

Subdivision Regulations

ARTICLE 1
PURPOSE
(Amended 2/27/01)

1.1 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. To this end in approving subdivisions within the City of Saco Maine, or when adopting or amending these subdivision regulations, the Planning Board shall consider the following criteria and before granting approval, must determine that:

1.1.1 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;

1.1.2 Sufficient water. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the subdivision;

1.1.3 Municipal water supply. The proposed subdivision will not cause an unreasonable burden on an existing water supply, if one is to be used;

1.1.4 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;

1.1.5 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;

1.1.6 Sewage disposal. The proposed subdivision will provide for adequate

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sewage waste disposal and will not cause an unreasonable burden on municipal services if they are utilized;

1.1.7 Municipal solid waste disposal. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste, if municipal services are to be utilized;

1.1.8 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;

1.1.9 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;

1.1.10 Financial and technical capacity. The subdivider has adequate financial and technical capacity to meet the standards of this section;

1.1.11 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 that 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, 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 provisions of this paragraph do not apply

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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 met the definitional requirements of section 4401, subsection 1, on September 23, 1983;

1.1.12 Ground water. The proposed subdivision will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water;

1.1.13 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;

1.1.14 Freshwater wetlands. All freshwater wetlands 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;

1.1.15 River, stream or brook. Any river, stream or brook within or abutting the proposed subdivision has been identified on any maps submitted as 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;

1.1.16 Storm water. The proposed subdivision will provide for adequate storm water management;

1.1.17 Spaghetti-lots prohibited. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, great pond or coastal wetland as these features are defined in Title 38, section 480-B, none of the lots

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created within the subdivision have a lot depth to shore frontage ratio greater than 5 to 1;

1.1.18 Lake phosphorus concentration. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision; and

1.1.19 Impact on adjoining municipality. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.

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ARTICLE 2
AUTHORITY AND ADMINISTRATION

2.1 AUTHORITY

2.1.1 These standards have been prepared in accordance with the provisions of Title 30 M.R.S.A., Section 4956, Subsection 3.

2.1.2 These standards shall be known and may be cited as "Subdivision Regulations of the City of Saco, Maine," and are referred to herein as "these regulations."

2.2 ADMINISTRATION

2.2.1 The Planning Board of the City of Saco, hereinafter called the Board, shall administer these regulations.

2.2.2 The provisions of these regulations shall pertain to all the land proposed for subdivision as defined in Title 30 M.R.S.A., Section 4956, Subsection 1, within the boundaries of the City of Saco. These regulations may also be applicable when cited by reference in other city regulations and ordinances.

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.

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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,

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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

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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

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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)

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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.

ARTICLE 4 PREAPPLICATION-OPTIONAL

4.1 PROCEDURE

At the request of an applicant, prior to the submission of a plan for preliminary subdivision review, the Planning Board may hold a preapplication workshop to discuss the lot layout, road design, and the format, procedures and process of subdivision review. The preapplication meeting shall not be considered as the commencement of the regular subdivision review process. A plan viewed in preapplication workshop is not considered complete or pending and creates no vested rights for the subdivision review process. The submittal of the preapplication 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., Subsection 302.

4.1.1 The Planning Board or its agent shall schedule a workshop on the preapplication. The Planning Board may schedule an on-site inspection.

4.1.2 At the workshop the applicant shall introduce the sketch plan. Planning Board members may ask questions of the applicant and make comments

about the plan and applicable sections of these standards and other applicable city ordinances. The Board chairman may allow comments and questions from the public. The Planning Board may schedule an on-site inspection, if necessary. The applicant shall place flagging at the centerline of any of the proposed streets and the approximate intersections of the street centerline prior to on site inspection.

4.1.3 Within 30 days the Planning Board may make specific suggestions which may be incorporated by the applicant in subsequent submissions. Comments are advisory in nature and at this stage not binding on the applicant or the Board. If a preliminary plan is not submitted within six months, Planning Board comments are assumed to be no longer applicable, and a new preapplication workshop may be recommended.

4.2 SUBMISSIONS

At the time of the preapplication filing, the subdivider shall submit 10 copies of a Sketch Plan and 10 copies of a written narrative containing other data relative to the proposed subdivision including a completed application form. The applicant will also deposit with the city a fee as required by the city's cost recovery ordinance. No review of the plans will begin until the fee has been deposited with the city.

4.2.1 The sketch plan must be clearly designated as "sketch plan", drawn at the scale of one inch equals 100 feet or greater. Sheet sizes shall be 24" by 36". If multiple sheets are used, they must be accompanied by an index sheet showing the entire subdivision.

The sketch plan shall contain the following information:

- (1) Subdivision name, boundaries, acreage, tax map and lot numbers, magnetic and true north point, date and graphic scale.
- (2) Location Plan--A location plan of the subdivision, at a scale of 2000 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 Saco Zoning Map.
- (3) Name and address of record owner, subdivider, and engineer,

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surveyor, firm, or individual who prepared the plan.

- (4) Existing and proposed lines of streets, ways, easements, lots, and any public or common areas within the subdivision.
- (5) Location, name, and present width of each street and public or private way bounding or within 500 feet of the subdivision.
- (6) Approximate locations of existing buildings and site features such as wooded areas, wetlands, and water bodies within or adjacent to the proposed subdivision.

4.2.2 Accompanying Statements and Data

The applicant shall submit with the sketch plan 10 copies of the following statements:

- (1) Proof of legal interest in the property (deed or purchase and sale agreement).
- (2) Any easements, covenants, and restrictions applying to the area proposed to be subdivided.
- (3) Proposed arrangements for water supply.
- (4) Proposed arrangements for sewers.
- (5) General description of the uses proposed for the subdivision, including number and type of dwelling units, businesses, and other uses.
- (6) Names and addresses of abutters.

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

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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

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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

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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)

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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.

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- (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)

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- (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

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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.

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- (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.

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- (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.

ARTICLE 6
FINAL PLAN

6.1 PROCEDURE

The subdivider shall, within six months after the preliminary approval of the Preliminary Plan, file with the Planning Board an application for approval of the Final Subdivision Plan in the form described herein. If the Final Plan is not submitted to the Planning Board within six months after the approval of the Preliminary Plan, the Planning Board may refuse without prejudice to act on the Final Plan and require resubmission of the Preliminary Plan. The Planning Board may extend the preliminary approval in conformance with paragraphs 5.1.10 or 5.1.11.

6.1.1 The subdivider shall submit a completed application form, a final 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.

6.1.2 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.

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

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

6.1.5 In order to receive public comment on the plan, the Board shall hold a public hearing on the Final Plan application within 30 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 prior to the hearing. Landowners within 600 feet of the property shall be notified by mail at the expense of the applicant.

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6.1.6 The Board, within thirty days from the public hearing or within sixty days of receiving a complete application, if no hearing is held, shall make findings of fact, and conclusions relative to the standards contained in Title 30, MRSA 4956, subsection 3 and in these regulations. If the Board finds that all standards of the Statute and these regulations have been met, it shall approve the Final Plan. If the Board finds that any of the standards of the Statute or these regulations have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the subdivision. The reasons for disapproval or for any conditions shall be stated in the records of the Board.

6.1.7 Failure of the Planning Board to act within such a period shall constitute disapproval of the Final Plan.

6.2 The Final Plan shall include all of the information presented with the Preliminary Plan and any amendments thereto suggested or required by the Board, and:

6.2.1 The metes and bounds of all lot lines.

6.2.2 Lots and blocks within the subdivision numbered in accordance with local practices.

6.2.3 The location of permanent reference monuments. They shall be constructed in accordance with specifications herein and their location noted and referenced upon the Final Plan.

6.2.4 Written offers of cession to the City of all 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, and written evidence that the City Attorney is satisfied with the legal sufficiency of the documents. Such written evidence shall not constitute an acceptance by the City of any public open space.

6.2.5 With submittal of the Final Plan application, proof of the following approvals shall be submitted in writing, where applicable:

Maine Department of Environmental Protection, under the Site Location

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of Development Act and/or the Natural Resource Protection Act, or a Wastewater Discharge License, if needed.

Maine Department of Human Services, if the subdivider proposes to provide a central water supply system.

Maine Department of Human Services, if a centralized or shared subsurface sewage disposal system(s) is to be utilized.

Maine Department of Transportation, if a Traffic Movement Permit is required.

The Army Corps of Engineers, under the Harbor Act or Sec. 404 of the Clean Water Act.

If individual wells serving each building site are to be used, the Board may also require the subdivider to submit the results of water quality tests. (Amended 2/20/07)

6.2.6 The final plan shall be submitted in digital format as a single composite electronic file. The plan may be submitted on a floppy disc, CD-ROM, via e-mail, or other format acceptable to the City Planner, and shall be compatible with commonly used CAD and/or GIS software. The following standards shall be followed:

- 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.
- e. Submission of digital data may be waived for subdivisions of limited scope with the recommendation of the City Engineer. (Amended 9/21/04; 12/16/08)

6.3 FINAL APPROVAL AND FILING

When a plan is approved by the vote of the Board, it shall be properly signed by a majority of the members of the Board and then filed with the York County Registry of Deeds. Any Subdivision Plan not so filed or recorded within ninety (90) days of the date upon which such Plan is approved and signed by the Planning Board as herein provided shall become null and void, unless the particular circumstances of said applicant warrant the Planning Board to grant an extension which shall not exceed two additional periods of ninety (90) days each. No variation from or modification of the approved plan shall be allowed unless first reviewed by the Planning Board and approved as an amendment to the originally approved plan. Three paper copies and one reproducible copy shall also be signed by the Board and maintained in city records. (Amended 1/30/90)

6.4 PLAN REVISIONS AFTER APPROVAL

No changes, erasure, 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 Plan, unless the Plan is first re-submitted and the Planning Board approves any modifications. No variation from or modification of the approved plan shall be allowed unless first reviewed by the Planning Board and approved as an amendment to the originally approved plan. Any Final Plan recorded without complying with this requirement shall be considered null and void, and the Board shall file a notice at the Registry. Procedures for revisions are outlined in Article 7. (Amended 1/30/90)

6.5 A note shall be placed on all plans indicating that the failure to commence substantial construction of the subdivision within two years of the date of approval and signing of the Plan shall render the plan null and void. For subdivisions which include roads, "substantial construction" shall mean the completion of the road base. For subdivisions without roads the completion of one unit and the issuance of an occupancy permit shall constitute "substantial construction." Before the two years expires, an owner of a subdivision may apply to the Board for a two-year extension of the approval of a subdivision if he has not met the conditions of this paragraph. The Board may require that the subdivision meet any new regulations or ordinances.

Completion. All road and infrastructure construction shall be completed per the approved plan no later than thirty-six (36) months after the posting of the financial guarantee as described in Article 8 of these Regulations. After that date, the developer shall be considered to be in default, and the City at its discretion shall have access to

the funds to finish construction. All roads and infrastructure intended for City acceptance shall be offered to the City as outlined in Section 11.25 of these Regulations and in Section 186-37 of City Code within ninety (90) days after the end of said 36 month period.

Prior to the end of said 36 month period, an owner of a subdivision may apply to the Board for a single one-year extension of the completion requirement. The extension request shall include verification that the existing financial guarantee is sufficient to guarantee completion of the subdivision. The Board may require an increase of the financial guarantee if warranted by changing economic or other circumstances, but in no case shall the amount of the financial guarantee exceed 150% of the cost of remaining improvements. The extension request may be granted if the applicant can demonstrate to the Board's satisfaction why completion cannot occur within 36 months of the posting of the financial guarantee.

Phased Projects. If a phased subdivision, then each phase shall be completed and offered to the City for acceptance as stated in the preceding paragraph prior to the start of the next phase. Deviation from this sequence shall only be allowed subject to a written agreement between the developer, the Planning Office, and the Department of Public Works. (Amended 9/2/08)

6.6 IMPROVEMENTS BEFORE HOUSE CONSTRUCTION AND PHASING (Amended 2/13/01)

Before building permits can be issued in new residential subdivisions, certain infrastructure and other improvements shall be constructed, inspected, and be suitable for immediate use or be satisfactorily operating. It is the intent of this article to define generally the improvements required and the degree of completion required. In general, all underground utilities must be complete and the roadway must be constructed to and including the binder course of pavement. Improvements required in easements may also be included. Certain clearing, grading, rock excavation or blasting and landscaping improvements for future building lots or common areas may be required. It is not the intent of this article to specifically identify all the improvements required. It is recognized that each subdivision is unique and may have specific requirements. The Planning Board or the City Planner may identify specific improvements to be completed that are not specifically included in the subsequent general list. These provisions apply to any residential subdivision for which construction of the improvements has not yet begun and where improvements are to be

offered for public acceptance.

6.6.1 Building permits will not be issued for any phase of the development until such time as all applicable inspections are complete and written notification is received by the City Planner from all applicable City departments and agents. At that time, the City Planner will give written notice to the Code Enforcement Officer that building permits may be issued and will list the lots or sections approved.

6.6.2 These provisions should not be construed as prohibiting the developer from selling lots or entering into contracts for construction of dwellings, providing these provisions governing construction and building permits are disclosed to the buyer in writing.

6.6.3 In general, the following improvements, if applicable, must be satisfactorily complete prior to the issuance of building permits:

6.6.3.1 Sanitary sewer system including main sewer, manholes and building services to the right of way line, and sewage pumping stations and force mains proposed for acceptance by the City.

6.6.3.2 Proposed private low-pressure sewage force main systems.

6.6.3.3 Water mains including valves, connections to the existing system, hydrants and service connections with curb stops.

6.6.3.4 Gas mains, valves and services to the right of way line.

6.6.3.5 Electric service with required transformers, whether aerial or underground, and all conduits for any underground service such as telephone or cable television.

6.6.3.6 All drainage facilities, including underground piping, cross culverts, catch basins, storm drain manholes, detention basins, control structures, drainage ditches and swales and other appurtenances shown on the approved plans.

6.6.3.7 Operational street lighting and financial arrangements for them.

6.6.3.8 Pavement constructed to and including the roadway binder course or equivalent and the sidewalk base course as outlined in Section 11.17.2.

(Amended 4/24/01)

6.6.3.9 Curbing with curb cuts in the proper locations, if shown on the final plan.

6.6.3.10 Street and traffic signage and traffic signalization systems.

6.6.3.11 (Reserved)

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6.6.3.12 All erosion control measures.

6.6.3.13 Other specific improvements or work identified by the Planning Board as required.

6.6.3.14 Other specific improvements or work identified as required during the pre-construction meeting.

6.6.4 (Reserved)

6.6.5 PHASING

Subdivisions may be proposed and approved for development in multiple phases so that most of the work is completed in one phase before the next begins. However, plans approved by the Planning Board that include more than a single phase of construction may be subject to additional requirements and restrictions, as follows:

6.6.5.1 Pavement constructed during the first and all subsequent phases, except the last Phase, will be required to be constructed to a higher standard and with a defined construction sequence to withstand accelerated deterioration from construction vehicles and activity.

6.6.5.2 This provision may not apply to all the roads in the development. The Planning Board may designate specific streets as “construction routes” for the preceding restrictions. Construction vehicles will be restricted to using those streets so designated until the final construction phase is complete. The routes will be required to be appropriately marked by the developer.

6.6.5.3 The binder course will be required to be 4” thickness and will serve as the wearing surface until the final construction phase is complete.

6.6.5.4 The finished pavement course will not be permitted to be constructed on the applicable roads until the final subdivision phase is complete.

6.6.5.5 The City will not consider streets identified as “construction routes” for acceptance until the final course of pavement is complete.

6.6.6 The preceding “construction route” provisions will not restrict issuance of building permits in phases of the development where all other improvements are satisfactorily constructed.

6.7 Any subdivision which is to be sold before the proposed public improvements are completed shall be subject to Planning Board review of the purchaser's financial and technical capacity to meet these regulations. This shall be noted on the recording

plan.

6.8 PUBLIC ACCEPTANCE OF STREETS, RECREATIONS AREAS

6.8.1 The approval by the Planning Board of a Subdivision Plan shall not be deemed to constitute or be evidence of any acceptance by the City of any street, easement, or other open space shown on such Plan.

6.8.2 When a park, playground, or other recreation area shall have been shown on the Plan, approval of the Plan shall not constitute an acceptance by the City of such areas. The Planning Board shall require the Plan to be endorsed with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the City covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area.

6.9 INSPECTION OF REQUIRED IMPROVEMENTS

All improvements must be inspected in accordance with the provisions of Article 11.

6.10 DEVELOPMENT ACCORDING TO APPROVED PLAN

All development activities, including site work, clearing, construction of buildings and utilities and landscaping shall be in accordance with the approved plan.

(Amended 1/30/90)

6.11 MOBILE HOME PARK PLANS (Amended 1/30/90)

Notes shall be placed on all mobile home park plans indicating:

- A. The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.
- B. No dwelling unit other than a manufactured housing unit shall be located within the park.

ARTICLE 7
REVISIONS TO APPROVED PLANS

7.1 PROCEDURE

An applicant for a revision to a previously approved plan shall, at least three weeks prior to a scheduled meeting of the Board, request to be placed on the Board's agenda and submit a written statement explaining the proposed revisions. If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan and final plan approval shall be followed. If the revision involves only minor modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.

7.2 SUBMISSIONS

The applicant shall submit a copy of the approved plan, as well as fifteen copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations.

7.3 SCOPE OF REVIEW

The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.

ARTICLE 8
PERFORMANCE GUARANTEE

8.1 Before approval or conditional approval of a Final Plan, the subdivider shall agree to meet all conditions of approval and to complete the required improvements specified in these Regulations and standards for all lots in the subdivision. Such construction and installation shall be secured by one, or by a combination of the following two methods described in 8.1.1 and 8.1.2.

8.1.1 Final Approval With Financial Guarantee (Amended 2/7/06; 9/2/08)

The subdivider shall file either a Letter of Credit or a deposit of money to a bank

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or credit union, or to the City of Saco to cover the cost of the improvements specified in the conditions of approval and these standards, that is not covered by a covenant under 8.1.3.

The Letter of Credit or deposit of money shall be provided in an amount equal to 150 percent of the total construction costs of all required improvements and shall expire only upon acceptance by the City of all improvements offered to the City, and upon receipt by the City of record drawings found satisfactory by the City. Such Letter of Credit or deposit may be approved as to form and manner of execution by the City Finance Director in consultation with the City Planner. The performance guarantee shall contain:

- a construction schedule,
- itemized cost estimates for each element of construction taking into account inflation,
- a provision permitting the City to review the status and amount of Letter of Credit or deposit and to require an increase if warranted by changing economic conditions or other circumstances, said determination to be made in the sole judgment and discretion of the City,
- provisions for inspections of each phase of construction,
- provisions for the release of part or all of the performance guarantee to the developer. While partial draws are permitted, the amount of each shall be no less than twenty percent (20%) of the original amount. While partial draws may be requested upon completion of construction items, the City will determine in its sole judgment whether the requested release of funds shall be approved,
- and, a date after which the developer will be in default and the City shall have access to the funds to finish construction. Said date shall be thirty-six (36) months after the posting of the financial guarantee. All street and infrastructure construction shall be completed within thirty-six (36) months after the posting of the financial guarantee. All streets and infrastructure intended for City acceptance shall be offered to the City as outlined in Section 11.25 of these Regulations and in Section 186-37 of City Code within ninety (90) days of said date.

The following types of performance surety are acceptable:

8.1.2.1 Escrow Account.

A cash deposit to an escrow account shall be made by either a certified check made out to the City, the direct deposit into a savings account, or the purchase of a certificate of deposit. For any account opened by the subdivider, the City shall be named as owner or co-owner, and the consent of the city shall be required for any withdrawal. The City shall be

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authorized to make withdrawals without the signature of the subdivider, pursuant to the performance schedule and default dates in the financial guarantee. Any interest earned on the escrow account shall be returned to the subdivider.

8.1.2.2 (Reserved) (Amended 1/24/01)

8.1.2.3 Letter of Credit. (Amended 1/24/01)

An irrevocable letter of credit from a state or federally chartered bank or credit union in the name of the City of Saco shall indicate that funds have been set aside for the construction of the subdivision and may not be used for any other project or loan. The city may draw from the fund if construction is inadequate or incomplete. The City will determine in its sole judgment the adequacy of the letter of credit and the bank.

8.1.3 Final Approval With Covenant

The subdivider may file a covenant acceptable to the Planning Board, executed by the owner of record and duly recorded, running with the land, whereby conditions specified in the conditions of approval are met, and whereby such streets, other improvements, and services as specified in these standards and the conditions of approval shall be provided to service any lot before such lot will be built upon or conveyed.

8.2 EVIDENCE OF SATISFACTORY PERFORMANCE

Before the Board will release the interest of the City in any performance bond or deposit, or, in the case of approval with covenant, before the Board issues a release of any covenant, the applicant shall:

8.2.1 File with the Director of Public Works a certified copy of the actual layout plan of each street in the subdivision (or, in the case of approval with covenant a certified copy of a layout plan of the street or streets serving the lots for which a release is desired). Certification shall be by a registered engineer and shall indicate that streets, storm drains, sewers, water mains and their appurtenances have been constructed, and monuments have been installed, in accordance with the as-built plan and they are accurately located as shown thereon.

8.2.2 Ten percent of the deposit of money or negotiable instruments will not be released until a final plan showing the precise location of water valves,

shutoff, manholes, sewer elevations, etc. as constructed is presented to the Director of Public Works.

8.3 ADDITIONAL PROFESSIONAL ADVICE

Before the Board releases the interest of the City in any performance bond or deposit (in the case of approval with covenant, before the Board issues a release of covenant), the Board may at its discretion obtain or require the subdivider to obtain, at the subdivider's expense, additional professional engineering advice as to the satisfactory completion of the construction of each street or way in the subdivision, all storm drains, water mains and their appurtenances, and completion of the installation of all other services required according to the Final Plan.

8.4 RELEASE OF PERFORMANCE GUARANTEE

Upon completion of the improvements, the applicant shall send to the Planning Board a written statement that the construction or installation in connection with which a bond, deposit, or covenant has been given meets the requirements of these standards and the conditions of approval. Prior to the release of any part of the performance guarantee, the Board shall determine to its satisfaction, in part upon the report of the City Engineer and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested. If the Board determines that the construction or installation has been completed to its satisfaction, it shall release the interest of the City in the Bond, deposit, or covenant, and return the bond or deposit to the person who furnished it, or issue a release of covenant in a form for recording. If the Board determines that the construction or installation has not been completed to its satisfaction, it shall specify to the applicant in writing how the construction and installation fails to comply with the requirements.

8.5 The Planning Board may approve plans to develop a major subdivision in separate and distinct phases. This may be accomplished by limiting final approval to those lots abutting that section of the proposed subdivision road which is covered by performance guarantees. When development is phased, road construction shall commence from the public way. Final approval of house lots in subsequent phases shall be given only upon satisfactory completion of all requirements pertaining to the first phase of development.

8.6 DEFAULT

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If, upon inspection, the City Engineer or Director of Public Works find that any of the required improvements have not been constructed in accordance with the plans and specifications filed as part of the application, he shall so report in writing to the Planning Board agent, and to the subdivider or builder. The City shall take all legal steps necessary to preserve its rights according to the terms of the bond or surety or covenant.

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 Board for the specific project.

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

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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 approval, establish any reasonable requirement to ensure that the developer has the technical ability to meet the standards of these subdivision regulations. When the

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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.

ARTICLE 9
VIOLATIONS AND ENFORCEMENT
(Amended 10/9/01)

9.1 No plan of a division of land within the City which would constitute a subdivision shall be recorded in the Registry of Deeds until a Final Plan has been approved by the Board in accordance with these Regulations.

9.2 No person, firm, corporation, or legal entity may convey, offer, lease, develop, build upon or agree to convey any land in a subdivision which has not been approved by the Board and recorded in the Registry of Deeds.

9.3 No person, firm, corporation, or other legal entity may convey, offer, lease, develop, build upon or agree to convey any land in an approved subdivision which is not shown on the Final Plan as a separate lot.

9.4 Any person, firm, corporation, or other legal entity who conveys, offers, leases, develops, builds upon or agrees to convey any land in a subdivision which has not been approved as required by these Regulations and Title 30A M.R.S.A. §4406 shall be punished by a fine of not less than \$100, and not more than those amounts set forth in Title 30A M.R.S.A. §4452 for each such conveyance, offering, lease development, building or agreement. Each day in violation shall constitute a separate offense. The City may institute proceedings to enjoin the violation of this section and may collect attorney's fees and court costs if it is the prevailing party.

9.5 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 Board.

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9.6 Development of a subdivision without Board approval shall be a violation of law (Title 30 M.R.S.A. § 4401 et seq).

ARTICLE 10
GENERAL STANDARDS

10.1 SUBDIVISION PLAN SHALL CONFORM TO COMPREHENSIVE PLAN

Any proposed subdivision shall be in conformity with the Comprehensive Land Use Plan or other adopted policy statements of the city and with the provisions of the Saco Zoning Ordinance and all pertinent state and local codes and ordinances.

10.2 RETENTION OF OPEN SPACES, PRESERVATION OF NATURAL OR HISTORIC FEATURES, AND PROVISION OF RECREATIONAL AREAS AND FACILITIES (Amended 1/12/99, Amended 10/9/01)

A portion of the area of the subdivision shall be reserved as open space in order to provide for the open space needs of the occupants of the subdivision and/or to maintain the scenic or natural beauty of the area. In addition, the subdivision shall provide for the recreational needs of the residents of the development through the development of recreational areas and facilities or the payment of an impact fee. The common open space shall have a minimum of 30 feet of frontage on a public street or road or proposed public street or road and be accessible to the residents of the development. The open space shall be shown on the recorded subdivision plan with appropriate notation that it shall not be used for future building lots and shall not be further subdivided. The open space shall be contiguous. No structures, drainage or detention facilities or paved areas shall be permitted in open space.

10.2.1 Open Space Reservation - The following table provides the minimum open space reservations for various development densities.

<u>Average Square Feet per Dwelling Unit</u>	<u>% Open Space Required</u>
80,000 sf or more	2.5
40,000 - 79,999 sf	5
20,000 - 39,999 sf	7.5
10,000 - 19,999 sf	10
less than 10,000 sf	12

10.2.2 Where the land in the subdivision is not suitable for open space, or is

insufficient in amount, or where the subdivider and the Planning Board agree that residents of the subdivision would be better served by community open space, the developer shall pay the open space portion of the Recreational Facilities and Open Space Impact Fee set forth in article 16 of the Zoning Ordinance.

10.2.3 Recreational Area and Facilities – All subdivisions shall provide for the recreational needs of the occupants of the development. Subdivisions with fewer than twenty (20) dwelling units shall pay the recreational facilities portion of the Recreational Facilities and Open space Impact Fee established in Article 16 of the Zoning Ordinance. Subdivisions of twenty (20) or more dwelling units shall pay the impact fee or dedicate at least 50 percent of the required open space as usable open space for active recreation. This area shall be improved with recreational facilities appropriate to meet the needs of the residents of the development. In determining the type of recreational areas and facilities that are appropriate, the Board shall consider the proximity of the subdivision to neighboring dedicated open space or recreation facilities; the needs identified in the Comprehensive Plan or park or open space plan; recreation facilities in the neighborhood surrounding the subdivision; the type of development and the demographic characteristics of potential residents in the subdivision; and the density of the development.

10.2.4 Land reserved for recreation areas shall be of a character, configuration, and location suitable for the particular use intended. Active recreation shall include activities which require substantial construction and maintenance for recreation use, including playgrounds, tennis courts, ball fields, basketball courts and similar facilities. A site intended to be used as a play field should be level and dry, have a total frontage on one or more streets of at least 50 feet, and have no major dimensions of less than 200 feet. The Planning Board shall determine if other active recreation areas are suitable for the intended uses. Open space sites selected primarily for scenic or passive recreation purposes shall have such access as the Board may deem suitable and no less than fifty 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. Common open space shall not include areas devoted to public or private vehicular streets, driveways or parking spaces.

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10.2.5 With the agreement of the Planning Board and the City Council, the developer may dedicate the open space and/or recreation areas and facilities to the city for the use of all its citizens, or to another government agency or recognized land stewardship organization willing and able to manage the land permanently. If common open space is not dedicated to public use, it shall be protected by legal arrangements, satisfactory to the Planning Board, sufficient to assure its maintenance and preservation for whatever purpose it is intended. Covenants or other legal arrangements submitted with the final plan shall specify ownership of the open space; method of maintenance, taxes and insurance; compulsory membership and compulsory assessment provisions; guarantees that any association formed to own and maintain open space will not be dissolved without the consent of the Planning Board, and any other specifications deemed necessary by the Planning Board. The developer shall maintain control of common green spaces and facilities and be responsible for their maintenance until dedication, or transfer to the permanent controlling entity, and/or until development sufficient to support the association has taken place. The dedication agreement and/or association bylaws shall specify at what point maintenance is taken over by the association. All maintenance is the responsibility of the developer until that time.

10.2.6 The Board may require the preservation of any existing trees larger than 24" diameter breast height, or other significant trees, the replacement of trees and vegetation, graded contours, streams, and the preservation of scenic, historic, or environmentally significant areas.

10.2.7 If the proposed subdivision contains any historical or archeological sites, or any areas identified in the Comprehensive Land Use Plan or by the Maine Critical Areas Program as rare and irreplaceable natural areas, these areas shall be suitably protected by appropriate covenants and management plans.

10.2.8 Any public rights of access to the shoreline of a water body shall be maintained by means of easements or rights-of-way, or should be included in the open space, with provisions made for continued public access.

10.2.9 Open Space Reservation in Mobile Home Parks. Mobile home parks

Subdivision Regulations

served by public sewer are required to meet the open space requirements of Section 10.2 of the subdivision regulations, except that the size requirements as prescribed in 10.2.1 shall not exceed 10 percent of the combined area of the lots. Required buffer strips, driveways, roadways, parking areas, wetlands, and land unusable because of steep slopes, inaccessibility or other reasons shall not be included in the open space reservation.

10.2.10 If any portion of a proposed subdivision lies within:

- a. Two hundred fifty (250) feet of the following areas identified and mapped by the Department of Inland Fisheries and Wildlife or the Comprehensive Plan as:
 1. Habitat for species appearing on the official state or federal lists of endangered or threatened species;
 2. High and moderate value waterfowl habitats, including nesting and feeding areas; or
 3. A high or moderate value deer wintering area or travel corridor; or
- b. Other important habitat areas identified in the Comprehensive Plan, the applicant shall demonstrate that there will not be significant adverse impacts on the habitat and species it supports. A report prepared by a wildlife biologist with demonstrated experience with the wildlife resource being impacted shall be submitted. This report shall assess the potential impact of the subdivision on the significant habitat and adjacent areas that are important to the maintenance of the affected species and shall describe appropriate mitigation measures to ensure that the subdivision will not have significant adverse impacts on the habitat and the species it supports. (Amended 1/30/90; 10/30/01)

10.3 LAND NOT SUITABLE FOR DEVELOPMENT

The Board shall not approve as building sites such portions of any proposed subdivision that:

10.3.1 Are situated below the normal high water mark of any water body.

10.3.2 Are part of a right of way, or easement, including utility easements, and temporary cul-de-sac.

Subdivision Regulations

10.3.3 Are located within the 100 year frequency flood plain as identified by the Federal Emergency Management Agency unless the applicant shows proof through the submittal of materials prepared by a Registered Land Surveyor which show that the property in question lies at least two (2) feet above the 100 year frequency flood. (The elevation is not to include filled or made land).

10.3.4 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).

10.3.5 In no instance shall the Board approve a subdivision in which buildings or roads, other than limited crossings, would be built on wetlands as defined in Article 3.

10.3.6 Have a water table within 10 inches of the surface for at least three months of the year as identified in the county soil survey, unless further soil study proves the county soil survey wrong, or if the applicant can demonstrate to the Board's satisfaction that engineering techniques can sufficiently lower the water table to enable the site to be utilized. In cases where the Board does not permit such drainage, the subdivider may use such lands in lot area calculations if City sewage treatment is provided and if the lot(s) are to be deed restricted to prohibit buildings with basements or require basement floor elevations one foot above the seasonal water table.

10.3.7 For construction on slopes greater than 15 percent, the applicant shall submit a description of slope stabilization practices for approval by the Board.

10.4 SUBDIVISION NAME

The proposed name of the subdivision shall not duplicate, or too closely approximate phonetically, the name of any other subdivision in the city.

10.5 BLOCKS

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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 foot wide foot path be included and constructed in conformance with design standards in Article 11. The Planning Board shall require the subdivider to provide for the proper maintenance of any such easement.

10.6 LOTS

Before the Planning Board approves any subdivision the building inspector shall confirm that all lots meet the minimum space and bulk requirements of the zoning ordinance for the district in which they are located.

10.6.1 The design of lots shall provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.

10.6.2 Double frontage lots and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to over-come specific disadvantages of topography and orientation. A planting screen easement of at least twenty feet, across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous use.

10.6.3 Lots with multiple frontages shall be avoided wherever possible. When lots do have frontage on two or more streets, the plan and deed restrictions shall indicate that automobile access shall be located only on the less traveled way.

10.6.4 Wherever possible, side lot lines shall be perpendicular to the street.

10.6.5 Where a tract is subdivided into lots more than double 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 or prohibit future resubdivision in accordance with the requirements contained in these standards.

10.6.6 Any subdivision designed in a manner which would allow more lots

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to be developed shall contain a notation that any further division of lots must be approved by the Planning Board.

10.6.7 If a lot on one side of a stream, tidal water, road, or other similar barrier fails to meet the minimum requirement lot size, it may not be combined with a lot on the other side of the stream, tidal water, or road to meet the minimum lot size of these standards, or for the purposes of on-site sewage disposal.

10.6.8 Flag lots and other odd shape lots in which narrow strips are joined to other parcels in order to meet minimum lot size or frontage requirements are prohibited. The width of a lot at its narrowest point shall not be less than 75 percent of the width of the lot frontage.

10.6.9 Lots shall be numbered to facilitate mail delivery and the provision of emergency services. Even numbers will be assigned to one side of the street and odd numbers to the other. The lot numbers shall be assigned by the assessor.

10.6.10 When proposed buildings are located near lot lines or another building, shadow projections shall be examined to ensure that solar access to any other building or property is not blocked or substantially reduced. A shadow study may be required by the Board.

10.6.11 Any plan for a mobile home park shall designate lots within the park. These lots shall conform to the requirements of the Saco Zoning Ordinance. (Amended 1/30/90)

10.7 IMPACT ON GROUND WATER

10.7.1 A hydrogeologic assessment may be required by the Board for subdivisions, particularly unsewered subdivisions, in which groundwater quality is a concern. Such instances include, but are not limited to, sites:

10.7.1.1 Over a sand and gravel aquifer.

10.7.1.2 Not served by public water.

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10.7.1.3 Where the depth to groundwater is less than 48 inches.

10.7.1.4 In soils rated by the USGS Soil Survey as poor or very poor for subsurface septic systems.

10.7.1.5 In coarse soils categorized as having "severe" limitations for septic systems.

10.7.1.6 Where a community septic system is proposed.

10.7.2 When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:

10.7.2.1 A map showing the basic soil types.

10.7.2.2 The depth to the water table at representative points throughout the subdivision.

10.7.2.3 Drainage conditions throughout the subdivision.

10.7.2.4 Data on the existing ground water quality, from test wells in the subdivision or from existing wells on neighboring properties.

10.7.2.5 An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate - nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of 1000 feet from potential contamination sources, whichever is a shorter distance.

10.7.2.6 A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.

10.7.2.7 Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).

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10.7.3 No subdivision shall increase any contaminant concentration in ground water to more than one half of the Primary Drinking Water Standards. No subdivision shall increase any contaminant concentration in groundwater to more than the Secondary Drinking Water Standards.

10.7.3.1 If ground water contains contaminants in excess of the primary drinking water standards, and the subdivision is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.

10.7.3.2 Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Final Plan and as restrictions in the deeds to the affected lots.

10.8 STREET ACCESS

Provision shall be made for vehicular access to the subdivision in such a manner as to safeguard against traffic hazards and danger to pedestrians in the subdivision and in existing streets, to ~~avoid~~minimize congestion on any street or at any intersection, to provide safe and convenient circulation on public streets and in the subdivision, and to provide for efficient access by the city's emergency services and public works departments. -All lots in all subdivisions shall have frontage and access from a public street or from a proposed street shown on a subdivision plan and designed to City of Saco specifications, intended for future acceptance by the City. The following standards and design criteria shall also be followed:
(Amended 7/18/89; 1/22/02; 5/19/15)

10.8.1 Where a lot has frontage on two or more streets, access to the lot shall be provided from the street with less potential for traffic congestion and hazard.

10.8.2 The street giving access to the subdivision and neighboring streets which carry traffic to the subdivision shall have capacity or be suitably improved to accommodate the amount and type of traffic generated by the proposed subdivision. No subdivision shall decrease the level of service

Subdivision Regulations

below D (levels of service are defined by the Highway Capacity Manual 2000 or later edition) at study area intersections. However, (1) at signalized intersections where the level of service is already below D; or (2) at signalized intersections predicted to drop below D where physical improvements cannot be made to attain D, or, (3) at unsignalized intersections, where physical improvements cannot be made to improve the level of service to D and provided that warrants for a traffic signal are not met, or signal installation is not desirable; the Board may approve the subdivision if it finds that adequate provisions for safety can be attained through imposing conditions of approval such as upgrades in signalization, one-way driveways, prohibiting certain turning movements, construction of turning lanes, or other improvements, or through a program of Transportation Demand Management measures, or a traffic mitigation fee is assessed, as outlined in Section 709-6 of the Saco Zoning Ordinance, for a future improvement project, or monitoring is to be performed. (Amended 9/4/07)

10.8.3 Where necessary to safeguard against the hazards to traffic and pedestrians and/or to avoid congestion, provision shall be made for turning lanes, traffic islands, frontage roads, and traffic lights within public streets, or other improvements necessary.

10.8.4 Road accesses shall be designed with sufficient capacity to avoid causing stacking in the travel way of an arterial.

10.8.5 Where topographic and other conditions allow, provision shall be made for streets to be extended later to adjoining land and nearby streets in order to provide for future improvements in traffic flow.

10.8.6 In an instance where the Planning Board determines a development causes existing street(s) to be reclassified to a higher design standard, the board shall require the developer to improve the impacted street(s) to the appropriate design standard.

10.8.7 Unless otherwise specified in these regulations, road improvements shall meet the standards Maine Department of Transportation "Standard Specifications (for) Highways and Bridges," 1984 or later revision, Maine Department of Transportation "Highway Design Guide" and current City of

Subdivision Regulations

Saco standards. (Amended 9/4/07)

10.8.8 Where a subdivision borders a public street having a right-of-way that is less than the following:

Arterial or collector or rural collector as identified in the Comprehensive Plan	Seventy (70) feet
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Local Street	Fifty (50) feet
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the subdivider shall set aside one half of the additional right-of-way required to bring the street up to this standard. The area to be set aside shall be shown on the subdivision plan, labeled “Reserved for Road Realignment (or Widening) Purposes”, and dedicated to the City for use as a public street. Land reserved for such purposes may not be counted in satisfying setback or yard or area requirements for the Zoning Ordinance. The subdivider shall make improvements or provide funds for improvements to the portion of the road bordering the subdivision and shall be required to provide a proportional share of the cost of other road improvements necessary to bring the road(s) serving the subdivision to city standards. (Amended 10/30/01)

10.8.9 Where a subdivision abuts or contains an existing or proposed arterial street, the Board may require frontage streets (street parallel to arterial street providing access to adjacent lots), reverse frontage (that is, frontage on a street other than the existing or proposed arterial street) with screen planting contained in a non-access reservation along the rear property line, or other treatment(s) if they are necessary for adequate protection of residential properties and to afford separation of through and local traffic.

10.8.10 The capacity of a road to move traffic is related inversely to the amount of access provided to abutting properties. To maintain the capacity of the City’s principal road network, the creation of new residential lots as part of a subdivision which front on or obtain their vehicular access from any of the following roads is prohibited except as provided for in subsection 10.8.10.1 below. Vehicular access to any new residential lot shall be limited to the street frontage used to meet the requirements of this section, unless alternate access is approved by the Planning Board.

Cascade Road

Bradley Street

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New County Road
Old Orchard Road
Buxton Road
Louden Road
Flag Pond Road
Jenkins Road

Heath Road
Mast Hill Road
Holmes Road
Ash Swamp Road
Hearn Road

10.8.10.1 Waiver of Access Limitation

Any lot shown on the property tax maps of the City of Saco as of the date of the adoption of this section shall be permitted one vehicular access point to any adjacent public road notwithstanding the provisions of the section.

No residential lot created after the adoption of this section, that is part of a subdivision, shall have its required street frontage on a road listed above unless the Planning Board determines that conditions particular to the parcel justify allowing access to the road. Access shall be granted only if the Board finds that one of the following conditions is met:

- A. There is too little road frontage to reasonable allow for the creation of a local street or private road; or
- B. The shape or physical condition of the parcel does not permit access to or the creation of a local street or private road; or
- C. There will be no further subdivision of the parcel. (Amended 10/30/01)

10.9 STREET NAME, STREET SIGNS, STREET LIGHTS

Streets which join and 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 city and shall be subject to the approval of the Planning Board. Street name signs, stop signs and other street signs shall be furnished and installed by the developer. The type, size, and location shall be subject to the approval by the Department of Public Works. Street lighting shall be installed as required by the Department of Public Works, and energized prior to street acceptance.

10.10 REQUIRED IMPROVEMENTS

Subdivision Regulations

10.10.1 The following are required improvements in all subdivisions: monuments, street signs, streets, sidewalks, curbing, street lights, street signs, water supply, sewer disposal and storm drainage, except where the Board may waive or vary such improvements in accordance with the provisions of these standards.

10.11 STREETS

All streets are to be designed to these standards and offered for city acceptance.

10.11.1 Street Classification

During Preliminary plan review, subdivision streets shall be classified for the purpose of establishing the applicable design and construction standards according to the definitions below. The Board shall determine the classification in all doubtful cases.

10.11.1.1 Arterial Streets.

An arterial street is any street that carries or is designed to carry through traffic between parts of Saco, other arterial streets in Saco, between Saco and other communities, or industrial zones. (medium to high-density zones, i.e. 100 dwellings or 800 trips per day or more). A 70-foot right of way and 34-foot wide pavement are required. (See appendix for typical.)

10.11.1.2 Secondary Street.

A secondary street is any street used solely for access to the abutting lots. (2 to 100 dwellings). A minimum 50-foot right of way and a minimum 24-foot wide pavement are required. (See appendix for typical.)

10.11.1.3 (Reserved) (Amended 1/30/90)

10.11.1.4 Mobile Home Park Streets (Amended 1/30/90)

All streets within mobile home parks shall be built in conformance with the standards of this section. Streets within a park shall be designed by a Professional Engineer, registered in the State of Maine. The engineer shall stamp the plans with his seal and sign them.

Subdivision Regulations

- A. Streets which the applicant proposes to be dedicated as public ways shall be designed and constructed in accordance with the standards for streets in the Saco Subdivision Regulations. The portion of any mobile home park street built within a city right of way shall meet the construction standards of the subdivision regulations and other city ordinances, rather than the special requirements of this section.
- B. Streets which the applicant proposes to remain private ways shall meet the following minimum design standards.
 - 1. Minimum right of way width: 23 feet
 - 2. Minimum paved width of traveled way: 20 feet
 - 3. The standards of the Manufactured Housing Board.
- C. The first 75 feet of any mobile home park street which intersects with a city street shall meet all geometric design standards except width, all standards related to sight distance, and all standards related to adequacy of access.
- D. No individual lot within a park shall have direct vehicular access onto a numbered highway.

(Amended 1/10/90)

10.11.2 Street Design

All streets in the subdivision shall be designed to provide safe vehicular travel. Due consideration shall also be given by the subdivider to the attractiveness of the street layout in order to obtain a pleasing lot layout.

All streets shall be designed as through streets or future through streets unless waived by the Board. The design of all streets shall conform to City of Saco standards. (See appendix for typical.)

10.11.3 Street Drainage

An under drainage system shall be installed in all streets to properly drain the subgrade to assure the stability of the roadway base.

10.11.4 Design Speeds

Radii of curves and lengths of vertical curves should be selected to provide safe sight distances (either passing or stopping) for the design speed of the road. The design speed for arterial streets shall be 40 miles per hour and for secondary streets 25 miles per hour.

10.11.5 Location And Alignment

10.11.5.1 Projections.

Provisions satisfactory to the Planning Board shall be made for the proper projection of streets for access to adjoining property that is not yet subdivided, or for connection with future streets. The street right-of-way for such extension of any proposed street shall extend to the boundary of the subdivision, be labeled as reserved for street extension, and dedicated to the City at the time that the streets in the subdivision are dedicated and offered for public acceptance.

(Amended 10/30/01)

10.11.5.2 Reserve Strips.

Reserve strips of land prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Board, such strips shall be in the public interest.

10.11.5.3 Jogs.

Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall not be allowed.

10.11.5.4 Curves.

The minimum centerline radii of curved streets shall conform to the design speeds for all classes of streets.

10.11.5.5 Intersections.

Streets shall be laid out so as to intersect as nearly as possible at right angles. The Board may permit a variation of up to 15 degrees.

10.11.5.6 Street Corner Radius.

Property lines at intersections shall be rounded or cut back to provide for a minimum curb radius at the edge of the pavement of 30 feet for arterials and 20 feet for secondary streets. The distance between the edge of the pavement and the property line shall not be less than ten feet.

10.11.5.7 The centerline of the roadway shall be the centerline of the

right-of-way.

10.11.5.8 Right of Way Widths.

The minimum width of street rights of way shall be fifty (50) feet for secondary streets and seventy (70) feet for arterial streets. Greater width shall be required by the Board when deemed necessary for present and future vehicular movement.

10.11.5.9 Dead Ends.

A dead end is defined as a street or way with only one access/egress point.

10.11.5.9.A: Where the Board has waived the dead end restriction, the following criteria shall be followed: Dead end streets shall not be longer than one thousand (1,000) feet, unless, in the opinion of the Board, a greater length is necessitated by topography or other local conditions. In all cases where dead end streets are permitted they shall terminate in cul de sacs. In any instance no more than 15 units shall be allowed on a dead end street. Dead end streets shall be constructed to provide a cul de sac turnaround with the following radii: property line, 75 feet; outer edge of pavement, 65 feet. If a vegetated center is proposed, the inside radius of pavement shall be 41 feet, resulting in a 24-foot wide paved surface. The area of transition from street to cul de sac shall be designed with a turning radius of not less than 50 feet. (Amended 2-20-90)

10.11.5.9.B Streets having temporary dead ends shall terminate in cul de sacs having a right of way diameter of not less than one hundred fifty (150) feet.

10.11.5.9.C Where a future street is projected beyond the cul de sac, the cul de sac shall be designed in such a relation to the projection of the right of way that the additional land used for the circle may be relinquished to the adjacent properties at the time the road is constructed over the projected route.

10.11.5.9.D The ownership of the fee in land lying within the

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projection of any road shall remain with the adjacent lots until the road is constructed over the projected route. Any such fee shall not be included in determining the conformity of the area of any lot to the minimum requirements under the Zoning Ordinance of the City.

10.11.5.9.E Where a circle is laid out as a permanent termination of road, the entire area of the circle shall be a permanent part of the right of way. Where a circle is laid out over a projected right of way, the lot lines shall be laid out to the lines of the future projected route but the additional areas used for the circle may not be included in the areas of the adjacent lots for the purpose of determining their conformity to the minimum requirements under the Zoning Ordinance of the City.

10.11.5.10 Grades.

10.11.5.10.A Centerline Grades. Centerline grades of streets shall not be less than 1%. Grades of arterial streets shall not exceed 6% on straight-aways or 5% on curves, and secondary and minor streets shall not exceed 8% on both straight-aways or curves. Vertical curves shall be required at any grade change.

10.11.5.10.B Super elevation. Where curves and grades combine to create potentially dangerous driving conditions, the Board may require super-elevation of the curves or other protection.

10.11.5.10.C Intersections. Where streets intersect within a subdivision or at the juncture of a subdivision street with an existing street, the Board shall require that a minimum length of 75 feet of each street outside the roadway of the crossing street shall have no greater than two percent grade.

10.11.5.10.D Driveways And Aprons. Driveway aprons shall be constructed as per typical driveway section in the Construction Standards. Common driveways are encouraged, but shall not serve more than three units.

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A two foot wide paved apron shall be provided behind the sidewalk or at the edge of the street pavement if there is no sidewalk, to prevent the pavement from unraveling. A 1/2 to 1 inch lip shall be provided at the gutter line.

10.11.5.11 Sidewalks are required along all subdivision streets and any street which abuts the subdivision, or gives access to it. The Board may require that the sidewalk be extended for a reasonable distance to connect with existing sidewalks or destinations such as bus stops and schools. (Amended 7/18/89; Amended 11/7/89)

10.11.5.12 Sidewalks in Mobile Home Parks
Sidewalks are required on one side of mobile home park streets. Sidewalks shall have a five foot wide paved surface and a grassy esplanade at least five feet wide between the street and the sidewalk. A right of way at least as wide as the sidewalk and the esplanade shall be provided. (Amended 7/18/89; Amended 11/7/89; Amended 1/30/90)

10.12 STORMWATER MANAGEMENT

10.12.1 Adequate provision shall be made for disposal of all storm water generated within the subdivision, and any drained ground water through a management system of swales, culverts, under drains, storm drains, and/or detention and retention basins. The storm water management system shall be designed to conduct storm water flows to existing watercourses or storm drains. This stormwater management system shall be designed by a Maine Registered Professional Engineer.

10.12.1.1 Where open ditches, channels, streams, or natural drainage courses are used either to collect or discharge storm water, adequately sized perpetual easements shall be provided and appropriate erosion control measures taken. No storm water will be permitted to drain across a street or across an intersection.

10.12.1.2 The storm water management system shall be designed to accommodate upstream drainage, taking into account existing

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conditions and approved or planned developments not yet built and shall include a surplus design capacity factor of 25% for potential increases in upstream runoff. If evidence establishes that the storm water system serves only the upstream area of a watershed, no more than 10 percent surplus design capacity is required.

10.12.1.3 Downstream drainage requirements shall be studied to determine the effect of the proposed subdivision. The storm drainage shall not overload existing or future planned storm drainage systems downstream from the subdivision. The subdivider shall be responsible for financing any improvements to existing drainage systems required to handle the increased storm flows.

10.12.2 Drainage Calculations. To substantiate the proposed subdivision drainage system, drainage calculations shall be prepared and signed by a Maine Registered Professional Engineer and filed as a part of the Preliminary plan. A drainage run-off plan within the perimeter of the proposed subdivision shall be drawn to a scale of 1" = 100' and shall show the incremental areas contributing run-off to each catch basin, ditch or water course. The run-off plan shall also show existing and proposed contours at two (2) foot intervals. The contributing watershed areas outside the perimeter of the subdivision shall be drawn to a scale of 1" = 200' and shall be included in the calculations.

10.12.3 Design Criteria

10.12.3.1 Hydraulic and hydrologic calculations using the Rational Method, or U.S. Soil Conservation Service T.R. No. 55, Urban Hydrology for Small Watersheds and Section 4 of the U.S. Soil Conservation Service National Engineering Handbook and prepared by a Maine Registered Professional Engineer. Calculations must show existing and proposed runoff conditions for the rate, volume, and velocity.

10.12.3.2 The proposed subdivision drainage system shall be based on all storm durations for the 2, 10, 25 and 50 year 24 hour storm frequencies. (Amended 5/6/99)

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10.12.3.3 Culverts designed to carry existing drainage, ditches, brooks, streams, or other water courses shall be based on a 50-year design storm. Culverts shall be designed with proper inlets and outlet control in accordance with standard engineering practice. (Amended 5/6/99)

10.12.3.4 A weighted coefficient of run-off "C" or curve numbers is to be determined for each incremental drainage area based on the following minimum values:

paved or roofed areas	0.90
steep grassed areas	0.70
residential areas(with lawns & buildings)	0.45
cultivated or natural areas	0.30

If using the SCS method, curve numbers can be obtained using the Soil Conservation Services, Urban Hydrology for Small Watersheds, technical release #55; table 2-2.

10.12.3.5 In no case shall a drainage line of less than 12" in diameter be used.

10.12.3.6 All drains shall be sloped to provide for a minimum velocity of 3 feet per second. The maximum design velocity shall be 10 feet per second.

10.12.3.7 Storm sewer systems shall be designed to flow full by gravity, using the Manning Formula to determine the size of pipes required. Submerged outlets during periods of storm flow or during dry periods will not be permitted.

10.12.3.8 Where it appears that any street may be extended so as to connect with an existing or proposed street on land adjoining the subdivision, the Board may require that provision be made for extension of the drainage system to a point at or near the subdivision property line at such size and grade as will allow for such extension.

10.12.3.9 Rainfall intensities shall be obtained from the City of

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Portland Rainfall Intensity Curves and rainfall charts provided by the S.C.S.

10.12.3.10 The drainage design of a subdivision shall be such that post development peak flows do not exceed the pre-development peak flows up to and including a 50-year storm. (Amended 5/6/99)

10.12.3.11 The impact of drainage on downstream structures and courses shall also be considered.

10.12.4 Stormwater Quality

Any subdivision that will result in the creation of more than ten thousand (10,000) square feet of impervious area such as roads, drives, walks, and roofs or five (5) or more acres of disturbed area shall manage the quality of the stormwater runoff to meet the following standards. Stormwater Best Management Practices appropriate for the site and type of activity must be used to meet the standards specified in this section. Preference shall be given to the use of nonstructural BMP's where feasible. The standards must be met at the property line or before the runoff enters a waterbody, whichever point is first reached by the runoff:

10.12.4.1 Sliding Scale Total Suspended Solids (TSS) Standard B Stormwater from the impervious areas and disturbed areas in each identified subwatershed on the site must be treated by the use of stormwater best management practices designed to remove total suspended solids to the levels indicated in the Maine Department of Environmental Protection's Sliding Scale TSS Standard (Chapter 500 Stormwater Management, Section 4.A.(2)(a)). The prescribed level of treatment must be applied to all impervious surfaces such that the areally weighted average TSS removal equals or exceeds the prescribed removal level.

10.12.4.2 Floating Hydrocarbons Standard - Any non-residential subdivision shall comply with the Floating Hydrocarbons Standard of

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Section 805-2 of the Zoning Ordinance if any of the uses that are permitted by the zoning for that area include the uses listed in Section 805-2 and all such uses are not excluded by deed restrictions, covenants, or other enforceable provisions.

10.12.4.3 Basic Stabilization Standard - Any subdivision located in the portions of the watershed of the Saco River that are tributary to the river upstream of the public water supply intake of the Biddeford-Saco Water Company or that are located in the watershed of the Scarborough River including areas tributary to the Nonesuch River, Nonesuch Brook, Ricker Brook, Boynton Brook, Merrill Brook, Mill Brook, and Stewart Brook shall comply with the following additional requirements:

1. Ditches, swales, and other open stormwater channels must be designed, constructed, and stabilized using erosion and sedimentation control Best Management Practices that achieve long term erosion control, and must receive adequate routine maintenance to maintain capacity and prevent or correct any erosion of the channel's bottom or sideslopes.
2. Gravel roads must be designed and constructed with crowns or other measures, such as water bars, to ensure that stormwater is immediately delivered to adjacent stable ditches or vegetated buffer areas. Grading of gravel roads, or grading of the gravel shoulders of gravel or paved roads, must be routinely performed to ensure that stormwater drains immediately off the road surface to adjacent buffer areas or stable ditches, and is not impeded by accumulations of graded material on the road shoulder or by excavation of false ditches in the shoulder.
3. The project site must be maintained to prevent or correct erosion problems.

10.12.4.3 All elements of stormwater systems shall be designed, constructed, and maintained in accordance with the City's Stormwater Management Systems Inspection and Maintenance

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Program Guidelines, Volumes 1 and 2. Each project subject to this section shall prepare a stormwater facilities management plan which shall be reviewed and approved as part of the subdivision approval. This plan shall set forth the types and frequencies of proposed maintenance activities for all private elements of the stormwater system and shall identify the party responsible for carrying out each maintenance activity. The plan shall provide for an Annual Report to be submitted to the Director of Public Works documenting that the required maintenance has been performed as set forth in the management plan. Failure to conduct the necessary maintenance as set forth in the maintenance plan shall be a violation of the ordinance. (Amended 10/30/01)

10.13 EROSION AND SEDIMENTATION CONTROL

Topsoil shall be considered part of the subdivision. Except for surplus topsoil from roads, parking areas, and building excavations, it is not to be removed from the site.

10.13.1 Except for normal thinning, landscaping, and cutting of trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion on lots.

10.13.2 To prevent soil erosion of shoreline areas, tree cutting in a strip paralleling the shoreline and extending 50 feet inland from all points along the normal high water mark shall be limited in accordance with the following provisions:

- (1) No more than 30 percent of the length of the strip shall be clear-cut to the depth of the strip;
- (2) Cutting of this 30 percent shall not create a clear-cut opening in this strip greater than 30 feet wide;
- (3) In the remaining 70 percent length of the strip, cutting shall leave sufficient cover to preserve natural beauty and control erosion.

10.14 EASEMENTS

10.14.1 Utility Easement.

Easements shall be provided where necessary and shall be at least thirty (30) feet wide.

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10.14.2 Drainage Easements

Where a subdivision is traversed by a water course, drainage way, channel, or stream, the Planning Board may require that there be provided a storm water easement or drainage right of way of adequate width to conform substantially to the lines of such water course, drainage way, channel, or stream, and to provide for construction or other necessary purposes. The minimum width of any such easement on adjoining property is 30 feet and the easement shall be secured for the benefit of the City.

10.14.3 Access Easements

Access easements to park, conservation, and potentially developable land shall be secured for the benefit of the City and shall be of a width determined by the Board.

10.14.4 Footpath Easements

Unless otherwise required, easements for off street footpath shall be twenty (20) feet in width.

10.15 UTILITIES (Amended 12/21/04)

10.15.1 General

All utilities, including house connections, shall be placed underground at the time of initial construction. Street lighting circuit wiring shall also be placed underground except where approved by the City to be installed overhead on existing utility poles. Complete location plans prepared by a Master Electrician or an Electrical Engineer of each utility system shall be filed with the City's Electrical Inspector prior to installation. All utility pipes and conduits and appurtenant facilities to be located under a roadway or sidewalk shall be installed before placement of the gravel base of such roadway or sidewalk.

10.15.2 Installation In All Subdivisions

Electric Power Supply Cables, Telephone Cables and Cable TV Service shall be placed in a trench centered four (4) feet from the edge of the roadway pavement on the side of the street where the sidewalk is to be placed (or on the opposite side from the water main).

All Electric, Telephone And Cable TV service connections to be located under a

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roadway or sidewalk shall be placed in conduits extending from the electric service transformers and telephone distribution boxes to the pavement edge on the opposite side of the street. Any other required crossing of the roadway shall also be placed in conduit. All service transformers shall be pad mounted unless specified by the Board. All conduit to be located under the roadway or sidewalk shall be installed prior to the placing of the gravel base and bituminous concrete pavement.

10.15.3 Utilities shall be installed in a timely manner during street construction so as to prevent re-excavation of the finished street (City ordinances prohibit street openings for five years after a street is built).

10.15.4 Where new subdivision street lighting is provided by the Developer, the Developer shall provide for electrical service for street lighting as follows:

10.15.4.1.1 The Developer shall make arrangements with the *Central Maine Power Company (CMP)* to provide a metered secondary electrical service for street lighting circuits. The service utility meter(s) shall be installed at the location of a *CMP* pad mounted electric service transformer in accordance with *CMP's* standards. The Developer shall provide all necessary underground street lighting circuits, including conductors and conduit. Street lighting circuit conductors shall be sized in accordance with *National Electrical Code*. Conduit shall be installed thirty (30) inches (minimum) below grade. Street lighting electric circuits shall also include a separate #6 AWG ground conductor, bonded to each lighting pole, to foundation base reinforcement steel (re-bar to be bound together), and connected to a service ground electrode left accessible at the service transformer.

The Developer shall provide all necessary electrical distribution equipment (circuit breakers, switches, etc.) as required to provide an installation in full conformance with the latest edition of the *National Electrical Code*. Street lighting circuits shall be sized in accordance with the *National Electrical Code*.

10.15.4.2 Where specifically approved by the City as a condition of the Subdivision Application Process, the Developer may make arrangements with the *Central Maine Power Company (CMP)* under a municipal street lighting lease agreement to have *CMP* provide overhead street lighting

circuit wiring to be installed on existing utility poles.

10.16 BUFFERS

Buffers are fences, plant materials, landscaping, berms, and mounds used to minimize any adverse impacts or nuisance on the site or from adjacent areas. The following guidelines apply:

10.16.1 Evergreens can be used as buffers, provided they are planted properly. An evergreen buffer requires two (2) or three (3) rows of staggered plantings. The rows should be five (5) feet apart and the evergreens planted four (4) feet on center.

10.16.2 Buffers are required for the following areas and purposes:

10.16.2.1 Along property lines, to shield incompatible uses from each other.

10.16.2.2 Along interior roads running parallel to roads exterior to the site, to prevent confusion, particularly at night.

10.16.2.3 To screen garbage collection areas, loading and unloading areas, electrical transformers, air conditioning units, utility service areas, outdoor storage areas, and similar functions from public view.

10.16.2.4 To block prevailing wind patterns and to stop wind-borne debris from leaving the site.

10.16.2.5 To screen parking areas for 5 or more cars, auto storage facilities, and other outdoor storage of motor vehicles from the public view. Screening shall be provided so as not to obstruct the visibility required for traffic safety.

10.16.2.6 To provide privacy in multifamily subdivisions.

10.16.3 Natural features shall be maintained wherever possible to provide a buffer between the proposed development and non-compatible abutting

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properties and public roadways. When natural features such as topography, gullies, stands of trees, shrubbery, rock outcrops do not exist or are insufficient to provide a buffer, other kinds of buffers shall be utilized.

10.16.4 Buffers shall be sufficient to shield poorly compatible structures and uses from the view of abutting properties and public roadways, and to otherwise prevent any nuisances including but not limited to all loading and unloading operations, storage areas, commercial vehicle parking, waste disposal and collection areas.

10.16.5 Fencing and screening shall be durable and properly maintained at all times by the owner.

10.16.6 Required Plant Type

All plantings required under these regulations shall be of a type and species appropriate for the soil types and climatic conditions in Saco as approved by the Parks and Recreation Department

10.16.7 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 green strip of at least 20 feet wide planted with appropriate shrubbery between abutting properties that are so endangered.

10.16.8 Buffering and Landscaping In Mobile Home Parks

If a park is proposed with a residential density at least twice the single family residential density of immediately adjacent residential development in existence, or at least twice the single family residential density permitted in the underlying zoning district in which the park is located if the immediately neighboring land is undeveloped, the park shall be designed with a continuous landscaped area not less than fifty feet in width which shall contain no structures. The first twenty-five feet of the buffer strip, as measured from the exterior boundaries of the park shall contain evergreen shrubs, trees, fences, walls or a combination of these, which forms an effective visual barrier to be located on all exterior lot lines of the park, except that driveways or streets crossing the buffer shall be kept open to provide visibility for vehicles entering and leaving the park. The park shall also meet all other buffering and landscape standards in these regulations.

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The development plan shall provide for adequate landscaping within the project. The Planning Board shall approve a plan which includes a listing of plant types and sizes. The approved landscaping plan shall be considered an integral part of the Planning Board's approval of the mobile home park development and the obligation to maintain the landscaping, including the replacement of any dead plant materials within one growing season, shall continue after approval. This site plan shall be prepared by a registered landscape architect for mobile home parks of 10 or more units. Street trees shall be planted along mobile home park streets in accordance with Section 10.21. (Amended 1/30/90)

10.17 WATER SUPPLY (Amended 1/12/99)

Public Water Supply Required. 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 a public water system is not feasible, the Board may allow individual wells. In assessing the feasibility the Board shall consider the distance from the nearest water main, the topography, the accessibility of on-site water, the cost, and any other relevant factors. All multifamily housing units in any subdivision shall be served by public water.

10.17.1 Hydrants shall be spaced every 1000 feet in areas with a public water supply and have the capacity to pump 500 gallons per minute for a two-hour span. Additional water capacity for firefighting may be required upon the advice of the Fire Chief.

10.17.2 The water main shall be installed at the expense of the subdivider, and shall be of a size determined adequate by the Biddeford Saco Water Company and the Fire Chief.

10.17.3 In areas without public water, dry hydrants shall be provided within 2000 feet of all proposed structures. The hydrant must have the capacity to yield 500 gallons per minute for 20 minutes. An easement shall be granted to the City granting access to and maintenance of the dry hydrants where necessary. The Planning Board may require additional water capacity for firefighting purposes on the advice of the Fire Chief. A fire flow test may be required to determine if the water supply is adequate.

10.17.4 A private water supply system shall be designed, and installed in

accordance with requirements of the Maine Department of Human Services.

10.17.5 Dug wells shall not be permitted.

10.17.6 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 Maine Rules Related To Drinking Water (10-144 A.C.M.R. 231) (Design and construction standards of the Biddeford-Saco Water Company are summarized in Article 11.)

10.18 SEWAGE DISPOSAL

10.18.1 Public System

A sanitary sewer system shall be installed at the expense of the subdivider. This requirement shall not be waived for subdivisions within 1500 feet of an existing sewer line, if City agencies certify that the extension will not be a burden on the system.

10.18.2 All lots shall be connected to the city sewer at the expense of the subdivider; or, if in the opinion of the Board sewer service to each lot is not feasible, the Board may allow septic systems to be used.

10.18.3 A developer shall submit plans for sewers designed by a Maine registered professional civil engineer, all in full compliance with the requirements of the State of Maine Plumbing Code and/or Department of Environmental Protection.

10.19 SANITARY SEWER DESIGN

The Final plan shall provide for adequate sanitary sewer facilities to collect and convey sewage to the nearest available manhole on the City of Saco sanitary sewer system. The Planning Board shall require the installation of sanitary sewer facilities including sewer connections to each lot if the city's sewer plan calls for sewers in the area.

10.19.1 Design Criteria

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10.19.1.1 The minimum pipe size shall be 8" in diameter for collector lines and 6" diameter for service lines within the city right of way.

10.19.2.2 The minimum slope of the pipe shall be .4% for 8" diameter pipe.

10.19.3.3 The minimum cover over any sanitary sewer line shall be 4 feet. Cover may be reduced to 3 feet if insulated.

10.19.3.4 The minimum design velocity shall be 2 feet per second. The maximum design velocity shall be 15 feet per second.

10.19.3.5 Manholes shall be spaced at intervals not to exceed 300 feet and at all changes in slope and/or direction. Where required because of velocities greater than the allowable maximum, drop manholes shall be used to reduce the slope of the pipe.

10.19.3.6 Where it appears that any street may be extended so as to connect with an existing or proposed street on land adjoining the subdivision, the Board may require that provision be made for extension of the sanitary sewer system to a point at or near the subdivision property line.

10.19.3.7 Pump stations, force mains, and service connections shall be designed and installed in conformance with specifications issued by city wastewater treatment department.

10.19.3.8: All manholes where extensions or renewed services are required will be cored and the appropriate boot size for the pipe hookup used. (Amended 5/23/89)

10.20 PRIVATE SYSTEMS

If a private subsurface waste system is proposed, the developer shall submit evidence of soil suitability for subsurface sewage disposal prepared by a Maine Licensed Site Evaluator in full compliance with the requirements of the State of Maine Subsurface Wastewater Disposal Rules. In addition, on lots in which the limiting factor has been identified as being within 24" inches of the surface, a second site with suitable soils shall be shown as a reserve area for future

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replacement of the disposal area. The reserve area shall be shown on the plan and restricted so as not to be built upon. Logs for all test pits shall be provided.

10.20.1 In no instance shall a disposal area be permitted on soils on a lot which requires a New System Variance from the Subsurface Wastewater Disposal Rules.

10.20.2 All septic systems shall be designed by a licensed soil evaluator to the standards of the state plumbing code and any additional local requirements.

10.20.3 For any community system, a second site with suitable soils shall be shown as a reserve area for the future replacement of the disposal area. This area shall be shown on the plan as restricted from being built upon.

10.20.4 For any community septic system the developer shall submit a plan for permanent operation and maintenance including the financing thereof. The proposal shall include a funding mechanism for the accumulation of funds to replace and maintain the system.

10.20.5 The Board may impose a requirement that a community septic system be tested periodically and the results reported to the city.

10.20.6 Lots intended for single-family and two-family use shall not utilize a community septic system. (Amended 1/10/89)

10.21 STREET TREES

Trees shall be planted, or retained along all new streets at intervals of no greater than 50 feet, at the edge of the right of way. The Parks and Recreation Department shall review and approve any existing trees to be retained in the right of way. Applicant is required to guarantee the survival of these trees for one year from the date of acceptance of the ways by the City. Coniferous trees are not acceptable as street trees. Trees should be no less than 30 feet from street intersections, 15 feet from driveways.

10.21.1 Planting of Trees

Trees shall have a caliper of not less than 2 1/2" and planted in such a manner as to ensure their survival. Tree pits shall be dug a minimum of 12

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inches larger than the diameter of the root ball. Trees should be planted 1/8 the ball depth above existing grade. No large rocks, or debris or other such unsuitable materials may be used in filling the hole. Trees dead or in poor condition after one year shall be replaced by the subdivider.

10.21.2 Trees shall be selected from a list provided by the Saco Parks and Recreation Department or approved by that department.

10.21.3 Planting details shall be provided.

10.22 STREET LIGHTING (Amended 1/30/90, 12/21/04)

Adequate outdoor lighting shall be provided to illuminate streets and sidewalks. Lights shall be sized and directed to avoid glare on adjacent properties and roads. Street lighting shall be provided at arterial street intersections and at secondary street intersections, dead ends and/or culs de sac. Additional street lighting shall be provided for subdivision arterial streets and/or secondary streets where the City deems appropriate.

10.22.1 Street lights shall be provided as follows:

10.22.1.1 Street Lighting for Arterial Streets

Where specifically approved by the City as a condition of the Subdivision review process, the Developer shall make arrangements with CMP under a municipal street lighting lease agreement to have CMP provide cut-off street lights with bracket arms to be installed on existing utility poles. Streetlights shall include 150-watt high-pressure sodium lamps. Luminaires shall be CMP cut-off “cobra head” series lights. Bracket arms shall be CMP standard 6-foot bracket arms.

10.22.1.2 Street Lighting for Secondary Streets

Street light luminaires shall be the Lumec Domus Small (DOS50-175-SG3), with a multi-tap ballast rated to operate a 70-watt high-pressure sodium ballast (ballast to be provided within pole base). Ballasts shall be supplied with modular wiring connectors. Luminaire paint color shall be black.

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10.22.1.3 Street Light Poles shall be a round tapered composite Tuff-Pole manufactured by Shakespeare (AO1499S1BB01). Poles shall be fourteen (14) feet in height. Poles shall be supplied and installed with manufacturer's anchor bolts. Poles shall be equipped with a photocell. An alternate pole acceptable to the City is the Lumec steel bottle neck pole (SM63V15).

10.22.1.4 Street Light Pole Foundations shall be precast concrete, eighteen (18) inches in diameter by 6'-0" long. Concrete bases shall include 4000 PSI concrete with #4 steel reinforcing rods. Concrete bases shall be embedded with 5'-6" burial depth. All bases shall include a minimum of two conduits (where only one conduit is required for street lighting circuiting, the second conduit shall be capped below grade for future use).

10.22.1.5 Street Light Mounting Bracket shall be the Lumec DBE-1A.

10.22.1.6 Alternative products. If, due to changes in product lines or lack of availability of the products specified, it can be demonstrated that providing the luminaires, street light poles, or brackets is not possible, or that alternate products should be considered, a request shall be made to the Director of Public Works to that effect. Written permission shall be secured from the Director of Public Works prior to the installation of any lighting product not specified above.

ARTICLE 11
REQUIRED IMPROVEMENTS AND CONSTRUCTION STANDARDS

11.1 BASIC REQUIREMENTS

The Planning Board shall not approve any subdivision plan unless proposed street(s) are designed and constructed in accordance with local ordinances as well as the specifications contained in these regulations. Final subdivision approval by the Planning Board of a Subdivision Plan shall not be deemed to constitute or be evidence of acceptance by the City of any street, easement, or open space.

The developer shall install all of the improvements required under these standards except those which may be specifically waived by the Board. Construction practices and materials not specifically mentioned here shall be in accordance with the Maine Department of Transportation *Standard Specification (for) Roads and Bridges* (most recent revision). No bond or covenant given as security for such work shall be released until the Board has received (1) a survey plan of the improvements as built in compliance with article 11.23 and (2) a report in writing from the Department of Public Works giving full approval of the work. No work of any nature shall commence until such time as the Planning Board approves a final plan and it has been recorded at the Registry of Deeds.

11.1.1 Responsibilities Of Applicant

The applicant shall be responsible for providing the following basic services until street acceptance:

11.1.2 Snow plowing of all ways;

11.1.3 Trash pick-up from all inhabited units;

11.1.4 Maintenance of all roadway surfaces, drains, sewers and other utilities;

11.1.5 Installation of street signs and lights; Lights are to be energized;

11.1.6 The costs of performing the provisions of this section shall be added into the bond or surety provided for in Article 8 or included in the covenant provided for in Article 8;

11.1.7 The applicant shall, prior to the sale or transfer of a lot, notify the grantee that the applicant is responsible for providing the basic services as outlined above until the street is accepted to city standards and accepted by the city. Nothing herein shall be interpreted as requiring the applicant to provide these services to streets or utilities duly accepted by the City of Saco.

11.2 STREETS AND ROADWAYS

11.2.1 The subdivider or his contractor shall furnish and maintain all stakes and such temporary structures as may be necessary or required by the Department of Public Works for marking and maintaining points and lines for the installation of the roadway and related utilities throughout the construction of the subdivision.

11.2.2 Streets and roadways shall be constructed in accordance with the Typical Roadway Cross Sections attached to these Standards and Regulations.

11.2.3 Posting

The applicant shall, upon beginning construction of a street which intersects with a public way, post a sign, of a size no smaller than two feet by three feet and with two-inch letters in black on a white background, which states the following:

THIS IS NOT A PUBLIC WAY OWNED BY THE CITY OF SACO

The sign shall further identify the owner of the way and its address.

11.3 CLEARING AND GRUBBING

Clearing and grubbing of the roadway and sidewalk locations shall be done according to the width of the typical roadway section proposed, and shall include the removal of all stumps, brush, roots, boulders and similar materials as well as all trees which have not been marked for preservation. The contractor shall satisfactorily dispose of all trees, stumps, shrubs, roots, branches, dead wood, and other litter, in areas outside of the right of way or outside the subdivision and at approved disposal facilities when required.

The stumps of all trees, brush, and major roots shall be grubbed and removed in all excavation and under all embankments where the original ground level is within 3 1/2 feet below the sub-grade or slope of embankments.

11.4 EXCAVATION

11.4.1 Earth Excavation

Earth excavation shall consist of the excavation, disposal or compaction of all material not otherwise classified under some other item in accordance with the lines, grades, and cross sections shown on the plans or established by the Engineer.

Excavated materials, which are unsuitable for embankment, or surplus material remaining after completing the site work will be known as waste and shall be disposed of by the contractor outside the Right of Way, unless otherwise directed.

11.4.2 Rock Excavation

Rock excavation shall consist of:

11.4.2.1 Rock which cannot be excavated without blasting or the use of rippers.

11.4.2.2 Rock, cemented stonewalls, or masonry structures measuring one cubic yard or more.

11.4.3 Embankment

This work consists of the formation of embankments with suitable material obtained from excavation and borrow, thoroughly compacted to produce a stabilized embankment, in accordance with the lines and grades shown on the plans and as directed.

11.4.3.1 When it is determined that there is not sufficient material available from excavation, the Contractor shall obtain additional material from outside the location and this material will be borrow material.

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11.4.3.2 Frozen material shall not be placed in embankments. Earth embankment shall be placed and compacted in uniform layers not exceeding twelve (12) inches in depth, loose measurement, spread on the entire width of the embankment and leveled off by approved equipment.

Each layer of embankment material shall be thoroughly compacted not less than 95 percent of the maximum dry density of the material in accordance with AASHTO procedure T-180, Method C - D.

11.4.4 Sub-grade Preparation

11.4.4.1 The roadway shall be excavated to a depth below the established finished grade as shown on the plans or the Typical Roadway Cross Sections.

11.4.4.2 The conditions of the sub-grade surface at the bottom of the excavation shall be inspected by the city inspector, and if, in his opinion, such conditions are wet or spongy or otherwise unsatisfactory due to the presence of unsuitable materials such as organic soils and some types of clay, the bottom shall be excavated below the sub-grade to a depth determined by the representative to be sufficient to ensure removal of all such unsuitable material.

11.4.4.3 If any portion of the roadway location is required to be excavated below the designed surface of the sub-grade, the space so excavated shall be filled with clean, bank gravel, or such other suitable material such as shattered ledge. The top six (6) inches of sub-grade shall contain no stones greater than six inches in diameter. The roadway location shall then be graded and rolled so as to form the surface of the sub-grade shaped to conform with the proposed roadway section.

11.4.4.4 All ledge, boulders, and large stones located within the full cross section of the roadway shall be cleared to the minimum depth required below the established finish grade.

11.4.4.5 All drainage and sewer pipes, culverts, catch basins and manholes, and all utility pipes, conduits and appurtenances to be placed under the roadway and sidewalk locations shall be installed and properly back-filled prior to construction of the roadway and sidewalk.

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11.4.4.6 When required, sub-drains shall be installed at additional locations as directed by the Department of Public Works.

11.5 GRAVEL SUB-BASE AND BASE MATERIALS

Gravel shall consist of hard, durable stone and coarse sand, free from frozen lumps, frost, loam, and clay, uniformly graded and containing no stone having any dimension greater than 3 inches. The grading of sizes and material shall be such that the gravel may be thoroughly consolidated. The grading shall conform to the following requirements:

11.5.1 Type A - Aggregate For Base Course

The gradation of the part that passes a 3-inch sieve shall meet the grading requirements of the following table:

<u>Sieve Designation</u>	<u>Percent by Weight Passing Square Mesh Sieves</u>
1/2 inch	45 - 70
1/4 inch	30 - 55
No. 40	0 - 20
No. 200	0 - 5

Type A aggregate for base shall not contain particles of rock which will not pass the 2-inch square mesh sieve.

11.5.2 Type B - Aggregate For Sub-base Course

The gradation of the part that passes a 3-inch sieve shall meet the grading requirements of the following table:

<u>Sieve Designation</u>	<u>Percent by Weight Passing Square Mesh Sieves</u>
1/4 inch	25 - 70
No. 40	0 - 30
No. 200	0 - 7

Aggregate for sub-base shall not contain particles of rock which will not

pass the 6 inch square mesh sieve.

11.5.2.1 After the roadway sub-grade has been graded and properly compacted, the gravel for the base and sub-base shall be spread in layers not exceeding six inches in thickness, each thoroughly watered and compacted true to lines and grades to not less than 95 percent of the maximum dry density, in accordance with AASHTO procedure T-180, Method C - D, so as to yield a total depth of eighteen (18) inches after compaction. The gravel base shall be formed as shown on the proposed Roadway Cross Section. Any depression that appears during or after rolling shall be filled with gravel and the area rerolled until the surface is true and even.

11.5.2.2 After the gravel sub-base has been compacted and approved a 3" layer of aggregate base Type A shall be spread and compacted in accordance with AASHTO procedure T-180, Method C - D. Aggregate base Type A shall conform to the Department of Public Works specifications.

11.5.2.3 When required by the Department of Public Works, samples of the gravel to be used shall be tested for gradation by sieve analysis and the rolled gravel tested for compaction. All such tests shall be made at the expense of the developer.

11.6 PAVEMENT

11.6.1 Arterial Streets

The pavement of the roadway of each arterial street in a subdivision shall consist of Bituminous Concrete constructed in two courses; 2 1/2" base or binder course and 1 1/2" top or finish course. Each course shall be rolled so as to form a final pavement depth of four (4) inches over the gravel base in conformity with the lines, graded and typical cross section shown on the approved Final Plan. Additional gravel and bituminous pavement may be required if the traffic flow warrants.

11.6.2 Secondary Streets

The pavement of the roadway of each secondary street in a subdivision shall consist of Bituminous Concrete constructed in two courses; 2" base or

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binder course and 1" top or finish course. Each course shall be rolled so as to form a final pavement depth of three (3) inches over the gravel base in conformity with the lines, graded and typical cross section shown on the approved Final Plan.

11.6.3 No roadway pavement shall be constructed before April 15th or after October 15th for top coat or November 15th for binder without written permission of the Director of Public Works. Air temperature shall be no lower than 35 degrees F. (binder) and 55 degrees F. (top coat) without written permission of the Director of Public Works.

11.6.4 The binder course shall set after application for one full winter before the finish paving is placed.

11.6.5 Pavement Joints

Where pavement placed joins an existing pavement, the existing pavement shall be cut along a smooth line and to a neat, even, vertical joint.

11.7 STREET CONSTRUCTION STANDARDS (Amended 5/23/89)

Minimum thickness of materials after compaction:

<u>Street Materials</u>	<u>Minimum Requirements</u>	
	<u>Arterial</u>	<u>Secondary</u>
Aggregate Sub-base Course (Max. sized stone - 6")	21"	18"
Crushed Aggregate base Course	3"	3"
Hot Bituminous Pavement (after compaction)		
Total Thickness (after compaction)	4"	3"
Surface Course (after compaction)	1 1/2"	1"
Base Course (after compaction)	2 1/2"	2"

11.8 ROADWAY EMBANKMENTS AND RETAINING WALLS

11.8.1 Embankments outside of the street right-of-way shall be evenly graded and pitched at a slope of not greater than three (3) horizontal to one (1) vertical in fill as shown on the Typical Sections.

11.8.2 Where cuts are made in ledge, other slopes may be permitted upon written approval of the Board. Where terrain is such that greater slopes are essential, retaining walls, terracing or riprap shall be used either alone or in combination provided that plans of such proposed grading methods are filed with and approved by the Board prior to the commencement of road construction.

11.8.3 The Board may require that defined slope easements be shown on the Final Survey Plan and that such easements be reserved by the developer for future acquisition by the City for maintenance purposes.

11.8.4 All major changes in the grading of land and streets as shown on the approved Final Plan shall be completed prior to the installation of the drainage system, utilities and roadways.

11.9 CURBS AND BERMS

11.9.1 Vertical faced granite curb, Type 1, shall be installed on all arterial streets.

11.9.2. Bituminous curb impregnated with fibers, MDOT Type 3, Mold 2, shall be installed on all secondary streets, except for the following specific locations:

A. Between the points of tangency of intersecting streets and other intersections, including, but not limited to, commercial properties, and driveways serving five or more dwelling units, where Type 1 vertical granite curb, Type I, is required;

B. Adjacent to granite catch basin inlets and adjacent to vertical granite curb,

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where granite transition pieces approved by the public works director shall be installed, and;

C. Cul de sac islands, traffic islands, and medians, around which Type 5 sloped granite edging shall be installed.

The applicant may choose to install granite curb, Type 1, rather than bituminous. Handicapped accessible curb designs will be used at proposed pedestrian crossings.

The typical detail 3 illustrates the proper installation of bituminous curb. (See typical detail #3 at rear of appendix.) (Amended 5/24/94)

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11.10 GRANITE CURB INLETS

Granite curb inlets shall be installed at all catch basin locations on all streets.

11.11 The following design standards apply to all streets: (Amended 5/23/89)

<u>Description</u>	<u>Type of Street</u>	
	<u>Arterial</u>	<u>Secondary</u>
Minimum Right-of-way width	70'	50'
Minimum Pavement width	34'	24'
Sidewalk width	5'	5'
Esplanade width	5'	5'
Minimum Centerline Grade	1%	1%
Maximum Centerline Grade	6%	8%
Minimum Centerline radius	430'	150'
Minimum tangent between curves of reverse alignment	200'	100'
Roadway Crown	1/4"/ft	1/4"/ft
Minimum angle of street intersections	90*	90*
Maximum Grade at Intersection (within 75' of intersections)	3%	3%
Minimum Street Corner Radius	30'	20'
Min. ROW radius at intersection	15'	10'

* A variation of 15 degrees is acceptable when necessitated by topography, safety considerations, or other reasons acceptable to the Board.
(Amended 5/23/89)

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11.12 MINIMUM SAFE SIGHT-DISTANCES FOR STREETS AND DRIVEWAYS

Posted Speed Limit (mph)	*	25	30	35	40	45	50	55
For Passenger Cars		250'	300'	350'	400'	450'	500'	550'

*Note: Where it is impossible to meet these sight-distance standards, due to physical conditions, a maximum variance of 30% may be permitted, in accordance with the waiver provisions in Article 12. The 30% variance is consistent with the absolute minimum stopping distance requirements on wet pavement established by the Maine Department of Transportation.

Sight distances shall be measured from the driver's seat of a vehicle, a distance of 10' behind the edge of traveled way from a height of eye 3 ½ feet to an object 3 ½ feet above the pavement. (Amended 9/4/07)

11.13 GRADES, INTERSECTIONS, AND SIGHT DISTANCES

All changes in grade of one percent or greater shall be connected by vertical curves of such length and radius as meet with the approval of the Planning Board so that clear visibility shall be provided for distances specified in paragraph 11.12, minimum sight distances.

11.14 STORM AND SURFACE DRAINAGE

A system of storm drains, culverts, ditches, and related installations, including catch basins, gutters, and manholes, shall be designed and installed to provide adequate disposal of surface water, including control of erosion, flooding, and standing water from or in the subdivision and adjacent lands.

11.14.1 Pipes, Culverts And Drains

11.14.1.1-The size of pipe shall be in accordance with the approved Final plan and in any case shall not be less than twelve (12) inches in diameter for the combined underdrain and storm drain, except for the six inch Type B underdrain, which is installed on the opposite side of the street from the storm drain. Where the diameter of pipe increases, the pipes shall be installed such that the pipes are flush at the crown, or other

accepted engineering practice approved by the Planning Board.

11.14.1.2 Pipe for the construction of all culverts and drains shall be P.V.C. SDR35 or equal, aluminized Type II metal, reinforced concrete with a minimum strength of Class III, or A.B.S. pipe approved by the Public Works Director. The classes of pipe indicated above should be construed as a minimum. Where conditions warrant, stronger grades may be required. (Amended 5/23/89)

11.14.1.3 All pipes shall be laid out true to line and grade as shown on the approved Final plan. Each section of pipe shall have a full, firm bedding throughout its length and shall be installed in compliance with the Standard Specification. No back filling of pipes or culverts shall be done until the installation has been inspected and approved by the Department of Public Works. As the pipe is installed, the space outside and around the pipe shall be back-filled with suitable pipe bedding materials as indicated on the plans. The back fill shall be deposited in layers not over six (6) inches in depth to a point one foot over the pipe and each layer thoroughly compacted mechanically or by other approved methods and tools. Machine backfilling shall not be allowed without approval of the DPW. Minimum covering of all pipe shall be not less than thirty-six (36) inches. (Amended 5/23/89)

11.14.2 Catch Basins And Manholes

11.14.2.1 Catch basins shall be located on both sides of the roadway on continuous grades at intervals of not more than three hundred (300) feet, and at all low points and at the corners' low points as may be required. Intervals of less than three hundred (300) feet may be required on steep grades.

11.14.2.2 Catch basins and manholes shall consist of precast solid segments or precast concrete structures, all conforming to the Standard Specifications.

11.14.2.3 Catch basins and manholes shall have an inside diameter of not less than four (4) feet at a point two and one-half (2 1/2) feet below the bottom of the frame.

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11.14.2.4 Catch basins shall provide a two-foot sump measured from the invert of the outlet pipe.

11.14.2.5 Walls of pre-cast catch basins and manholes shall be not less than five inches thick.

11.14.2.6 Backfill shall not be applied until after inspection or within five (5) days of setting the mortar.

11.14.2.7 Frame castings for catch basins and manholes shall be set in full mortar beds of red brick, type 2H backer type with a minimum of three courses and a maximum of five courses of brick. Manhole castings shall be set flush with the designed finish grade of the pavement. Catch basin grates shall be depressed one inch from the finished gutter grade. Bicycle-safe grates shall be used. (Amended 5/23/89)

11.14.3 Responsibility For Subdivision Drainage

The responsibility for adequate drainage shall rest with the developer. This shall include connection with existing drainage facilities, if any, provided by the City. When private drains are connected to City drainage, the city will not be responsible for any damage.

11.15 SANITARY SEWERS

A system of sanitary sewers shall be designed and installed to provide adequate disposal of sewage.

11.15.1 Pipe

11.15.1.1 Pipe shall PVC-SDR 35, or reinforced concrete. Extra strength reinforced concrete pipe may be required where the depth of cover is less than three feet or other conditions warrant.

11.15.1.2 All pipes shall be laid straight, true to line and grade as shown on the approved Final plan. Each section of pipe shall have a full, firm bedding throughout its length and shall be installed in compliance with the Standard Specifications and inspected by the department of public works.

11.15.2 Sewer Service Connections

This item consists of connecting sanitary sewer services to residences, business and industrial establishments to an existing sewer main. All construction methods used for this item shall comply with the applicable sections of these specifications.

All sewer service connections from residential, commercial or industrial establishments shall be connected to the sewer main by means of an approved wye or tee wye specially manufactured for the purpose. The connection shall be made in a manner that does not protrude into the sewer main. All such connections shall be made in conformance with Department of Public Works specifications.

11.15.3 Future Service Connections

Where new sewers are to be constructed, the Contractor shall furnish and install fittings or chimneys at locations shown on the plans or designated by the Department of Public Works. Service sewer pipe shall be connected to the main and properly installed out to the sideline or Right-of-Way of the roadway. The Contractor shall permanently locate the ends of the pipe so that a future connection can be made. The end of the service pipe shall be suitably capped or plugged as approved by DPW.

11.15.4 Manholes, Frames And Covers

11.15.4.1 Sewer manholes shall be watertight and concrete or cast-in-place concrete in conformity with the construction details as attached hereto.

11.15.4.2 Sewer manhole frames and covers shall be E265S and G277 for watertight applications as manufactured by Ethridge Foundry or approved equal, and shall bear "SACO, ME" on the cover. (Amended 5/23/89)

11.16 WATER MAINS, VALVES, HYDRANTS & FITTINGS

When new streets are constructed in accordance with these standards, the minimum size of the water main, the number of gates and the location of the hydrants to service the proposed area shall be determined by the Biddeford Saco

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Water Company and the fire department. In general, 8-inch water mains, or larger, shall be installed on all water main extensions in excess of 600 feet, or when needed to complete a good distribution grid system. All water main extensions together with all other appurtenances shall be installed under the supervision of the Biddeford-Saco Water Company.

11.16.1 Water mains and appurtenances shall be installed under a main extension contract between subdivider and the Biddeford and Saco Water Company. The contract shall comply with the rules of the Maine Public Utilities Commission governing water main extensions (65-407 C.M.R. 65).

11.16.2 Fire hydrant locations and fire flow requirements are outlined in Article 10 and may be supplemented by the Saco Fire Chief when special conditions warrant. Water main size, layout and location of appurtenances shall be established by the Water Company.

11.16.3 Materials shall comply with Water Company requirements as summarized below:

11.16.3.1 Pipe, fittings, and accessories shall conform to the latest edition of the following ANSI standard specifications: A21.4, A21.10, A21.11, A21.50, and A21.51. Pipe shall be thickness class 52 with double thickness cement mortar lining. Fittings shall be mechanical joint of a pressure classification at least equal to that of the pipe.

11.16.3.2 Valves shall be American Darling CRS 80, open right.

11.16.3.3 Hydrants shall be American Darling B62, Biddeford specification.

11.16.3.4 Tapping sleeves shall be split cast-iron sleeve with mechanical joint ends on the main.

11.16.4 Layout

Water mains shall be located off the paved surface at least 4 feet from the edge of pavement and 10 feet horizontal distances from any other buried utility. Water mains shall be "looped" with multiple connections to the

existing distribution system wherever possible. Long dead-end mains shall be avoided. Subdivider shall provide the Water Company with 30 feet wide recorded easements to adjacent parcels of land where required by the Board to provide for possible future water main extension.

11.17 SIDEWALKS

11.17.1 Sidewalk Base

The sidewalk base shall consist of not less than twelve (12) inches of Gravel Aggregate Sub-base Course and the Crushed Aggregate Base Course shall not be less than 2 inches in thickness, after thorough compaction in accordance with AASHTO procedure T-180, Method C - D.

11.17.2 Sidewalk Pavement (Amended 4/24/01)

The sidewalk pavement shall consist of Bituminous Grade C laid in a base course of 1.5 inches and a surface course of one inch of Grade D. With the concurrence of the Public Works Department and the Planning Board the subdivider may also install four inches of Portland Cement Concrete, reinforced by 6 inch square #10 wire mesh or approved equal, 4,000 psi, 5 percent air entrainment. Concrete pavement must be six inches thick where driveway aprons cross. Brick or concrete sidewalks may be required in downtown areas if brick or concrete sidewalks exist nearby.

11.17.3 Loaming And Seeding

All areas between the sidewalk and the paved roadway shall be graded, filled, loamed and seeded in accordance with the typical section. Planting strips to be limed at the rate of 100 pounds per 1000 square feet, and 10 pounds of a 10-10-10 fertilizer per 100 sq. feet or equivalent and seeded with a conservation mix meeting the standards of the York County Soil and Water Conservation District.

11.17.4 Sidewalk Pavement At Street Intersection

All sidewalk/street intersections are to be made handicapped accessible and must conform to the construction standards of the Architectural Barriers Board.

11.17.5 Grass Strips

All cleared open areas included within the street right-of-way or within slope

or drainage easements shall be suitably graded and loamed with not less than four (4) inches of good quality loam after compaction and rolled, limed, fertilized, and seeded with perennial lawn grass seed. Seeding shall be done at appropriate times of the year and in a manner to insure the growth of grass as approved by the Department of Public Works.

11.17.6 Street Signs

Street signs approved by the Department of Public Works shall be furnished and installed at all street intersections prior to the occupancy of any house on the street. Street signs shall be set at the location and height and in the manner prescribed by the Department of Public Works.

11.18 BOUNDARY MARKERS AND MONUMENTS

11.18.1 Granite monuments shall be set at all intersections and points of curvature, but no farther than 750 feet apart along street lines without curves or intersections.

11.18.2 Granite monuments shall be placed at all corners and angle points of the subdivision boundaries where the interior angle of the subdivision boundaries is 135 degrees or less.

11.18.3 Monuments shall be of granite and located in the ground at final grade level, and indicated on the Final Plan. After they are set, a surveyors cap inserted in the granite shall locate the point or points described. The minimum monument size shall be four (4) inches square at the top, and four (4) feet in length. Where conditions warrant other suitable permanent markers may be used if approved by the city.

11.18.4 All other subdivision corners and boundary points and all other lot corners and angle points shall be marked with an iron pin.

11.19 STREET LIGHTING (Amended 12/21/04)

All the appurtenances for street lighting, (i.e. handholds, transformer pads, conduit,) with underground wiring shall be installed concurrently with the installation of the underground domestic electric service. Plans showing proposed locations of poles and underground cables, conduits, transformers, and related equipment shall be filed with and approved by the City Engineer,

the City Electrical Inspector, and the Department of Public Works before installation is commenced. Streetlights shall be energized prior to issuance of occupancy permits. The developer shall provide to the City Department of Public Works one additional street light pole for each two poles installed, identical to the poles installed. If three poles are installed, two additional poles shall be provided. The additional poles shall be provided at the time of installation of poles at the subdivision.

11.19.1 Street Lighting for Arterial Streets

Where specifically approved by the City as a condition of the Subdivision review process, the Developer shall make arrangements with CMP under a municipal street lighting lease agreement to have CMP provide cut-off street lights with bracket arms to be installed on existing utility poles. Streetlights shall include 150-watt high-pressure sodium lamps. Luminaires shall be CMP cut-off “cobra head” series lights. Bracket arms shall be CMP standard 6-foot bracket arms.

A minimum of one streetlight and maximum of two streetlights shall be provided within 10 feet of the street corner.

11.19.2 Street Lighting for Secondary Streets

11.19.2.1 Street light luminaires shall be the Lumec Domus Small (DOS50-175-SG3), with a multi-tap ballast rated to operate a 70-watt high-pressure sodium ballast (ballast to be provided within pole base). Ballasts shall be supplied with modular wiring connectors. Luminaire paint color shall be black.

11.19.2.2 Street light poles shall be a round tapered composite Tuff-Pole manufactured by Shakespeare (AO1499S1BB01). Poles shall be fourteen (14) feet in height. Poles shall be supplied and installed with manufacturer’s anchor bolts. Poles shall be equipped with a photocell. An alternate pole acceptable to the City is the Lumec steel bottle neck pole (SM63V15).

11.19.2.3 Street Lighting Pole Foundations

Street light pole foundation bases shall be precast concrete, eighteen (18) inches in diameter by 6’-0” long. Concrete bases shall include 4000 PSI

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concrete with #4 steel reinforcing rods. Concrete bases shall be embedded with 5'-6" burial depth. All bases shall include a minimum of two conduits (where only one conduit is required for street lighting circuiting, the second conduit shall be capped below grade for future use).

Street lighting for Secondary Streets shall be provided on one side of the street (sidewalk side where sidewalk is provided) at intersections and culs de sac, or as required by the City. A minimum of one streetlight and maximum of two streetlights shall be provided within ten (10) feet of any intersection of cross streets, or as required by the City so as to adequately light any intersection of cross streets.

11.20 EROSION CONTROL

Measures shall be taken, both during preparatory construction and cleanup stages, to prevent soil erosion and water pollution. A plan shall be prepared meeting the standards of the York County Soil and Water Conservation District.

11.21 FINAL CLEANING UP

Upon completion of the roadways and other required improvements, the developer shall remove from the right of way and adjoining property all temporary structures, logs, brush, rubbish, loose stones and boulders, surplus earth, gravel, and other materials which may have accumulated during construction, shall sweep the streets, and shall leave the subdivision in a neat and sightly condition.

11.22 INSPECTION OF IMPROVEMENTS

11.22.1 Inspection of the required subdivision improvements shall be made by the Department of Public Works during the work and arrangements shall be made by the developer with the Planning Board Agent prior to starting road construction.

11.22.2 The Planning Board Agent will furnish the developer with a copy of a checklist covering all required inspections. The original of such list shall be signed by the Agent after satisfactory completion of each stage of the construction and retained in the Board files.

11.22.3 Inspection shall be requested at least forty-eight (48) hours in advance of each inspection by written notice to the Planning Board Agent.

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11.22.4 Required Inspections

Inspections shall be required in all subdivisions during the installation of the following required improvements:

11.22.4.1 Marking of trees to be preserved in the street right-of-ways;

11.22.4.2 Excavation of roadway and sub-grade preparation;

11.22.4.3 Installation of drainage pipes, conduits, catch basins, manholes and other below-grade drainage facilities;

11.22.4.4 Installation of utility pipes and conduits located under roadway and sidewalk locations;

11.22.4.5 Filling, grading and compaction of the roadway and sidewalk subgrades;

11.22.4.6 Installation of curb and curb inlets at catch basins and at street intersections;

11.22.4.7 Placement of bituminous binder course on roadways;

11.22.4.8 Installation of sanitary sewer systems and testing of systems for exfiltration, infiltration, vertical and horizontal alignment, and deflection;

11.22.4.9 Installation of catch basins and manhole frames, headwalls, and riprapping;

11.22.4.10 Placement of bituminous finish course on roadways;

11.22.4.11 Construction of sidewalks;

11.22.4.12 Installation of underground electric and telephone services;

11.22.4.13 Installation of street lights;

11.22.4.14 Loaming, grading, and seeding of grass strips;

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- 11.22.4.15 Installation of street signs;
- 11.22.4.16 Installation of street trees where required;
- 11.22.4.17 Installation of monuments;
- 11.22.4.18 Clean up of all stumps and debris in the right of way.

11.23 SURVEY OF IMPROVEMENTS AS INSTALLED

After all street construction is completed and before the release of any bond or covenant, the developer shall file with the Board one (1) reproducible copy and two (2) contact prints of the Final plan corrected and certified by a Registered Professional Engineer or Registered Land Surveyor to show the following:

- 11.23.1 Centerline elevations at 50-foot intervals of all roadways as built;
- 11.23.2 Profiles of the drainage and sanitary sewer systems as installed;
- 11.23.3 Utilities as installed, including but not limited to water, sewer, gas, cable television, electricity and telephone;
- 11.23.4 Sideline locations of roadways and sidewalks as built;
- 11.23.5 Monuments as installed;
- 11.23.6 Contour map at 2-foot intervals.

11.24 SUBMISSION OF FINAL PLAN IN DIGITAL FORMAT (Amended 1/22/02; 12/16/08)

Prior to the release of the Letter of Credit and Inspection Fee Account, the developer shall submit to the Planning Office a digital copy of the Final Plan referenced in 11.23 above. The digital data shall be a single composite AutoCAD (up to Release 2007) drawing file as well as a 'pdf' file, and may be submitted on CD-ROM, via e-mail, or other format acceptable to the City Planner. The following standards shall be followed:

- 11.24.1 Plan units; decimal feet, NAD83, Maine State Plane West, vertical datum NAVD1988

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- 11.24.2 Georeferencing; drawing features should be tied into state plane coordinates
- 11.24.3 Rotation of grid north maintained. Plan data should not be “rotated” in any way which might compromise data coordinate integrity. (Alternatively, a ‘dview, twist’ or similar CAD display operation will allow for convenient plotting/layout fitting while still proper maintaining spatial reference.)
- 11.24.4 Coordinates shall be specified on at least four corners of the site plan or subdivision plan. Coordinates shall be referenced via the Maine State Coordinate System.
- 11.24.5 Any dependant external referenced (xref’s) should be bound to the drawing file
- 11.24.6 Drawing layers should be named in a logical fashion to allow identification of features; preferably, all drawings should be accompanied by a file that describes the layer structure

Significant proposed features, ie: building footprints, parking areas, driveways, should be closed 2d polylines (looped for closure).

11.25 STREET ACCEPTANCE DESCRIPTION (Amended 1/23/01)

After all improvements have been satisfactorily constructed, installed and inspected by the City or its agents, the developer may submit a request that the City accept those streets. Before the City accepts the street(s), the Developer is required to submit a metes and bounds description specific to the street requested to be accepted. The description shall be prepared and certified by a Registered Land Surveyor and shall reference monuments or other physical property points shown or referenced on the approved subdivision plan and record drawings as required by Article 11.23. The description shall be suitable for filing with the York County Registry of Deeds. The Planning Board shall not recommend that the City accept a street until the metes and bounds description has been furnished.

ARTICLE 12
WAIVERS

12.1 Where the Board makes written findings of fact that there are special circumstances of a particular lot proposed to be subdivided, it may waive portions of the submission requirements or the standards, unless otherwise indicated in the regulations, to permit a more practical and economical development, provided the public health, safety, and welfare are protected, and provided the waivers do not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Land Use Plan, the Zoning Ordinance, or these regulations, and provided the criteria of the State Subdivision Law are met.

12.2 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 inadequate or lack of connecting facilities adjacent to or in proximity to the proposed subdivision, it may waive the requirements for such improvements, subject to appropriate conditions.

12.3 In granting waivers to any of these regulations, the Board shall require such conditions as will assure that the objectives of these regulations are met.

12.4 When the Board grants a waiver to any of the standards in these regulations, the Final Plan shall indicate the waivers granted and the date on which they were granted.

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ARTICLE 13
APPEALS

13.1 An aggrieved party may appeal any decision of the Board under these regulations to the York County Superior Court within thirty days.

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ARTICLE 14
SEPARABILITY AND EFFECTIVE DATE

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

14.2 These standards shall take effect immediately on adoption of the same by the Saco Planning Board, October 13, 1988.

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