

Town of Kennebunk, Maine



Kennebunk Planning Board Agenda Room 301, 7:00 p.m. Monday, February 11, 2019

***** Please Note NO NEW BUSINESS AFTER 10:00 PM *****

I. Open Meeting

II. Public Hearing

- A. Proposed Amendment to Zoning Ordinance Article 8, Section 10.E.(1) York Street Mixed Residential and Commercial Use District (MRCU) Space and Bulk Standards.
- B. Proposed Amendment to Zoning Ordinance Article 10 Section 10.D.3. Multifamily Dwellings and Multifamily Lots, Perimeter Buffer.
- C. Proposed Amendments to Subdivision Regulations. Article 6.3, 7.3, and 8.3 Submission Requirements.

III. Other/Information Items

IV. Approval of Minutes

- A. January 28, 2019 Meeting Minutes

V. Adjournment

JCS/bbs

cc: Mike Pardue
Board of Selectmen
Chris Osterrieder, Director of Community Development
Rich Boucher
Jeff Rowe
Dan Robinson
Village Committees
Conservation Commission
KKWWD
KLPD
KSD

- 5-10 Inns
 - 5-11 Personal services
 - 5-12 Rental of equipment, provided there is no outdoor storage or display
 - 5-13 Retail sales containing a maximum of 4,000 square feet of gross floor area per use
 - 5-14 Studios of artisans
 - 5-15 Veterinary clinics
6. The following recreation and marine uses:
- 6-1 Outdoor recreation
 - 6-2 Fully enclosed places of recreation, except video arcades
7. The following industrial uses:
- 7-1 Tradesmen's shops, provided there is no outdoor storage
8. The following utility uses:
- 8-1 Essential services
9. The following accessory uses:
- 9-1 Accessory buildings and uses
 - 9-2 Home occupations
 - 9-3 Renting of rooms, not to exceed eight rented rooms

C. Special Exceptions

The following uses may be permitted only upon approval as special exceptions in accordance with Article 7 of this Ordinance:

- 1. The following utility uses:
 - 1-1 Public utilities

D. Prohibited Uses

Uses not allowed as permitted uses or special exceptions are prohibited within this district.

E. Standards

(1) Space and Bulk Standards

The following space and bulk standards shall apply in the Mixed Residential and Commercial Use District:

Minimum net lot area	<u>Sewer</u>	<u>No Sewer</u>
Hotels and motels	<u>40,000 sf</u> 80,000 sq. ft.	<u>Not Permitted</u>
Multifamily dwellings	<u>10,000 sq. ft</u> 40,000 sq. ft.	<u>20,000 sq. ft</u>
Other uses	<u>10,000 sq. ft</u> 20,000 sq. ft.	<u>20,000 sq. ft</u>

Minimum net lot area per dwelling unit	<u>Sewer</u> <u>No Sewer</u>
Single family detached dwellings and two-family dwellings	<u>5,000 sf</u> 20,000 sq. ft. provided that accessory apartments shall not require an increase in the minimum net lot area.
Multifamily dwellings	<u>5,000 sf</u> 10,000 sq. ft.
Multifamily Lots	20,000 sq. ft.
Elderly congregate	2,000 sq. ft.
Minimum net lot area per dwelling unit on a mixed-use lot	
Mixed use with single family detached dwelling	20,000 square feet per dwelling plus 20,000 square feet for commercial use
Mixed use with multifamily dwellings	10,000 square feet per dwelling unit plus 20,000 square feet for commercial use
Minimum lot width (see also paragraph E(2)(a) below)	
Single family detached dwellings and two-family dwellings	100 feet
Multifamily dwellings/lots	200 feet
Hotels and motels	200 feet
Other uses	150 feet
Shoreland area	Per Article 8, Section 16
Minimum setbacks	
Front yard	
Multifamily dwellings	<u>25 40</u> feet
Hotels and motels	<u>25 40</u> feet
Other uses	25 feet
Side yards	
Multifamily dwellings	<u>20 40</u> feet
Hotels and motels	<u>20 40</u> feet
Other uses	20 feet
Rear yard	
Multifamily dwellings	<u>25 40</u> feet

Hotels and motels	25 40 feet
Other uses	25 feet
Shoreland area	Per Article 8, Section 16
Maximum height	35 feet
Maximum lot coverage	25 percent
Total impervious surface of buildings, parking areas, driveways and all walk ways, except walk ways no wider than 10 feet made of brick, cobble stone, flag stone or granite blocks set in sand or other porous material	5 5 0 percent of the lot. <u>If Low Impact Development (LID) Stormwater standards are utilized then impervious surface coverage may be increased up to 75% at the discretion of the Planning Board.</u>
Minimum width of green perimeter strip	Except where the standards below are more stringent, all lots will have a strip a minimum of 10 feet wide, exclusive of area for a sidewalk, along the front property line that shall be maintained in plants (grass, flowers, shrubs and/or trees) and shall not be used for off-street parking. Further, the green perimeter area for any lot, unless it contains only a single family residence, whose side or rear yard borders a residential district shall provide landscaping and/or a fence to create an opaque screen at least six feet high in that side or rear yard.
Multifamily dwellings	20 feet
Hotels and motels	20 feet
Other uses	10 feet

(2) Performance Standards

Uses within the Mixed Residential and Commercial Use District shall conform to all applicable performance standards of this Ordinance, including but not limited to the following:

- (a) Shared access
 - Any lot with a use that shares its sole access to Route One with at least one other lot or that gains its access from a public way other than Route One may reduce its minimum lot width to 75 feet.
- (b) Conceptual plan required
 - (i) Any application for new development on or subdivision of a lot of two or more acres in existence as of the effective date of this Ordinance shall, if the proposal does not involve the entire site, be accompanied by a conceptual plan for the use of the remainder of the site. The conceptual plan shall show, at a minimum, natural constraints, such as wetlands, that exist on the rest of the site, the potential locations of other lots or development on the site, the way in which



John Stoll
Town Planner

Town of Kennebunk Community Development Department

Proposed Amendment to Zoning Ordinance Cover Sheet

Planning Board Public Hearing Date:	February 11, 2019
Article to be Amended:	Article 8 Section 10.E.(1) York Street Mixed Residential and Commercial Use District (MCRU) Space and Bulk Standards.
Summary:	Reduce Minimum net lot area where sewer is located Reduce Minimum net lot area per dwelling unit with sewer. Eliminate specific space & bulk requirements for mixed use. Provide impervious lot coverage bonus options when Low Impact Development (LID) is utilized
Planning Board Action:	TBD



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Proposed Amendment to Zoning Ordinance Cover Sheet

Planning Board Public Hearing Date:	February 11, 2019
Article to be Amended:	Article 10 Section 10.D.3 Multifamily dwellings and Multifamily Lots, Perimeter Buffer
Summary:	Provides the Planning Board the option to allow the reduction of the required 50 foot landscaped buffer on multifamily development where practical when buffering is provided in accordance with Article 11. Section 8.(2)
Planning Board Action:	TBD

development shall be constructed to the Town of Kennebunk Street Design and Construction Standards Ordinance.

D. Open Space, Recreation, Landscaping

1. At least 25 percent of the site's gross area shall be devoted to unpaved, non-vehicular open space which is usable for passive recreational purposes.
2. Adequate landscaping and screening shall be provided to minimize the visual, noise, lighting, and other impacts of the development on surrounding properties. A landscape plan shall be provided that shows that existing vegetation is to be preserved wherever possible.
3. **Perimeter Buffer**
Except for the area needed to allow access to the site, a 50-foot landscaped buffer shall be provided around the perimeter of the site as part of the required landscape plan. Generally, outdoor lighting shall not be allowed in the perimeter buffer.

When it is not practical for a 50-foot landscaped buffer to be provided due to the unique circumstances of the lot in question, the Planning Board, at its discretion, may permit the buffer to be reduced when developed utilizing the standards of Article 11 Section 8.2 of the Zoning Ordinance.

4. For any part of permitted multifamily projects that is a rehabilitation and reuse of a building, the standards of paragraphs C(1), D(1), D(2), and D(3) above shall not apply; however, the plans for such projects shall address the intent of those standards to the greatest practical extent.

Section 11. Elderly Congregate Housing

A. Purpose

Elderly congregate housing is a form of residential housing that consists of not just private apartment and/or residential care units, but also a variety of common areas and support services which permit the elderly to live independently, but with the knowledge that assistance is nearby.

B. Standards

All proposed elderly congregate housing developments shall be reviewed by the Planning Board as Subdivisions and shall meet the following standards as well as all applicable subdivision review standards:

1. Permitted Districts

Elderly congregate housing shall be allowed only in the following districts:

- a. Downtown Business
- b. Lower Village Business
- c. Village Residential
- d. Suburban Commercial
- e. York Street Mixed Residential and Commercial Use

2. Deed Restriction and Required Plan Notation

Proposals shall be accompanied by a written covenant that restricts occupancy to the elderly, as defined in the term elderly congregate housing (see Definitions), except for staffing, and a note to this effect shall appear on the face of the subdivision plat for the development.



John Stoll
Town Planner

Town of Kennebunk
Community Development Department
Proposed Amendment to Subdivision Regulations
Cover Sheet

Planning Board Public Hearing Date:	February 11, 2019
Article to be Amended:	Articles 6.3, 7.3, 8.3 Subdivision Submission Requirements
Summary:	<p>Clarifies and Reorganizes the submission requirements sections for Minor Subdivision applications, Preliminary Major Subdivision applications, and Final Major Subdivision applications.</p> <p>Requires the applicant to provide an electronic submission at the time of application.</p> <p>Requires the applicant to provide a GIS file to the Town for incorporation into the assessing database</p>
Planning Board Action:	TBD

6.3 Submissions

The Final Plan submission for a minor subdivision shall consist of the following:

- A. ~~Two (2) copies of the completed application form and fee.~~
- B. ~~Documentation of right, title and interest in the property.~~
- C. ~~One original mylar and ten (10) copies of each of the maps or drawings and submissions which make up the complete set of plans, and which are drawn at a scale of not more than one hundred (100) feet to the inch. The size of the plan sheets shall be no larger than twenty four (24) by thirty six (36) inches and shall include space for Planning Board endorsement, as well as the following:~~
 - 1) ~~Owner's name and address.~~
 - 2) ~~Names and address of all abutting property owners.~~
 - 3) ~~Date, true north arrow and graphic scale.~~
 - 4) ~~Boundaries of all contiguous property under the same ownership.~~
 - 5) ~~A standard boundary survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor and the plan shall indicate the type of monument to be set or found at each lot corner.~~
 - 6) ~~A copy of the deed upon which the survey was based and a copy of all deed restrictions, easements, rights of way, or other encumbrances currently affecting the property.~~
 - 7) ~~In addition, for multi-family and non-residential subdivisions:~~
 - a) ~~The location, dimensions and ground floor elevations of all existing and proposed buildings on the site.~~
 - b) ~~The location of all building setbacks and green buffers required by the zoning ordinance.~~
 - c) ~~The location and dimensions of driveways, parking, loading areas and walkways, fire lanes, and the construction materials to be used.~~
 - d) ~~Location of outside storage areas.~~
 - e) ~~Location and type of exterior lighting.~~
 - 8) ~~A copy of proposed deed restrictions intended to cover all or part of the lots in the subdivision.~~
 - 9) ~~A copy of the medium intensity soil survey covering the site. If on-site inspection or test pit logs indicate the likelihood of poorly or very poorly drained soils on the site, the Planning Board may request that a high intensity soil survey be completed for the project site.~~
 - 10) ~~Indication of the type of sewage disposal to be used in the subdivision:~~

- a) ~~When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Sewer District stating the district has the capacity to collect and treat the waste water shall be provided.~~
 - b) ~~When sewage disposal is to be accomplished by subsurface waste water disposal systems, test pit analysis and septic design 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.~~
- 11) ~~A hydrogeologic assessment prepared by a Certified Geologist or Registered Professional Engineer experienced in hydrogeology, when the subdivision is not served by public sewer and when:~~
- a) ~~Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers", by the Maine Geological Survey, 1985, or~~
 - b) ~~The subdivision has an average density of less than one (1) acre per dwelling unit.~~

~~When a hydrogeologic assessment is submitted, the assessment shall contain the same information required by Section 7.2.A.3)u).~~

- 12) ~~Indication of the type of water supply system(s) to be used in the subdivision:~~
- a) ~~When water is to be supplied by public water supply, a written statement from the servicing water district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary. Where the district's supply line is to be extended, a written statement from the district approving the design of the extension shall be submitted.~~
 - b) ~~When water is to be supplied by private wells, evidence of adequate groundwater supply and quality, shall be submitted from a well driller or a hydrogeologist familiar with the area.~~
- 13) ~~Contour lines at intervals specified by the Planning Board, showing elevations referenced to N.G.V.D.~~
- 14) ~~The direction of drainage within and off the site.~~
- 15) ~~The number of acres within the proposed subdivision, the location of property lines, existing and proposed buildings, water courses, wetlands and vegetative cover, and other physical features. On wooded sites, the plan shall indicate the area where clearing for lawns, open areas, parking areas and buildings shall be permitted. For subdivisions located near~~

~~(within 500 feet) of any Open Space Plan Priority Areas, the plan shall:~~

- ~~• Identify the location and the type of Open Space Plan Priority Area;~~
- ~~• Demonstrate how the priority area(s) have been incorporated into the plan's designated open space;~~
- ~~• Show the layout of trails and potential connections to future streets, sidewalks, trails, open space areas; and~~
- ~~• Show open space lot lines and/or easement lines and provide details for maintenance and ownership of such open space, including any provisions for public access to such areas.~~

~~16) If any portion of the subdivision is in a flood prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan, and shall include plan note per Article 1, Section 1.1M.~~

~~17) An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours.~~

~~18) For subdivisions involving forty (40) or more parking spaces or projected to generate more than four hundred (400) vehicle trips per day, a traffic impact analysis, prepared by a Registered Professional Engineer with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak hour volumes, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets which may be affected, and recommended improvements to maintain the desired level of service on the affected streets. Trip generation rates used shall be the mean value reported in the 1991 Edition of the Institute of Transportation Engineers Trip Generation Manual, as amended. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.~~

~~19) Any variances and waivers granted need to be noted on the face of the subdivision plan.~~

~~20. A note on the plans shall state "all plans and documents used to approve this subdivision are made a part of and are a condition of plan approval".~~

6.3 Submissions

The Final Plan submission for a minor subdivision shall consist of the following:

- A. ***Application and Fees.*** Two (2) copies of the completed application form and required fee paid in full at the time of submission.
- B. ***Right, Title, and Interest.*** Documentation of right, title, and interest in the property.
- C. ***Submission Requirements.*** Ten (10) hard copies, and one (1) digital copy of each of the maps, plans or drawings and the following supporting documents and information are required at a minimum for each minor subdivision application unless otherwise specified:
 - 1) ***Deed Information.*** A copy of the deed upon which the survey was based and a copy of all deed restrictions, easements, right-of-way, or other encumbrances existing and proposed.
 - 2) ***Sewage.*** Indication of the type of sewage disposal to be used in the subdivision:
 - a) When sewage disposal is to be accomplished by connection to the public sewer, a written statement from the Sewer District stating the district has the capacity to collect and treat the waste-water shall be provided.
 - b) When sewage disposal is to be accomplished by subsurface waste-water disposal systems, test pit analysis and septic design 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.
 - 3) ***Hydrogeologic Assessment.*** A hydrogeologic assessment prepared by a Certified Geologist or Registered Professional Engineer, when the subdivision is not served by public sewer and when:
 - a) Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled “Hydrogeologic Data for Significant Sand and Gravel Aquifers,” by the Maine Geological Survey, 1985, or
 - b) The subdivision has an average density of less than one (1) acre per dwelling unit.

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

- 1) A map showing the basic soil types
 - 2) The depth of the water table at representative points throughout the subdivision.
 - 3) Data on the existing ground water quality
 - 4) 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 the following:
 - (a) A projection of post development nitrate-nitrogen concentrations at any wells within the subdivision, at the subdivision boundaries and at a distance of one thousand (1000) feet from potential contamination sources, whichever is a shorter distance.
 - (b) For subdivisions within the watershed of a lake, projections of the subdivision's impact on ground water phosphate concentrations shall also be provided.
 - 5) A map showing the location of any subsurface waste-water disposal systems and drinking water wells within the subdivision and within two hundred (200) feet of the subdivision boundaries.
- 4) *Water Supply.* Indication of the type of water supply system(s) to be used in the subdivision.
- a) When water is to be supplied by Kennebunk, Kennebunk Port, and Wells Water District (KK & W), a written statement from the servicing water district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary. Where the district's supply line is to be extended, a written statement from the district approving the design of the extension shall be submitted.

- b) When water is to be supplied by private wells, evidence of adequate groundwater supply and quality, shall be submitted from a well driller or a hydrogeologist familiar with the area.
 - 5) *Vehicular Traffic.* An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours.
 - 6) *Traffic Impact Analysis.* For subdivisions involving forty (40) or more parking spaces or projected to generate more than four hundred (400) vehicle trips per day, a traffic impact analysis, prepared by a Registered Professional Engineer shall be submitted. The analysis shall indicate the following at minimum:
 - a) the expected average daily vehicular trips,
 - b) peak-hour volumes,
 - c) access conditions at the site,
 - d) distribution of traffic,
 - e) types of vehicles expected,
 - f) effect upon the level of service of the street giving access to the site and neighboring streets which may be affected,
 - g) recommended improvements to maintain the desired level of service on the affected streets.
 - h) Trip generation rates used shall be the mean value reported in the most recent edition of the Institute of Transportation Engineers – Trip Generation Manual. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.
 - 7) *Soils Evaluation.* A copy of the medium intensity soil survey covering the site. If on-site inspection or test pit logs indicate the likelihood of poorly or very poorly drained soils on the site, the Planning Board may request that a high intensity soil survey be completed for the project site.
- D. ***Plan Requirements.*** All plans shall not exceed a scale of than one hundred (100) feet to the inch. The size of the plan sheets submitted for review shall be no larger than twenty four (24) by thirty six (36) inches. Space shall be provided for Planning Board endorsement, as well as the following, unless otherwise specified:

- 1) *Title Block:*
 - a) Title of the Plan
 - b) Owner's name and address.
 - c) Date the plan was prepared and subsequent revisions
 - d) Name, address, seal and signature of the licensed professional who prepared the plan.
- 2) Names and addresses of all abutting property owners.
- 3) True North arrow and graphic scale
- 4) *Contiguous Property.* Boundaries of all contiguous property under the same ownership.
- 5) *Licensed Land Surveyor.* A standard boundary survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor and the plan shall indicate the type of to be set or found at each lot corner.
- 6) *Topography.* Contour lines at 2' intervals unless otherwise specified by the Planning Board, and showing elevations referenced to NAVD 88.
- 7) *Drainage.* The direction of drainage within and off the site.
- 8) *Tabulations.* Square footage and/or acreage for: proposed subdivision, lots, lot size allowed within applicable zoning district.
- 9) *Open Space.* For subdivisions located near (within 500 feet) of any Open Space Plan Priority Areas, the plan shall:
 - a) Identify the location and the type of Open Space Plan Priority Area,
 - b) Demonstrate how the priority area(s) have been incorporated into the plan's designated open space,
 - c) Show the layout of existing trails and potential connections to future streets, sidewalks, trails, open space areas, and;
 - d) Show open space lot lines and/or easement lines and provide details for maintenance and ownership of such open space, including any provisions for public access to such areas.

- 10) *Dimensions:* The dimensions and bearings of all existing property lines and new property liens to be created. Property lines to be removed must be clearly distinguished from all new and remaining property lines.
- 11) *Natural Features.* The location of all significant natural features including, but not limited to:
 - a) Water bodies, wetlands, and existing vegetative cover
 - b) On wooded sites, the plan shall indicate the area where clearing for lawns, open areas, parking areas and buildings are proposed.
 - c) Other significant natural features as determined necessary by the Planning Board.
- 12) *Structures.* The location of all existing and proposed buildings in the subject area as well as all structures and driveways located within 200 feet of the subject area.
- 13) *Flood Hazard Areas.* If any portion of the subdivision is in a flood-prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan, and shall include plan note per Article 1, Section 1.1M.
- 14) Any variances, waivers, conditions of approval, and the dates granted shall be noted on the face of the subdivision plan.
- 15) *Multi-Family and Non-Residential Subdivision.* For multi-family and non-residential subdivisions:
 - a) The location, dimensions and ground floor elevations of all existing and proposed buildings on the site.
 - b) The location of all building setbacks, green buffers, and landscaped areas as required by the zoning ordinance.
 - c) The location and dimensions of driveways, parking, loading areas and walkways, fire lanes, and the construction materials to be used.
 - d) Location of outside storage areas, dumpsters, and snow storage areas.
 - e) Location and type of exterior lighting.
- 16) *Easements.* The location, width, and metes and bounds description of all existing and proposed easements and rights-of-way.

17) *Zoning.* Zoning district boundary lines, including overlay districts, with labels.

18) *Wetlands.* Wetlands shall be delineated by a certified wetlands scientist.

E. *Post Approval Submission Requirements.* Once final approval has been granted by the Planning Board the applicant shall submit one (1) mylar to be signed by the Planning Board, along with two (2) paper copies of the final plan.

1) *Electronic Submission.* Prior to the recording of the plat, digital information from the plat shall be provided to the Town Planner for incorporation into the Town of Kennebunk Geographic Information System (GIS) and tax maps. The digital information shall be submitted in a format and media conforming to standards implemented by the Town Planner. The following layers shall be submitted referencing Maine State Plane Grid Coordinates:

a) Property lines with bearings and dimensions.

b) Right-of-Way lines with bearings and dimensions.

c) Water bodies and wetlands.

2) *Plan Notation.* The final plan submitted for recording at the York County Registry of Deeds shall contain the following information:

a) A note stating “all plans and documents used to approve this subdivision are made part of and are a condition of plan approval.

b) A note that references, by title and date, all plan sheets included with the submission as part of the approval process.

7.2 Submissions

The preliminary plan submission for a major subdivision shall consist of the following:

A. Single Family Lot Subdivisions:

1. ~~Completed application form and fee. (Per Planning Board fee schedule).~~
2. ~~Location map—The preliminary plan shall be accompanied by a location map adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Board to locate the subdivision within the Town. The location map shall show:~~
 - a. ~~Existing subdivisions located within one thousand (1000) feet of the proposed subdivision.~~
 - b. ~~Locations and names of existing and proposed streets.~~
 - c. ~~Boundaries and designations of zoning districts.~~
 - d. ~~An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.~~
 - e. ~~Proximity of proposed site to Open Space Plan Priority Area(s).~~
3. ~~Preliminary Plan—The preliminary plan shall be submitted in ten (10) 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. The preliminary plan shall be drawn to a scale of not more than one hundred (100) feet to the inch and the size of the plan sheets shall be no larger than twenty four (24) by thirty six (36) inches. The Board may allow plans for subdivisions containing more than one hundred (100) acres to be drawn at a scale of not more than two hundred (200) feet to the inch provided all necessary detail can easily be read. The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval:~~
 - a. ~~Proposed name of the subdivision and the name of the Town in which it is located, plus the Tax Assessor's map and lot numbers. The date the plan was prepared, magnetic north point, graphic map scale, names and addresses of the record owner, subdivider, and individual or company who prepared the plan.~~
 - b. ~~Documentation of right, title, or interest in the property.~~
 - c. ~~An actual standard boundary 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.~~
 - d. ~~A copy of the deed from which the survey was based. A copy of all covenants or deed restrictions, easements, rights of way, or other encumbrances currently affecting the property.~~
 - e. ~~A copy of any covenants or deed restrictions intended to cover all~~

or part of the lots in the subdivision.

- f. ~~Contour lines at the interval specified by the Planning Board, showing elevations in relation to N.G.V.D.~~
- g. ~~The number of acres within the proposed subdivision, location of property lines, existing buildings, water courses, vegetative cover type, and other existing physical features. The location of any trees larger than twelve (12) inches in diameter, measured four (4) feet above ground, shall be shown on the plan.~~
- h. ~~Indication of the type of water supply system(s) to be used in the subdivision:~~
 - 1) ~~When water is to be supplied by public water supply, a written statement from the servicing water district shall be submitted indicating there is adequate supply and pressure for the subdivision and approving the plans for extensions where necessary. Where the district's supply line is to be extended, a written statement from the district approving the design of the extension shall be submitted, (or)~~
 - 2) ~~When water is to be supplied by private wells, evidence of adequate groundwater supply and quality, including data showing actual well yields in the area, shall be submitted from a well driller or a hydrogeologist familiar with the area.~~
- i. ~~A storm water drainage and erosion control plan prepared by a professional engineer or landscape architect, licensed in the State of Maine and designed in accordance with the standards of the Soil and Water Conservation Districts Environmental Quality Handbook showing:~~
 - 1) ~~The existing and proposed method of handling storm water run-off.~~
 - 2) ~~The direction of flow of the run-off through the use of arrows.~~
 - 3) ~~The locations, elevations, invert elevations, and sizes of all existing and proposed catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers.~~
 - 4) ~~Engineering calculations used to determine drainage requirements based upon a 25-year, 24-hour storm frequency.~~
 - 5) ~~Methods of controlling erosion and sedimentation during and after construction, including a written description of these methods and a schedule for implementing both temporary and permanent erosion control measures.~~

- ~~j. The names and addresses of owners of record of adjacent property, including any property directly across any existing street from the subdivision.~~
- ~~k. The name and location of the zoning district boundaries.~~
- ~~l. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.~~
- ~~m. The location, names, and present widths of existing and proposed streets, highways, easements, buildings lines, parks and other open spaces on or adjacent to the subdivision.~~
- ~~n. The width and location of any streets or public improvements within the subdivision, or in the Comprehensive Plan, if any.~~
- ~~o. The proposed lot lines with approximate dimensions and lot areas.~~
- ~~p. All parcels of land proposed to be dedicated to public use and the conditions of such dedication.~~
- ~~q. The location of the open space and/or recreation areas to be provided, per Section 10.4 of these review standards, and a description of the proposed improvements and the proposed management of such areas which shall:~~
- ~~• Identify any Open Space Plan Priority Areas including priority areas located on adjoining lands;~~
 - ~~• Demonstrate how the priority area(s) have been incorporated into the designated open space;~~
 - ~~• Lay out trails and connections to create internal and/or potential future streets, sidewalks, trails, open space areas; and~~
 - ~~• Show open space lot lines or easement lines and provide details for maintenance and ownership of such open space and include any provisions for public access to such areas, if proposed.~~
- ~~r. A soils report and high intensity soils survey prepared and signed by a soils scientist, registered in the State of Maine identifying the soils names, soils boundaries and the characteristics of soils in the proposed development.~~
- ~~s. If any portion of the subdivision is in a flood prone area, the boundaries of any flood hazard areas and the 100-year flood elevation shall be delineated on the plan.~~
- ~~t. Type of sewage disposal to be used in the subdivision:~~
- ~~1) When sewage disposal is to be accomplished by connection to the public sewer, a letter from the Sewer District indicating there is adequate capacity within the District's system to transport and treat the sewage shall be submitted, or~~
 - ~~2) When sewage disposal is to be accomplished by subsurface sewage disposal systems, test pit analysis, 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.~~

- ~~u. A hydrogeologic assessment, by a certified geologist or registered professional engineer, State of Maine experienced in hydrogeology, when the subdivision is not served by public sewer and~~
 - ~~1) Any part of the subdivision is located over a sand and gravel aquifer, as shown on a map entitled "Hydrogeologic Data for Significant Sand and Gravel Aquifers", by the Maine Geological Survey, or~~
 - ~~2) The subdivision has an average density of more than one (1) dwelling unit per acre.~~

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

~~A map showing the basic soil types.~~

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

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

~~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 one thousand (1000) feet from potential contamination sources, whichever is a shorter distance. For Subdivisions within the watershed of a lake, projections of the subdivision's impact on ground water phosphate concentrations shall also be provided.~~

~~A map showing the location of any subsurface waste water disposal systems and drinking water wells within the subdivision and within two hundred (200) feet of the subdivision boundaries.~~

- ~~v. An estimate of the amount and type of vehicular traffic to be generated on a daily basis and at peak hours.~~

- ~~w. For subdivisions involving forty (40) or more parking spaces or projected to generate more than four hundred (400) vehicle trips per day, a traffic impact analysis, prepared by a professional engineer registered in the State of Maine, with experience in traffic engineering, shall be submitted. The analysis shall indicate the expected average daily vehicular trips, peak hour columns, access conditions at the site, distribution of traffic, types of vehicles expected, effect upon the level of service of the street giving access to the site and neighboring streets which may be affected streets.~~

~~Trip generation rates used shall be the mean value reported in the 1991 Edition of the Institute of Transportation Engineers Trip Generation Manual, or as amended. Trip generation rates from other sources may be used if the applicant demonstrates that these sources better reflect local conditions.~~

~~B. Mobile Home Park Development: Include items listed in Section 7.2.A. above, as well as the additional submissions listed in Article 10, Part C, Section 13.D (3) of the zoning ordinance.~~

~~C. Multi Family and Non Residential Subdivisions: Include items listed in Article 11, Section 6A and 6B of the zoning ordinance as applicable, with the following exceptions:~~

- ~~1) Applicant should use subdivision application form and fee.~~
- ~~2) Ten (10) copies of plans and submissions.~~
- ~~3) All references to site plan review shall be changed to Planning Board review.~~
- ~~4) Project shall be classified “minor” or “major” based upon the Site Plan classification standards of Article 11, Section 4.A and 4.B. of the Zoning Ordinance.~~
- ~~5) Applicant shall provide a location map which shall:
 - ~~• Identify any Open Space Plan Priority Areas including priority areas located on adjoining lands;~~
 - ~~• Demonstrate how the priority area(s) have been incorporated into the designated open space;~~
 - ~~• Lay out trails and connections to create internal and/or potential future streets, sidewalks, trails, open space areas; and~~
 - ~~• Show open space lot lines or easement lines and provide details for maintenance and ownership of such open space and include any provisions for public access to such areas, if proposed.~~~~

7.2 Submissions

The preliminary plan submission for a major subdivision shall consist of the following:

- A. **Preliminary Plan Submission Requirements.** The preliminary plan application submission shall be submitted in ten (10) hard copies, and one (1) digital copy.

The preliminary plan shall be drawn to a scale of not more than one hundred (100) feet to the inch and the size of the plan sheets shall be twenty-four (24) by thirty-six (36) inches. All dimensions shall be shown in feet or decimals of a foot.

The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval:

- 1) All items as set forth in Article 6.3 Submissions, unless otherwise specified.
- 2) *Location Map* – A location map adequate to show the relationship of the proposed subdivision to the adjacent properties, and to allow the Board to locate the subdivision within the Town. The location map shall show:
 - a) Existing subdivisions located within one thousand (1000) feet of the proposed subdivision.
 - b) Locations and names of existing and proposed streets.
 - c) Boundaries and designations of zoning districts.
 - d) An outline of the proposed subdivision and any remaining portion of the owner's property if the preliminary plan submitted covers only a portion of the owner's entire contiguous holding.
 - e) Proximity of the proposed site to Open Space Plan Priority Area(s).
- 3) *Storm water.* A storm water drainage and erosions control plan prepared by a professional engineer or landscape architect licensed in the State of Maine and designed in accordance with the standards of the Soil and Water Conservation District's Environmental Quality Handbook showing:
 - a) The existing and proposed method of handling storm water run-off.
 - b) The direction of flow of the run-off through the use of arrows.

- c) The locations, elevations, invert elevations, and sizes of all existing and proposed catch basins, dry wells, drainage ditches, swales, culverts, retention basins, and storm sewers.
 - d) Engineering calculations used to determine drainage requirements based upon a 25-year, 24-hour storm frequency.
 - e) Methods of controlling erosion and sedimentation during and after construction, including a written description of these methods and a schedule for implementing both temporary and permanent erosion control measures.
- 4) *Infrastructure.* The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.
 - 5) The location, names, and present widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces on or adjacent to the subdivision.
 - 6) *Public Improvements.* The width and location of any streets or public improvements within the subdivision or in the Comprehensive Plan, if any.
 - 7) *Dedication of Land.* All parcels of land proposed to be dedicated to public use and the conditions of such dedication.
 - 8) *Soils.* When on-site septic or on-site wells are proposed a soils report and high intensity soils survey prepared and signed by a soils scientist, registered in the State of Maine identifying the soils names, soils boundaries and the characteristics of soils in the proposed development.
- B. Mobile Home Park Development. Include all items listed in Section 7.2A. above, as well as the additional submissions listed in Article 10, Part C, Section 13.D (3) of the Zoning Ordinance.
- C. Multi-Family and Non-Residential Subdivisions. Include all items listed in Section 7.2.A. above, as well as those listed in Article 11, Section 6A and 6B of the Zoning Ordinance as applicable, with the following exceptions:
- 1) Applicant should use subdivision application form and fee.
 - 2) Ten (10) copies of plans and submissions.

- 3) All references to site plan review shall be changed to Planning Board review.
- 4) Project shall be classified “minor” or “major” based upon the Site Plan classification standards of Article 11, Section 4.A and 4.B of the Zoning Ordinance.
- 5) Applicant shall provide a location map which shall:
 - a) Identify any Open Space Plan Priority Areas including priority areas located on adjoining lands;
 - b) Demonstrate how the priority area(s) have been incorporated into the designated open space
 - c) Lay out trails and connections to create internal and/or potential future streets, sidewalks, trails, open space areas; and
 - d) Show open space lot liens or easement liens and provide details for maintenance and ownership of such open space and include any provisions for public access to such areas, if proposed.

8.2 Submissions

The final plan application shall include the following information:

- A. ~~Completed application form and fee. (Per Planning Board fee schedule).~~
- B. ~~Four (4) complete sets of one (1) or more maps or drawings and one (1) original mylar of the filing plan, plus ten (10) copies of any changed plans: all to be drawn at a scale of not more than one hundred (100) feet to the inch. Plans shall be no larger than twenty four (24) by thirty six (36) inches in size and shall have space reserved for Planning Board signatures.~~
- C. ~~All of the information from the preliminary plan and location map and any changes or additions made by the applicant or required by the Planning Board.~~
- D. ~~The name, registration number, seal and signature of the land surveyor, architect, engineer and/or consultant who prepared the plans. The Planning Board shall not accept or approve any plans or other documents prepared within the meaning and intent of Title 32, Chapter 121 that are not sealed and signed by the professional land surveyor under whose responsible charge they were completed, as provided in 32 M.R.S.A. §13907.~~
- E. ~~The final counts on the total and net acreage of the site and of each proposed lot, as well as the per lot deductions made for each of the following: wetlands, steep slopes, easements and right of ways.~~
- F. ~~A current approval letter from the Sewer District if connection to the public sewer is proposed.~~
- G. ~~A list of any variances waivers granted by the Planning Board shall be included in a note on the filing plan.~~
- H. ~~Landscape and buffer plan showing what vegetation will remain and what will be planted, including botanical and common names of plants and trees, dimensions, approximate planting time and maintenance schedule.~~
- I. ~~The types of all existing and proposed monumentation shall be clearly identified and located.~~
- J. ~~A performance bond or letter of credit meeting the standards of Section 8.7 of the Street Ordinance to secure completion of all improvements required by the Board, and written approval from the Town Manager that he is satisfied with the sufficiency of such performance guarantee. If a conditional approval (per Section 12.2.4 of these regulations) is being requested, then a list of improvements to be covered by the future guarantee shall be submitted.~~
- K. ~~Completed Inspection Schedule Application.~~
- L. ~~Written evidence of all required State and Federal approvals.~~
- M. ~~Any legal documents which are required to be submitted and reviewed as part of this subdivision review.~~
- N. ~~Clear notation on the filing plan of the proposed use(s) of all land, buildings, easements and right of ways shown on the plan, including the identification of all parking, loading and storage spaces.~~
- O. ~~The location, names, and present widths of existing and proposed streets, highways, easements, building lines for multi-family and non-residential subdivisions and building windows if required for other subdivisions, parks and~~

~~other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angles radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.~~

~~P. All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the Town of all public open spaces shown on the plan, and copies of agreements and other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If open space or other land is to be offered to the Town, written evidence that the Board of Selectmen are satisfied with the legal sufficiency of the written offer of cession shall be included.~~

~~Q. A note on the plan shall state "all plans and documents used to approve this subdivision are made part of and are a condition of plan approval."~~

8.3 Submissions

The final plan application shall include the following information:

- A. All items as set forth in Article 6.3 and Article 7.3 except as otherwise specified.
- B. Four (4) complete hard copy sets of one (1) or more maps or drawings, one (1) original mylar of the filing plan, plus ten (10) hard copies of any changed plans, and one (1) digital copy of all required submission items.

All plans shall be drawn at a scale of one hundred (100) feet to the inch. Plans shall be twenty four (24) by thirty six (36) inches in size and shall have space reserved for Planning Board signatures.

- C. *Licensed Land Surveyor.* The name, registration number, seal and signature of the land surveyor, architect, engineer and/or consultant who prepared the plans. A licensed land surveyor shall sign and seal all final plans.
- D. *Tabulation.* The final counts on the total and net acreage of the site and of each proposed lot, as well as the per lot deductions made for each of the following: wetlands, steep slopes, easements and right-of-ways.
- E. *Sewer.* A current approval letter from the Sewer District if connection to the public sewer is proposed.
- F. *Landscaping.* A licensed landscape architect shall prepare a landscape and buffer plan showing what vegetation will remain and what will be planted, including botanical and common names of plants and trees, dimensions, approximate planting time and maintenance schedule.
- G. *Performance Guarantee.* A performance bond or letter of credit meeting the standards of Section 8.7 of the Street Ordinance to secure completion of all improvements required by the Board and written approval from the Town Manager that he is satisfied with the sufficiency of such performance guarantee. If a conditional approval (per Section 12.2.4 of these regulations) is being requested, then a list of improvements to be covered by the future guarantee shall be submitted.
- H. Completed Inspection Schedule Application.
- I. Written evidence of all required State and Federal approvals.
- J. Any legal documents which are required to be submitted and reviewed as part of this subdivision review.

- K. Clear notation on the filing plan of the proposed use(s) of all land, buildings, easements and right-of-ways shown on the plan, including the identification of all parking, loading and storage spaces.
- L. The location, names, and present widths of existing and proposed streets, highways, easements, building lines for multi-family and non-residential subdivisions and building windows if required for other subdivisions, parks and other open spaces on or adjacent to the subdivision. The plan shall contain sufficient data to allow the location, bearing and length of every street line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established. The length of all straight lines, the deflection angles radii, length of curves and central angles of curves, tangent distances and tangent bearings for each street shall be included.
- M. *Public Dedication.* All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers of cession to the Town of all public open spaces shown on the plan, and copies of agreements and other documents showing the manner in which open spaces to be retained by the developer or lot owners are to be maintained shall be submitted. If open space or other land is to be offered to the Town, written evidence that the Board of Selectmen are satisfied with the legal sufficiency of the written offer of cession shall be included.
- N. A note on the plan shall state “all plans and documents used to approve this subdivision are made part of and are a condition of plan approval.
- O. *Post Approval Submission Requirements.* Once final approval has been granted by the Planning Board the applicant shall submit one (1) mylar to be signed by the Planning Board, along with two (2) paper copies of the final plan.
- 1) *Electronic Submission.* Prior to the recording of the plat, digital information from the plat shall be provided to the Town Planner for incorporation into the Town of Kennebunk Geographic Information System (GIS) and tax maps. The digital information shall be submitted in a format and media conforming to standards implemented by the Town Planner. The following layers shall be submitted referencing Maine State Plane Grid Coordinates:
 - a) Property lines with bearings and dimensions.
 - b) Right-of-Way lines with bearings and dimensions.
 - c) Water bodies and wetlands.
 - 2) *Plan Notation.* The final plan submitted for recording at the York County Registry of Deeds shall contain the following information:

- a) A note stating “all plans and documents used to approve this subdivision are made part of and are a condition of plan approval.
- b) A note that references, by title and date, all plan sheets included with the submission as part of the approval process.