

SUBDIVISION STANDARDS

OF THE PLANNING BOARD

OF THE TOWN OF VERONA ISLAND, MAINE

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**SUBDIVISION STANDARDS OF THE PLANNING BOARD
OF THE TOWN OF VERONA ISLAND, MAINE**

ARTICLE I PURPOSE

- 1.1 The purpose of these standards 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 Town of Verona Island, Maine, the Board shall consider the following criteria and before granting approval shall determine that the proposed subdivision.
- A. Will not result in undue water or air pollution. In making this determination it shall at least consider: The evaluation of land above sea level and its relation to the flood plains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of streams for disposal of effluents; and the applicable state and local health and water resources regulations;
 - B. Has sufficient water available for the reasonably foreseeable needs of the subdivision;
 - C. Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
 - D. Will not cause an unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result;
 - E. Will not cause unreasonable highway or public road congestion Or unsafe conditions with respect to use of the highways or public roads existing or proposed;
 - F. Will provide for adequate sewage waste disposal;
 - G. Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized;
 - H. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas;
 - I. Will incorporate basic principles of energy efficient design wherever possible, including, but not limited to, the placement of buildings to take advantage of solar energy, natural windbreaks and other natural features that might minimize the impact of the proposed development on public power supplies;
 - J. Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any,
 - K. The subdivider has adequate financial and technical capacity to meet the above stated standards;

and

Whenever situated, in whole or in part, within 250 feet of any pond, lake, river, or tidal waters, will not adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water.

- L. The Department of Transportation has provided documentation indicating that the driveways or entrances conform to Title 23, Section 704 and any rules adopted under that section.

ARTICLE II AUTHORITY AND ADMINISTRATION

2.1. Authority

- 2.1.1. These standards have been prepared in accordance with the provisions of Title 30-A M.R.S.A., Section 4404.
- 2.1.2. These standards shall be known and may be cited as “Subdivision Standards of the Planning Board of the Town of Verona, Maine.”

2.2. Administration

- 2.2.1. The Planning Board of the Town of Verona Island, hereinafter called the Board, shall administer these standards.
- 2.2.2. The provisions of these standards shall pertain to all the land proposed for subdivision as herein defined within the boundaries of the Town of Verona Island.

ARTICLE III DEFINITIONS

- 3.1. In general, words and terms used in these standards shall have their customary dictionary meanings. More specifically, certain words and terms used herein are defined as follows:

Block: A lot or groups of lots bounded all sides by lot lines, streets, town lines, or other rights-of-way.

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

Construction Drawing: Means drawings showing the location, profile, grades, size and type of drains, sewers, water mains, under ground power ducts and underground telephone ducts, pavements, cross-section of streets, miscellaneous structures, etc.

Easement: The authorization of a property owner for the use by another, and for a specified purpose, of any designated part of his property.

Engineer: Municipal Engineer or consulting engineer licensed by the State of Maine.

Final Subdivision Plan: The final drawings on which the subdivider’s plan of subdivision is

presented to the planning Board for approval and which, if approved, must be filed for record with the Municipal Clerk and County Registry of Deeds and must comply with all requirements of Section 7.4.1 of this ordinance.

Legislative Body: Town Meeting

Lot: Any separate or distinct unit of land, structure or part of structure, whether residential or non-residential, with a clearly separate but not necessarily different, use or intended use from the lot or lots adjacent to it, with the exception of auxiliary buildings for a single family residence, not intended for human occupancy. Included under this definition of lot would be apartments, shopping centers, and groups of nonresidential buildings with different uses, even if owned by the same person.

Municipality: Town of Verona Island

Official Map: The map adopted by the Municipality showing the location of public property, ways used in common by more than 2 owners of abutting property, and approved subdivision, and any amendments thereto adopted by the Municipality or additions thereto resulting from the approval of subdivision plans by the Planning Board and the subsequent filing for record of such approved plans.

Official Submittal Date: The time of submission of a Pre-application plan, Final Plan for Minor Subdivision, Preliminary Plan for Major Subdivision or Final Plan for Major Subdivision shall be considered the submission date at a regular meeting of the Board of the application for such Plan approval to the Board, complete and accompanied by any required fee and all data required by these standards.

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

Planning Board: The Planning Board of the Municipality created under Title 30, MRSA Chapter 201—A Section 1917.

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

Re-subdivision: The division of an existing subdivision or any change of lot size therein or the relocation of any Street or lot in a subdivision.

Street: The word "Street" means and includes such ways as alleys, avenues, boulevards, highways, roads, streets and other rights-of-way; the term "street" shall also apply to areas on subdivision plans designated as "streets" etc.

Subdivision: A subdivision is the division of a tract or parcel of land into 3 or more lots within a 5-year period, which begins after September 22, 1971, whether accomplished sale, lease, development, buildings or otherwise, provided that a division accomplished by devise, condemnation, order of court, gift to a person related to the donor by blood, marriage or adopt unless the intent of such gifts is to avoid the objectives of this section, or by transfer of any interest in land to the owner of land abutting thereon, shall not be deemed to create a lot or lots for the purposes this section. In determining whether a tract or parcel of land is divided into or

more lots, the first dividing of such tract or parcel, unless otherwise exempt herein, shall be considered to create to first 2 lots and the next dividing of el of said first 2 lots, by whomever accomplished unless otherwise exempted herein, shall considered to create a 3rd lot, unless b such dividings are accomplished by a sub divider who shall have retained one of a lots for his own use as a single family residence for a period of at least 5 years prior to such 2nd dividing. Lots of 40 or more acres shall be counted as lots. For the purposes of this section, a tract or parcel of land is defined as all contiguous land in the same ownership, provided that 'ands located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof.

Subdivisions, Major: Any subdivision containing more than four (4) lots, or any subdivision requiring any new public street extension, or the extension of municipal facilities.

Subdivisions, Minor: A subdivision containing not more than four (4) lots.

ARTICLE IV PREAPPLICATION

4.1. Procedure

- 4.1.1. In order that the Planning Board may be fully informed about the site and in a knowledgeable position to prescribe the contour interval to be employed on topographic maps and grading plans for the subdivision, the subdivider shall arrange for a joint inspection of the site with the Planning Board or a committee, member, or individual appointed by the Chairman to act as the Board's representative for such inspection.
- 4.1.2. At the time of the preapplication inspection, the subdivider shall submit for informal discussion a Sketch Plan and other data relative to the proposed subdivision which may be of assistance to the Planning Board in making its determinations.
- 4.1.3. After such preliminary inspection, the Planning Board has 30 days plus the number of days until the next regular meeting to inform the subdivider in writing of the contour interval which will be required for his subdivision plan; and will classify the Sketch Plan into one of two categories as defined herein:
- 4.1.4. If classified as a Minor Subdivision the subdivider shall then comply with the procedure outlined in Article V of these standards. If classified as a Major Subdivision the subdivider shall comply with procedures outlined in Article VI and Article VII of these standards. The Planning Board shall determine whether the Sketch Plan complies with these standards and shall, where it deems necessary, make specific suggestions in writing to be incorporated by the applicant in his subsequent submissions.

4.2 Submissions

- 4.2.1. The Sketch Plan shall be submitted to the Planning Board at the time of or prior to the on—site inspection. On site inspections may require public notice. Refer to Planning Board Manual Chapter 2, Page 15.
- 4.2.2. The Sketch Plan shall show, in simple sketch form on a topographic map the proposed layout of streets, lots, and other features in relation to existing conditions.

The Sketch Plan, which may be a free—hand pencilled sketch, should include the data listed in Section 5.3 or such of it as the Planning Board determines is necessary to supplement the drawing required above.

- 4.2.3. General subdivision information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawing required above.

This information shall include data on existing covenants, medium intensity soil survey and soil interpretation sheets, and available community facilities and utilities and information describing the subdivision proposal such as number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and Street improvements.

- 4.2.4. All applications and submissions for approval filed with the Planning Board shall include such forms as the Planning Board may from time to time approve.

ARTICLE V REVIEW AND APPROVAL OF MINOR SUBDIVISION

5.1 General

- 5.1.1. The Planning Board may require, where it deems it necessary for the protection of public health, safety and welfare, that a Minor Subdivision comply with all or any of the requirements specified for Major Subdivisions.

5.2 Procedure

- 5.2.1. Within six months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the subdivider shall submit an application for approval of a Final Plan at least seven (7) days prior to a scheduled meeting of the Board. Failure to do so shall require re-submission of the Sketch Plan to the Planning Board for reclassification. The Final Plan shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board pursuant to this ordinance.
- 5.2.2. All applications for Plan approval for Minor Subdivisions shall be accompanied by a fee of \$50/application, \$50/lot plus an escrow fee of a \$5,000 bond, payable to the Town of Verona Island stating the specific purpose of the fee.

Board to discuss the Final Plan.

- 5.2.4. The time of submission of the Final Plan shall be as defined in Article III "Definitions".
- 5.2.5 The Planning Board shall, from the date of submission have sixty (60) days plus the number of days until the next regular meeting to approve, modify and approve, or disapprove the Final Plan. The Board shall specify in writing its reason for any such modification or disapproval. If the board fails to take action within the time span specified above, the Final Plan shall be deemed disapproved.
- 5.2.6 The Final Approved Plan will not be considered in effect until said Plan is filed with the Registry and a copy receipted by the Registry of Deeds is returned to the Planning Board with a Registry of Deeds reference number contained thereon.

5.3 Submissions

- 5.3.1 The subdivision plan for a Minor Subdivision shall consist of two reproducible sheets and three copies of one or more maps or drawings drawn to a scale of not more than one hundred (100) feet to the inch, which shall be legibly reproduced on a durable material or clearly drawn in India ink on linen, and the size of the sheets shall be 8~ x 11 inches or a multiple thereof, but in no case larger than 34 X 44 inches. Such sheets shall have a margin of two (2) inches outside of the border lines on the left side for binding and one (1) inch margin outside the border along the remaining sides. Space shall be reserved thereon for endorsement by all appropriate agencies. The application for approval of a Minor Subdivision shall include all the information presented on the Sketch Plan plus the following:
- (1) A copy of such covenants or deed restrictions as are intended to cover all or part of the tract.
 - (2) An actual field survey of the boundary lines of the tract giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the tract shall be located on the ground and marked by monuments as herein required, and shall be referenced as shown on the Plan. All corners of individual lots shall be marked with iron stakes.
 - (3) A medium intensity soil survey, unless a greater intensity is deemed advisable by the Board, identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification. The intensity of this study must identify changes in soil conditions down to one/eighth acre. A lot by lot soils suitability determination for house building with septic sewage disposal or, if appropriate, house with public sewage disposal, will be made in accord with the Soil Suitability Guide for Land Use Planning in Maine and will accompany the plot plan soils study.
 - (4) All on site sewerage and water supply facilities shall be shown designed to meet the minimum specifications of these standards and all pertinent State and local ordinances. Compliance shall be stated on the Plan and signed by a licensed Civil Engineer or local Code Enforcement Officer.

- (5) Proposed name of the subdivision or identifying title, and the name of the municipality in which it is located.
- (6) The date, north point, graphic map scale, name and address of record owner and subdivider, the Registry of Deeds book and page numbers of all deeds in the subdivision, similar information for all other deeds with claims, covenants, or rights of way on the subdivision land, and the names of adjoining property owners.
- (7) A survey showing approximate boundaries of wooded and cleared areas, general classification of vegetation and location of ledge outcroppings.
- (8) Other information deemed necessary for the protection of the public health and welfare.

ARTICLE VI PRELIMINARY PLAN FOR MAJOR SUBDIVISION

6.1 Procedure

- 6.1.1 Within six months after classification of the Sketch Plan as a Major Subdivision by the Planning Board, the subdivider shall submit an application for the consideration of a Preliminary Plan for a Major Subdivision. Failure to do so shall require resubmission of the Sketch Plan to the Planning Board for reclassification. The Preliminary Plan shall conform to the layout shown on the Sketch Plan plus any recommendations made by the Planning Board.
- 6.1.2 The application for conditional approval of the Preliminary Plan shall be accompanied by a fee of \$50/application, plus \$50 per lot for each lot in excess of four (4) shown thereon, payable by check to the Town of Verona Island , Maine, stating the specific purpose of the fee.
- 6.1.3 The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Preliminary Plan.
- 6.1.4 The time of submission of the Preliminary Plan shall be as defined in Article III "Definitions."
- 6.1.5 After formal submission of a Preliminary Plan, the Planning Board shall have sixty (60) days plus the number of days until the next regular meeting to take action to give preliminary approval, with or without modifications, or disapprove such Preliminary Plan. The reasons for any modifications, or disapproval shall be stated upon the records of the Planning Board and conveyed to the applicant in writing. Failure of the Planning Board to act within the above period shall constitute disapproval of the Preliminary Plan. Prior to preliminary approval the Planning Board may hold a public meeting.
- 6.1.6 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 on 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; (3) the amount of improvement or the amount of all bonds therefore which it will require as prerequisite to the approval of the Final Subdivision Plan. The decision of the Planning Board plus any conditions imposed shall be noted on three (3) copies of the Preliminary Plan. One copy shall be returned to the subdivider, one retained by the Planning Board and one forwarded to the Municipal Officers.

- 6.1.7 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 submitted on the Preliminary Plan as a guide to the preparation of the Final Plan. The Final Plan shall be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these standard and the conditions of the, preliminary approval, if any. Prior to approval of the Final Subdivision Plan, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained at a public hearing.

6.2 Submissions

- 6.2.1 Location Map. The Preliminary Plan shall be accompanied by a location map drawn at a scale of not over five hundred (500) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The Location Map shall show: 1. all the area within two thousand (2,000) feet of any property line of the proposed subdivision, or 2. any smaller area between the tract and all surrounding existing streets, provided any part of such a Street used as part of the perimeter for the Location Nap is at least five hundred (500) feet from any boundary of the proposed subdivision. Within such area the Location Map shall show:

- (1) All existing subdivisions and approximate tract lines of acreage parcels together with the names of the record owners of all adjacent parcels of land, namely, those directly abutting or directly across any Street adjoining the proposed subdivision.
- (2) Locations, widths and names of existing, filed or proposed streets, easements, building lines and alleys pertaining to the proposed subdivision and to the adjacent properties as designated in Paragraph (1), above.
- (3) The boundaries and designations of land use districts, school districts and parks or other public spaces.
- (4) An outline of the proposed subdivision together with its street system and an indication of the future probable street system of the remaining portion of the tract, if the Preliminary Plan submitted covers only part of the subdivider's entire holding.

6.2.2 Preliminary Plan

The Preliminary Subdivision Plan shall be submitted in four (4) copies of one or more maps or drawings which may be printed or reproduced on paper with all dimensions shown in feet or decimals of a foot, drawn to a scale of 1 inch equals not more than one hundred (100) feet, showing or accompanied by the following information:

- (1) Proposed subdivision name or identifying title and the name of the Municipality.
- (2) Name and address of record owner, subdivider and designer of Preliminary Plan.
- (3) Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, water- courses and other essential existing physical features.
- (4) The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.

- (5) The provisions of any other Ordinance applicable to the area to be subdivided and any zoning district boundaries affecting the subdivision.
- (6) The location and size of any existing sewers and water mains, culverts and drains on the property to be subdivided.
- (7) Location, names and present widths of existing and proposed streets, highways, easements, building lines, alleys, parks and other public open spaces.
- (8) The width and location of any streets or other public ways or places shown upon the Official Map and the Comprehensive Plan, if any, within the area to be subdivided, and the width, location, grades, and street profiles of all streets or other public ways proposed by the subdivider.
- (9) Contour lines at intervals of not more than twenty (20) feet or at such intervals as the Planning Board may require, based on United States Geological Survey datum of existing grades.
- (10) A medium intensity soil survey, unless a greater intensity is deemed advisable by the Board, identifying the soils boundaries and names in the proposed development with the soils information superimposed upon the plot plan in accord with the USDA Soil Conservation Service National Cooperative Soil Classification. Soil tests, conformed to procedures outlined in the State Plumbing Code shall be performed on each lot in the location most likely for residential usage.
- (11) Typical cross sections of the proposed grading for roadways, and sidewalks.
- (12) Date, true north point and graphic scale.
- (13) Deed description including Registry of Deeds book and page numbers of all deeds in the proposed subdivision, similar information for all other deeds with claims, covenants, or rights of way on the proposed subdivision land, and map or survey of tract boundary made and certified by a registered land surveyor, tied into established reference points.
- (14) Connection with existing water supply or diagram or statement of alternative means of providing water supply to the proposed subdivision.
- (15) Connection with existing sanitary sewerage system or alternative means of treatment and disposal proposed.
- (16) Provisions for collecting and discharging storm drainage, in the form of a drainage plan.
- (17) Preliminary designs of any bridges or culverts which may be required.
- (18) The proposed lot lines with approximate dimensions and suggested locations of buildings, or as required by the Planning Board.
- (19) The location of temporary markers adequate to enable the Board to locate readily and

appraise the basic layout in the field.

- (20) All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
- (21) The location of all natural features or unique site elements.
- (22) A soil erosion and sediment control plan as required by the Planning Board and in compliance with the standards of the Hancock County Soil and Water Conservation District and the Maine Soil and Water Conservation Commission.
- (23) A survey showing approximate boundaries of wooded and cleared areas, general classification of vegetation, and location of ledge outcroppings.

ARTICLE VII FINAL PLAN FOR MAJOR SUBDIVISION

7.1 Procedure

- 7.1.1 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. All applications for Final Plan approval for Major Subdivisions shall be accompanied by a fee of \$50. payable by check to the Town of Verona, Maine.
- 7.1.2 The time of submission of the Subdivision plan shall be as defined in Article III, "Definitions"
- 7.1.3 Where required, the approval of the State of Maine, Department of Environmental Protection shall be secured in writing before official submission of the Final Plan.
- 7.1.4 Water supply system proposals contained in the Subdivision plan shall be approved in writing by:
 - (a) The servicing Water Department if existing public water service is to be used,
 - or
 - (b) The State of Maine, Department of Health and Human Services if the subdivider proposes to provide a central water supply system.

Such approval shall be secured before official submission of the Final plan.

The Planning Board may require the approval of a civil engineer or geologist registered in the State of Maine, 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, if any, as performed by the Maine Department of Health and Human Services.

7.1.5 Sewage disposal system proposals contained in the subdivision plan shall be properly endorsed and approved in writing by:

(a) The servicing Sanitary Sewer District if existing public disposal systems are to be used,

or

(b) The Verona Island plumbing Inspector or the State of Maine, Department of Health and Welfare if a separate central sewage collection and treatment system is to be utilized, or if individual septic tanks are to be installed by the developer,

or

(c) The Maine Department of Environmental Protection if the municipal system to be utilized is inadequate by State standards and the waste generated is of a "significant" nature, or if the waste is to be discharged, treated, or untreated, into any body of water.

Such approval shall be secured before official submission of the Final Plan.

7.1.6 A public hearing shall be held by the Planning Board within thirty (30) days after the time of submission of the Final Plan for approval. This hearing shall be advertised in a newspaper of local circulation at least ten (10) days before such hearing and notice of said hearing shall be posted in at least three (3) prominent places at least ten days prior to the hearing. In addition, notice of such hearing shall be forwarded to the Regional Planning Commission, of which such municipality is a member and to the clerk of the appropriate adjacent municipality in the case of a Plan located within 500 feet of a municipal boundary, at least 10 days prior to the hearing.

7.1.7 Before the Planning Board grants approval of the Final Plan, the subdivider shall, in an amount set by the Planning Board, either file with the Municipal Treasurer a certified check to cover the full cost of the required improvements, or the subdivider shall file with the Municipal Treasurer a performance bond to cover the full cost of the required improvements. Any such bond shall be satisfactory to the Municipal Officers and municipal attorney as to form, sufficiency, manner of execution and surety. A period of one year (or such other period as the Planning Board may determine appropriate, not to exceed three years) shall be set forth in the bond time within which required improvements must be completed. The certified check or bond may include an amount required for recreation land improvements as specified.

7.1.8 From the date of receipt of the Final Plan, the Board shall have sixty (60) days plus the number of days until the next regular Board meeting to approve, modify and approve or disapprove the Final Plan. The reasons for any modifications required or the grounds for disapproval shall be stated upon the records of the Planning Board. Failure of the Planning Board to act within the above period shall constitute disapproval of the Final plan.

7.2 Inspection of Required Improvements

- 7.2.1 At least five (5) days prior to commencing construction of required improvements the subdivider shall pay an inspection fee equal to the estimated cost of inspection by an engineer appointed by the Planning Board, payable by check to the Town of Verona Island stating the purpose of the fee. The subdivider shall notify the Municipal Officers in writing of the time when he proposes to commence construction of such improvements so that the Municipal Officers can cause inspection to be made to assure that all municipal specifications and requirements shall be met during the construction of required improvements, and to assure the satisfactory completion of improvements and utilities required by the Planning Board.
- 7.2.2 If the appointed engineer shall find, upon inspection of the improvements performed before expiration date of the performance bond, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the subdivider, he shall so report to the Municipal Officers, Building Inspector and Planning Board. The Municipal Officers shall then notify the subdivider and, if necessary, the bonding company, and take all necessary steps to preserve the municipality's rights under the bond. No plan shall be approved by the Planning Board as long as the subdivider is in default on a previously approved Plan.
- 7.2.3 If at any time before or during the construction of the required improvements it is demonstrated to the satisfaction of the appointed engineer that unforeseen conditions make it necessary or preferable to modify the location or design of such required improvements, the appointed engineer may, upon written approval of the planning Board, authorize modifications provided these modifications are within the spirit and intent of the Planning Board's approval and do not extend to the waiver or substantial alteration of the function of any improvements required by the Board. The appointed engineer shall issue any authorization under this section in writing and shall transmit a copy of such authorization to the Planning Board at its next regular meeting.
- 7.2.4 The applicant shall be required to maintain all improvements and provide for snow removal on streets and sidewalks until acceptance of said improvements by the legislative body.

7.3 Submissions

- 7.3.1 The Final Plan shall consist of five copies, at least two of which shall be originals or reproducible mylars, of one or more maps or drawings which shall be printed or reproduced in the same manner as the Preliminary Plan. Space shall be reserved thereon for endorsement by all appropriate agencies. The Final Plan shall show:
- (1) All of the information presented on the Preliminary Plan and Location Map and any amendments thereto suggested or required by the Board.
 - (2) The name, registration number and seal of the land surveyor, architect, engineer or planning consultant who prepared the plan.
 - (3) Street names and lines, pedestrian ways, lots, easements, and areas to be reserved for or dedicated to public use.

- (4) Sufficient data to determine readily the location, bearing and length of every street line, lot line, boundary line and to reproduce such lines upon the ground. Where practical these should be tied to reference points previously established.
- (5) The length of all straight lines, the deflection angles, radii, length of curves and central angles of all curves, tangent distances and tangent bearings for each Street.
- (6) By proper designation, all public open space for which offers of cession are made by the subdivider and those spaces to which title is reserved by him.
- (7) Lots and blocks within the subdivision numbered in accordance with local practice.
- (8) Permanent reference monuments shown thus: "x". They shall be constructed in accordance with specifications herein and their location noted and referenced upon this Final Plan.

7.3.2 There shall be submitted to the Board with the Final Plan:

- (1) Written offers of cession to the Municipality 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.
- (2) Written evidence that the Municipal Officers are satisfied with the legal sufficiency of the documents referred to in Paragraph (1) above. Such written evidence shall not constitute an acceptance by the Municipality of any public open space referred to in Paragraph (1) above.
- (3) A performance bond to secure completion of all improvements required by the Board and written evidence that the Municipal Officers are satisfied with the sufficiency of such bond. The bond shall indicate that funds have been set aside specifically for the construction of the subdivision and may not be used for any other project or loan.

7.4 Final Approval and Filing

7.4.1 Upon completion of the requirements in Articles VI & VII above and notation to that effect upon the Plan, it shall be deemed to have final approval and shall be properly signed by a majority of the members of the Planning Board and shall be filed by the applicant with the Municipal Officers. The Plan shall then be filed with the Hancock County Registry of Deeds. Any subdivision plan not so filed or recorded with 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. The final Plan which has been approved will not be considered in effect until said Plan is filed with the Registry of Deeds and a copy receipted by the Registry is returned to the Planning Board with a Registry of Deeds reference number contained thereon.

- 7.4.2 At the time the Planning Board grants Final Plan approval, it may permit the Plan to be divided into two or more sections subject to any conditions the Board deems necessary in order to insure the orderly development of the plan. The applicant may file a section of the approved Plan with the Municipal Officers and the Registry of Deeds if said section constitutes at least 10% of the total number of lots contained in the approved Plan. In these circumstances, Plan approval of the remaining sections of the Plan shall remain in effect for three years or a period of time mutually agreed to by the Municipal Officers, Planning Board, and the subdivider.
- 7.4.3 Except in the case of a phased development plan, failure to complete substantial construction of the subdivision within five (5) years of the date of approval and signing of the plan shall render the plan null and void. Upon determining that a subdivision's approval has expired under this paragraph, the Board shall have a notice placed in the register of deed to that effect.

7.5 Plan Revisions after approval

- 7.5.1 No changes, erasures, 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. In the event that a Final Plan is recorded without complying with this requirement, the same shall be considered null and void, and the Board shall institute proceedings to have the Plan stricken from the records of the Municipal Officers and the Registry of Deeds.

7.6 Public Acceptance of Streets, Recreation Areas

- 7.6.1 The approval by the Planning Board of a Subdivision Plan shall not be deemed to constitute or be evidence of any acceptance by the Municipality of any street, easement, or other open space shown on such Plan.
- 7.6.2 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 municipality of such areas. The Planning Board shall require the Plan to be enforced with appropriate notes to this effect. The Planning Board may also require the filing of a written agreement between the applicant and the Municipal Officers covering future deed and title, dedication, and provision for the cost of grading, development, equipment, and maintenance of any such recreation area.

ARTICLE VIII ENFORCEMENT

- 8.1 No plan of a subdivision of land within the municipal boundaries which would constitute a subdivision as defined herein shall hereafter be filed or recorded in the Registry of Deeds until a Final Plan thereof shall have been approved by the Planning Board in accordance with all of the requirements, design standards, and construction specifications set forth elsewhere in these standards, nor until such approval shall have been entered on such Final Plan by the Planning Board.

- 8.2 No person, firm, corporation or other legal entity may sell, lease, convey for consideration, or offer or agree to sell, lease or convey for consideration any land in a subdivision which has not been approved by the Planning Board and recorded in the Registry of Deeds and all procedures in Paragraph 7.4.1 have been complied with.
- 8.3 Any person, firm, corporation or other legal entity who sells, leases, or conveys for consideration any land in a subdivision which has not been approved as required by this section shall be punished by a fine of not more than \$1,000 for each such conveyance, offering or agreement. The Attorney General, the municipality or the appropriate municipal officers may institute proceedings to enjoin the violation of this section.
- 8.4 No public utility, water district, sanitary district or any utility company of any kind shall install services to any lot in a subdivision for which a Final plan has not been approved by the Planning Board.
- 8.5 Not only is making a subdivision without Planning Board approval a violation of law, but so also within such a subdivision is grading or construction of roads, grading of land or lots, or construction of buildings until such time as a Final Plan of such subdivision shall have been duly prepared, submitted, reviewed, approved, and endorsed as provided in these standards, and until the original copy of the Final Plan so approved and endorsed has been duly recorded in the Hancock County Registry of Deeds and all procedures in Paragraph 7.4.1 have been complied with.

ARTICLE IX GENERAL REQUIREMENTS

- 9.1 In reviewing applications for the subdivision of land, the Board shall consider the following general requirements. In all instances the burden of proof shall be upon the person proposing the subdivision.

9.2 Subdivision Plan Shall Conform to Comprehensive Plan

- 9.2.1 Any proposed subdivision shall be in conformity with a Comprehensive Plan or policy statement of the municipality and with the provisions of all pertinent state and local codes and ordinances.

9.3 Relationship of Subdivision to Community Services

- 9.3.1 Any proposed subdivision shall be reviewed by the Board with respect to its effect upon existing services and facilities. The Final Plan shall include a list of the construction items that will be completed by the developer prior to the sale of lots; and the list of construction and maintenance items that must be borne by the municipality, which shall include, but not be limited to:

School, including busing
Road maintenance and snow removal

Police and fire protection
 Solid waste disposal
 Recreation facilities
 Runoff water disposal drainage ways and/or storm
 sewer enlargement with sediment traps

- 9.3.2 The Board may further require the developer of a Major Subdivision to provide accurate cost estimates to the town for the above services, and the expected tax revenue of the subdivision.

9.4 Retention of Proposed Public Sites and Open Spaces

- 9.4.1 Depending on the size and location of the subdivision and where the establishment of said subdivision may seriously restrict the continued use by the general public of land previously used for recreational purposes, the Board may require the developer to provide up to 10% of his total area for recreation. It is desirable that areas reserved for recreation be at least 5 acres in size and easily accessible from all lots within the subdivision.
- 9.4.2 Land reserved for park and/or recreational purposes shall be of a character, configuration and location suitable for the particular use intended. A site to be used for active recreation purposes, such as a playground or a playfield, should be relatively level and dry, have a total frontage on one or more streets of at least 200 feet, and have no major dimensions of less than 200 feet. Sites selected primarily for scenic passive recreation purposes shall have such access as the Board may deem suitable and shall have no less than 25 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.
- 9.4.3 Where the proposed subdivision is located on a lake, pond, river or stream (or the sea coast), a portion of the waterfront area, when feasible, shall be included in the reserved land. The land so reserved shall be at least 200 feet wide measured perpendicularly from the normal high water mark.
- 9.4.4 If the Planning Board determines that the reservation of land for parks and/or recreational purposes would be inappropriate, the Board may waive the requirement of land reservation on the condition that the subdivider (applicant) deposit a cash payment in lieu of land reservation with the town clerk. Such a payment shall be placed in a trust fund to be used exclusively for the purchase and development of neighborhood sites for parks, playgrounds and other recreational purposes. The amount of such payment shall be not more than 10% of the appraised market value, including improvements, for each lot approved on the Final Plan.
- 9.4.5 The Board may further require that the developer provide space for future municipal uses, in accordance with a Comprehensive Plan or Policy statement, on a reimbursable basis with a five year option after which the space may be sold for other development.

9.5 Preservation of Natural and Historical Features

9.5.1 The Board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees (10" or more), the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.

9.6 Land Not Suitable for Development

9.6.1 The Board shall not approve such portions of any proposed subdivision that:

- (a) Are situated below sea level
- (b) Are located within the flood plan as identified by the Verona planning Board aid on record at the Planning Board office.
- (c) 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 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).
- (d) Employs septic sewage disposal and is located on soils rated poor or very poor by the Soil Suitability Guide for Land Use Planning in Maine. Lots used for On-site sewage disposal shall meet or exceed the lot size guidelines for soil types and slopes as specified in Appendix I of "State of Maine Plumbing Code, Part II, Private Sewerage Disposal Regulations, July, 1974, or as amended.

9.7 Blocks

9.7.1 The length, width and shape of blocks shall be determined with due regard to:

- (a) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
- (b) Land use requirements as to lot sizes and dimensions.
- (c) Needs for convenient access, circulation, control and safety of street traffic.
- (d) Limitations and opportunities of topography.
- (e) Vegetative, exposure, and geological character of the land.

9.7.2 In blocks exceeding 800 feet in length, the Planning Board may require the reservation of a 20—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 4 foot wide paved foot path be included. The Planning Board shall require the subdivider to

provide for the proper maintenance of any such easement.

9.8 Lots

- 9.8.1 The lot size, width, depth, shape and orientation and the minimum building setback lines from streets, sidelines, or boundaries shall conform to standards set forth in the Verona Land Use and Development Code.
- 9.8.2 Depth and width of properties reserved or laid out for any purpose shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.
- 9.8.3 Double frontage lots and reverse frontage lots shall be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten 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.
- 9.8.4 Side-lot lines shall be substantially at right angles or radial to street lines.
- 9.8.5 Where a tract is subdivided into lots substantially larger than the minimum size required herein, the Board may require that streets and lots be laid out so as to permit future re-subdivision in accordance with the requirements contained in these standards.
- 9.8.6 All corners of individual lots shall be marked with iron stakes

9.9 Clustered or Planned Unit Residential Development

Notwithstanding other provisions of this Code relating to space and bulk, the Planning Board, in reviewing and approving proposed residential developments located in the Town, may modify said provisions related to space and bulk to permit innovative approaches to housing and environmental design in accordance with the following standards. This shall not be construed as granting variances to relieve hardships.

- 9.9.1 There shall be compliance with all State and local codes and ordinances.
- 9.9.2 Each building shall be an element of an overall plan for site development. Only developments having a total site plan for structures will be considered.
- 9.9.3 There shall be no approval, without appeal, of any proposed development which exceeds the allowable net residential densities permitted in the district in which it is located. For the purposes of this Code, net residential density shall be established by the area of residual space available for residential development after deduction of vehicular rights-of-way and land not buildable because of drainage, subsurface conditions or other natural impediments.
- 9.9.4 Residual open space shall be usable for recreation or other outdoor living purposes and for

preserving large trees, tree groves, woods, ponds, streams, glens, rock outcrops, native plant life, wildlife cover and the like. The use of any open space may be further limited or controlled at the time of final approval where necessary to protect adjacent properties or uses. Residual open space shall be dedicated to the recreational amenity and environmental enhancement of the development and shall be recorded as such. Such dedications may include private covenants or arrangements to preserve the integrity of open spaces and their use for agricultural or conservation purposes.

- 9.9.5 The developer shall take into consideration the following points and shall illustrate the treatment of spaces, paths, roads, service and parking areas and other features required in his
- (a) Orientation: Buildings and other improvements shall respect scenic vistas and natural features.
 - (b) Drainage: Adequate provision shall be made for storm waters, with particular concern for the effects of any effluent draining from the site. Erosion resulting from any improvements on the site shall be prevented by landscaping or other means.
 - (c) Water Supply: Adequate provision shall be made for both ordinary use as well as special fire needs.
 - (d) Utilities: Utilities shall be installed underground wherever possible. Transformer boxes, pumping stations and meters shall be located so as not to be unsightly or hazardous to the public.
 - (e) Recreation: Facilities shall be provided consistent with the development proposal.
 - (f) Buffering: Planting, landscaping, disposition and form of buildings and other improvements, fencing and screening shall be utilized to integrate the proposed development with the landscape and the character of any surrounding development.
 - (g) Buildings: Disposition of buildings shall recognize the need for natural light and ventilation.
- 9.9.6 For purposes of this section, the tract or parcel of land involved must be either in single ownership, or the subject of an application filed jointly by the owners of all the property included.
- 9.9.7 The developer shall file with the Town at the time of submission of final plans a performance guarantee. This may be tendered in the form of a certified check payable to the Town, a savings account passbook issued in the name of the Town, or a faithful performance bond running to the Town and issued by a surety company acceptable to the municipality. The conditions and amount of such check, passbook or performance bond shall be determined by the Municipal Officers with the advice of concerned departments or agencies. The amount shall be at least equal to the total cost of furnishing, installing, connecting and completing all of the Street grading, paving, storm drainage, and utilities or other improvements specified in the final plan, and shall guarantee the satisfactory completion of all specified improvements.
- 9.9.8 Common open space shall be dedicated after approval of the project. There shall be no further subdivision of this land nor buildings constructed upon it without further planning review which would cause the net residential density to exceed the density permitted in that district.

- 9.9.9 The common open space(s) shall be shown on the development plan and with appropriate notation on the face thereof to indicate that:
- (a) it shall not be used for future building lots; and
 - (b) a part of all of the common open space may, at the option of the Town be dedicated for acceptance by the Town for operation as a municipal recreation facility.
- 9.9.10 If any or all of the common open space is to be reserved for use by the residents, the formation and incorporation by the developer of a neighborhood association shall be required prior to final plan approval.
- 9.9.11 Covenants for mandatory membership in the association setting forth the owners' rights and interest and privileges in the association and the common land, shall be reviewed by the Planning Board and included in the deed for each lot.
- 9.9.12 This neighborhood association shall have the responsibility of maintaining the common open space(s).
- 9.9.13 The association shall levy annual charges against all property owners to defray the expenses connected with the maintenance of open space, neighborhood recreational facilities and Town assessments.
- 9.9.14 The developer or subdivider shall maintain control of such open space(s) and be responsible for their maintenance until development sufficient to support the association has taken place or, alternatively, the objectives of clustering have been met. Such determination shall be made by the planning Board upon request of the neighborhood association or the developer or subdivider.

9.10 Easements for Natural Drainage Ways

- 9.10.1 Where a subdivision is traversed by a natural water course, drainage way, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such water course and such further width or construction, or both, as will assure that no flooding occurs and all storm-water shall be not less than 30 feet in width.

9.11 Utilities

- 9.11.1 The size, type and location of public utilities, such as street lights, electricity, telephones, gas lines, fire hydrants, etc. shall be approved by the Board.

9.12 Additional Requirements

- 9.12.1 Street trees, esplanades, and open green spaces may be required at the discretion of the Planning Board. Where such improvement are required, they shall be incorporated in the Final plan and executed by the subdivider as construction of the subdivision progresses.

9.12.2 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 at least 20 feet wide between abutting properties that are so endangered.

9.13 Required Improvements

9.13.1 The following are required improvements: Monuments, street signs, streets, sidewalks, water supply, sewage disposal and storm drainage, except where the Board may waive or vary such improvements in accordance with the provisions of these standards.

ARTICLE X DESIGN STANDARDS

10.1 Monuments

10.1.1 Permanent monuments shall be set at all corners and angle points of the subdivision boundaries; and at all Street intersections and points of curvature.

10.1.2 Monuments shall be concrete or stone, located in the ground at final grade level, and indicated on the Final plan. After they are set, drill holes 1/2 inch deep shall locate the point or points described above.

10.1.3 All corners of individual lots shall be marked with iron stakes.

10.2 Street Signs

10.2.1 Streets which join or 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 municipality and shall be subject to the approval of the Board.

10.2.2 Street name signs shall be furnished and installed by the subdivider. The type, size and location shall be to the approval of the Board.

10.3:1 Classification

In accordance with a Comprehensive plan of the Municipality or policy statement as may have been adopted, in whole or in part, and for the purposes of these standards, streets are classified by function, as follows:

- (1) **Major Street:** The term "Major Streets" includes Arterial Streets which serve primarily as major traffic ways. for travel between and through towns; and Collector Streets, which serve as feeders to arterial streets, as collectors of traffic from minor streets and for circulation and access in commercial and industrial areas.
- (2) **Minor Streets:** Local streets which are used primarily for access to abutting residential, commercial or industrial properties.

10.3.2 Layout

- 10.3.2.1 Proposed streets shall conform, as far as practical, to such Comprehensive Plan or policy statement as may have been adopted, in whole or in part, prior to the submission of a Preliminary Plan.
- 10.3.2.2 All streets in the subdivision shall be so designed that, In the opinion of the Board, they will provide safe vehicular travel while discouraging movement of through traffic.
- 10.3.2.3 The arrangement, character, extent, width, grade, and location of all street shall be considered in their relation to existing or planned streets, to topographical conditions to public convenience and to safety, and their appropriate relation to the proposed use of the land to be served by such streets. Grades of streets shall conform as closely as possible to the original topography.
- 10.3.2.4 In the case of dead-end streets, where needed or desirable, the Board may require the reservation of a twenty (20) foot wide easement in the line of the street to provide continuation of pedestrian traffic or utilities to the next street.
- 10.3.2.5 Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the Town under conditions approved by the Planning Board.
- 10.3.2.6 In front of areas designated for commercial use or where a change to an area designated for commercial use is contemplated by the municipality, the street right—of—way and/ or pavement width shall be increased by such amount on each side as may be deemed necessary by the Board to assure the free flow of through traffic without interference by parked or parking vehicles, and to provide adequate and safe parking space for such commercial or business district. In no case shall the street have a right—of-way width less than 60 feet nor have less than 2 twelve foot travel lanes and 2 eight foot parking lanes.
- 10.3.2.7 Adequate off—street loading space, suitably surfaced shall be provided in connection with lots designed for commercial use.
- 10.3.2.8 Where a subdivision borders on or contains a railroad right-of-way, the Planning Board may require a Street approximately parallel to and on each side of such right—of—way, at a distance suitable for the appropriate use of the intervening land, as for park purposes in residential districts, or for commercial or industrial purposes in appropriate districts. Such distances shall also be determined with due regard for approach grades and future grade separations.
- 10.3.2.9 Where a subdivision borders an existing narrow road (below standards set herein) or when the Comprehensive Plan indicates plans for realignment or widening of a road that would require use of some of the land in the subdivision, the subdivider shall be required to show areas for widening or realigning such roads on the Plan, marked “Reserved for Road Realignment or Widening) Purposed”. It shall be mandatory to indicate such reservation on the Plan when a proposed widening or realignment is shown on the Official Map. Land reserved for such purposes may not be counted in satisfying setback or yard or area requirements of the Zoning Ordinance.

- 10.3.2.10 Where a subdivision abuts or contains an existing or proposed arterial street, the Board may require marginal access 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 such other treatments as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- 10.3.2.11 Subdivisions containing fifteen (15) lots or more shall have at least two street connections with existing public streets shown on the Official Map if such exists, or streets on an approved Subdivision Plan for which a bond has been filed.
- 10.3.2.12 Entrances onto existing or proposed collector streets may be limited by the Planning Board to a frequency of one per 400 feet of street frontage. Entrances onto existing or propose arterial streets may be limited by the Planning Board to a frequency of one per 1000 feet of Street frontage.
- 10.3.2.13 Streets in the subdivision shall be so laid out that their use by through traffic will be discouraged.

10.3.3 Design and Construction Standards

- 10.3.3.1 All streets in a subdivision shall be designed and construct to meet the following standards for streets according to the classification as determined by the Planning Board:

Item	Arterial Streets	Collector Streets	Minor Streets
1. Minimum Width	80'	60'	60'
2. Minimum width of pavement*	44'	26'	24'
3. Minimum Grade	.5%	.5%	.5%
4. Maximum Grade	5%	6%	10%
5. Maximum grade at intersection	3% within 50 feet of intersections	3% within 50 feet of intersections	3% within 50 feet of intersections
6. Minimum angle at intersections	60%	60%	60%
7. Width of Shoulders	9'	9'	8'
8. Minimum center-line radii on curves	800'	200'	200'
9. Minimum tangent length between reverse curves	300'	200'	100'
10. Road base (minimum)	24"	18"	18"
Sub Base-Bank Gravel	18"	12"	12"
Upper base-crushed gravel	6"	6"	6"
11. Bituminous Paving	2 ½"	2 ½"	2"
12. Road crown, (minimum)	¼"/1 ft.	¼"/1 ft.	¼"/1 ft.
13. Sidewalks Width	8'	5'	5'
Base Course (gravel)	8"	8"	8"
Surface	2" Bituminous hot-top	2" Bituminous hot-top	2" Bituminous hot-top
14. Dead-end or cul-de-sac streets width			60'
Length not more than			1000'
Radii of turn-around at enclosed end Property Line (minimum)			80'
Pavement (minimum)			65'
15. Property line radii at intersection (minimum)			10'
16. Curb radii at intersections			
90 degree intersections	25'	25'	25'
less than 90 degree intersections	30'	30'	30'

*In addition to the minimum pavement width, all streets in a mobile home park shall have a cleared area (no vegetation or appurtenances over three feet high) of forty feet within the right-of-way to provide for maneuvering of mobile homes.

10.3.3.2 Grade of all streets shall conform in general to the terrain, and shall not be less than one-half (½) of one percent nor more than 5 percent for arterial streets, 67. for collector streets, or 10 percent for minor streets in residential zones, but in no case more than 3 percent within 50 feet of any intersection.

10.3.3.3 All changes in grade shall be connected by vertical curves of such length and radius as meet with the approval of the Board so that clear visibility shall be provided for a distance of 200

feet.

- 10.3.3.4 Intersections of streets shall be at angles as close to ninety (90) degrees as possible and in no case shall two (2) streets intersect at an angle smaller than sixty (60) degrees. To this end where one street approaches another between 60-90 degrees the former street should be curved approaching the intersection.
- 10.3.3.5 Cross (four-cornered) street intersections shall be avoided insofar as possible, except as shown on the Comprehensive Plan or at other important traffic intersections. A distance of at least two hundred (200) feet shall be maintained between center lines of offset intersecting streets.
- 10.3.3.6 Street lines at Intersections shall be cut back to provide for curb radii of not less than 25 feet for 90° intersections and 30 feet for intersections less than 90°.
- 10.3.3.7 Street intersections and curves shall be so designed as to permit adequate visibility for both pedestrian and vehicular traffic. That portion of any corner lot which is necessary to allow 25 foot sight lines between intersecting streets shall be cleared of all growth (except isolated trees) and obstructions above the level three feet higher than the center line of the street. If directed, ground shall be excavated to achieve visibility.
- 10.3.3.8 A dead end street or cul-de-sac shall not exceed 1000 feet in length and shall be provided with a suitable turn-around at the closed end. When a turning circle is used it shall have a minimum outside curb radius of 65 feet.
- 10.3.3.9 All streets shall be provided with adequate drainage facilities to provide for the removal of storm water to prevent flooding of the pavement and erosion of adjacent surfaces.
- 10.3.3.10 Side slopes shall not be steeper than 3 feet horizontal and 1 foot vertical, grades, loamed, (6 inches compacted) and seeded as required.
- 10.3.3.11 Streets shall be rough-grades to the full width of the right- of-way.
- 10.3.3.12 Street curbs and gutters shall be required on all streets within Maine State Highway Commission defined urban areas and shall be required at the discretion of the Planning Board in rural areas.
- 10.3.3.13 Where curb and gutter are not required, stabilized shoulders and proper drainage shall be the responsibility of the subdivider in compliance with the requirements herein.
- 10.3.3.14 All roadways within the subdivision shall be constructed according to road specifications herein as overseen by the municipal road commissioner and engineer.

10.3.4 Planting

- 10.3.4.1 All esplanade or planting strip areas at sides of streets shall receive at least 6 inches of compacted top-soil (loam) free of stones over one inch in diameter, sods, and clay. Base material shall be removed prior to placement of top-soil.

- 10.3.4.2 Planting strips to be limed at the rate of one pound per ten sq. feet and fertilized at the rate of one pound of a 10-10-10 fertilizer per fifty sq. feet or equivalent and seeded with a conservation mix endorsed by the Hancock County Soil and Water Conservation District.
- 10.3.4.3 When required by the Planning Board, Street trees shall be planted in the esplanade areas of all new streets.
- 10.3.4.4 **Trees of the 1st magnitude** (Birch, Beech, Linden, Oak, Pine Sugar Maple, basswood) shall be planted at 40-60 foot intervals.
- 10.3.4.5 **Trees of the 2nd magnitude** (Hawthorn, Flowering Crabapple, etc.) may be planted at intervals of less than 40 feet.

10.4 Sidewalks

- 10.4.1 Sidewalks shall be installed at the expense of the subdivider where the subdivision abuts or fronts onto a major Street, and at such locations as the Board may deem necessary.

10.5 Water Supply

- 10.5.1 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, service to each lot by a public water system is not feasible, the Board may allow individual wells to be used, which shall be installed at the expense of the subdivider on lots containing dwellings erected by the subdivider or his agent.
- 10.5.2 The Planning Board may require that Storage shall be provided as necessary to meet fire protection needs.
- 10.5.3 Because they are difficult to maintain in a sanitary condition, dug wells shall be permitted only if it is not economically or technically feasible to develop other ground water sources.
- 10.5.4 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 Relating to Drinking Water (10-144A C.M.R. 231)
- 10.5.5 Wells shall not be constructed within 100' of the traveled way of any street, if located downhill from the street, or within 50' of the traveled way if located uphill of the street.

10.6 Sewage Disposal

- 10.6.1 A sanitary sewer system shall be installed at the expense of the subdivider, or, if in the opinion of the Board, service to each lot by a sanitary sewer system is not feasible, the Board may allow individual septic tanks to be used, which shall be installed at the expense of the subdivider on lots containing dwellings erected by the subdivider or his agent. In no instance shall a septic disposal system be allowed in soils rated poor or very poor for such purpose by

shown for particular soil types in Appendix I of “State of Maine Plumbing Code, Part II, Private Sewerage Disposal Regulations, July, 1974” or as amended.

10.7 Surface Drainage

- 10.7.1 Where a subdivision is traversed by a watercourse, drainageway or future sewer line, or where the Board feels that surface water drainage to be created by the subdivision and owners of property abutting it, there shall be provided an easement or drainage right-of-way and culverts, catch basins or other means of channeling surface water within such subdivision and over the property of owners abutting upon it, of such nature, width and location as the Board or Municipal Engineer deems adequate.
- 10.7.2 The developer may be required to provide a statement from a civil engineer, registered in the State of Maine, that the proposed subdivision will not create erosion, drainage or runoff problems either in the subdivision or in adjacent properties. The developer shall submit a surface drainage plan showing ditching, culverts, easements and other proposed improvements.
- 10.7.3 Topsoil shall be considered part of the subdivision. Except for surplus topsoil for roads, parking areas and building excavations, it is not to be removed from the site.
- 10.7.4 Except for normal thinning and landscaping, existing vegetation shall be left intact to prevent soil erosion. The Board may require a developer to take measures to correct and prevent soil erosion in the proposed subdivision. Acceptance of a proposed subdivision by the Planning Board may be contingent upon preservation of designated standing trees.

ARTICLE XI RELEASE OF GUARANTY CHECK OR BOND

- 11.1 Before a subdivider may be released from any obligation required by his guarantee of performance, the Board will require certification from the Municipal Engineer or appointed engineer and whatever other agencies and departments that may be involved, to the effect that all improvement have been satisfactorily completed in accordance with all applicable standards, State and local codes and ordinances.

ARTICLE XII VARIANCES AND WAIVERS

- 12.1 Where the Planning Board finds that extraordinary and unnecessary hardships may result from strict compliance with these standards or where there are special circumstances of a particular Plan, it may vary these standards so that substantial justice may be done and the public interest secure; provided that such variations will not have the effect of nullifying the intent and purpose of the Official Map, the Comprehensive Plan, or the Zoning Ordinance, where such exist.
- 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 inadequacy or lack of connecting facilities adjacent or in proximity to the proposed subdivision, it may waive such requirements, subject to appropriate conditions.

- 12.3 In granting variances and modifications, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified.
- 12.4 All variances, modifications, and waivers of any part of this Ordinance are revocable up to the date of Final Plan.

ARTICLE XIII APPEALS

- 13.1 An appeal from a decision of the Planning Board may be taken to the Verona Island Board of Appeals in accordance with Title 30, M.R.S.A., Chapter 213, Section 2411.

ARTICLE XIV SEPARABILITY AND EFFECTIVE DATE

- (a) The invalidity of any provision of these standards shall not invalidate any other part.
- (b) These standards shall take effect immediately on adoption of the same by the legislative body of Verona.

ARTICLE XV PUBLIC NOTIFICATION

- 15.1 Upon receipt by the Planning Board of a Sketch Plan or Pre-application Plan, the Planning Board shall, within ten days, place an announcement to that effect in the local newspaper.
- 15.2 Within ten days of receipt of the Final Plan for approval review, the Planning Board will announce in the local newspaper any waivers, modifications, or variances from this Ordinance that have been granted.
- 15.3 Within ten days of the fulfilling of all requirements of Section 7.4.1 by the subdivider, the Planning Board shall announce in the local newspaper the creation of a new subdivision.