the Planning Board has determined that a complete application has been filed, it shall notify the applicant and begin its full evaluation of the proposed subdivision. The review may begin at the meeting in which the application is declared complete.

5.1.4 The Board may schedule a site walk at the time of the determination of complete application or at any other time.

5.1.5 In order to receive public comment about the plan, the Board shall hold a public hearing on the Preliminary Plan application within 35 days of the determination of the receipt of a completed application, and shall publish the place, date, and time of the hearing in a newspaper of general circulation at least twice, the date of the first publication to be at least seven days before

the hearing. Property owners within 600 feet of the tract shall be notified by mail at the expense of the applicant.

5.1.6 The Board shall, within 30 days of a public hearing, or within 60 days of receipt of a complete application, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Board and the subdivider, make findings of facts on the application, and approve, approve with conditions, or deny the preliminary plan. The board shall specify in its finding of facts the reasons for any conditions or denial.

5.1.7 When granting approval to a Preliminary Plan, the Planning Board shall state the conditions of such approval, if any, with respect to: (1) the specific changes which it will require in the Final Plan; (2) the character and extent of the required improvements for which waivers may have been requested and which in its opinion may be waived without jeopardy to the public health, safety, and general welfare.

5.1.8 Approval of a Preliminary Plan shall not constitute approval of the Final Plan, but rather it shall be deemed an expression of approval of the design of the Preliminary Plan as a guide to the preparation of the Final Plan. Prior to approval of the Final Plan, the Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information.

5.1.9 If no state or federal permits, licenses, or approvals are needed, the Final Plan shall be submitted within six months of the approval of the preliminary plan. The Preliminary Plan shall be null and void if the Final Plan is not submitted within six months. However, an applicant may petition the Board to extend the approval of the Preliminary Plan for a reasonable length of time, not to exceed six months, in each instance.

5.1.10 If the plan requires state or federal permits, licenses or approvals and the applicant has diligently pursued the federal and state permits, the preliminary approval is valid for 12 months. Upon petition by the applicant, the Planning Board may extend the term of the preliminary plan approval for a reasonable length of time, not to exceed six months, in each instance.

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 plan shall also be submitted electronically, via e-mail, with individual plan sheets submitted as individual PDF documents.

The preliminary plan shall be prepared using the following standards:

- a. Plan units; decimal feet, NAD83, Maine State Plane West, vertical datum NAVD1988
- b. Georeferencing; drawing features should be tied into state plane coordinates
- c. Rotation of grid north maintained. Plan data should not be "rotated" in any way which might compromise data coordinate integrity. (Alternately, a 'dview, twist' or similar CAD display operation will allow for convenient plotting/layout fitting while still properly maintaining spatial reference.)
- d. Coordinates shall be shown on at least four corners of the plan. Coordinates shall be referenced to the Maine State Coordinate System. (Amended 11-18-08; 12/16/08)

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.
- (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.
- (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)

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 and at peak hours. For developments involving 40 or more parking spaces or projected to generate more than 200 one-way vehicle trips per day (20 single family homes), a traffic impact analysis, prepared by a licensed professional engineer with experience in traffic engineering, shall be submitted. The study area should extend, at a minimum, to intersections where traffic attributable to the subdivision equals or exceeds 35 vehicles in a lane in a peak hour.

The analysis shall show, at a minimum, (1) the projected average number of one-way vehicle trips per day, (2) projected peak-hour volumes, (3) access conditions at the site, (4) distribution of site traffic and types of vehicles expected. The analysis shall also include an (5) accident review, (6) effect upon the level of service of the study area intersections, (7) the level of service for the site drives, and (8) recommended improvement to maintain the level of service on the road. (Amended 9/4/07)

- (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.
- (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 Reserved. (Amended 9/21/04)

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.
- (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 Planning Board:

- (1) For mobile home parks of 10 or more units, a site plan prepared by a landscape architect shall be submitted.
- (2) A copy of the proposed park rules and regulations.

