

Town of Poland, Maine

Final Major Subdivision Application Instructions

- 1) **Read every part of this document.** Failure to follow requirements can and will delay the Planning Board's decisions.
- 2) Fill out the forms on pages 3 through 5. Obtain or get copies of information as required by the application on these pages.
 - A) Again, obtain names and addresses of "Abutters" (*within 500 feet of your lot*). Check with the Assessor's Office for possible changes if original list is more than four months old.
 - i) You will need to deliver this list to the Planning Board Office. It is needed for the official abutters' notification by this office of your request.
 - ii) An "Agenda Request form should be filed at the same time so that a meeting date with proper notification to the abutters can be set.
 - B) Words in italics contain important instructions. Please follow them.
- 3) Use the "Submission Checklist" on page 6 to make sure submission requirements are met.
 - A) The checklist is a summary of the standard requirements in Section 6-108.2 of the Comprehensive Land Use Code.
 - i) The actual Code wording may be found in Addendum B or the entire ordinance code on-line at www.polandtownoffice.org. Go to the "Code Enforcement" page and then select "Services".
 - ii) Hardcopies are available for \$15.00 at the town office.
 - B) Make sure all waiver requests have a written statement for each request. Check with the Code Enforcement Office to make sure items stated as "On File" are indeed in the town office.
 - C) Some requirements may need only a one paragraph or one sentence statement. Make sure all requests are answered.
- 4) **Make the necessary copies of pages 3 through 8 of the application and all information requested**
- 5) **NUMBER OF COPIES OF THE APPLICATION AND DUE DATES**
 - A) A total of up to 14 copies of the plans are needed. (DO NOT FORGET ANOTHER ONE FOR YOU!)
 - i) Copies are required for Department Heads that had noted any concerns.
 - ii) The Road Commissioner's, Fire/Rescue Chief's, and Recreation Department's copies may be dropped off at the town office.
 - iii) Department heads can and do require more than seven days to review the applications. If insufficient time is given to the department heads for review, their response to the Planning Board can and will delay the Planning Board's decision. (*Fourteen days lead-time will usually be sufficient.*)

Map _____

Lot _____

Sublot _____

- B) **The Planning Board Office must receive an original application (An application with original signatures) and an additional 8 copies for the Board members along with the appropriate fees by 1:00 p.m. seven days before the stated meeting to remain on the upcoming agenda.**
- C) If review for completeness of information by the Code Enforcement Officer is desired, a copy must be submitted to the CEO at least 14 days prior to the meeting.
- D) The application must be put on display for public review for at least 7 days prior to the meeting. Applications received after the Agenda is posted may not be reviewed by the Board for your scheduled meeting date.

6) Addendum Information

- A) Addendum A contains the Performance Standards checklist for use by the Planning Board. Do not fill it out but make sure it is attached to each copy of the application.
- B) Addendum B contains the portion of the ordinance describing the submittal requirements. DO NOT COPY and DO NOT ATTACH it to the application. It is for you to refer to.
- C) A “Departmental Review” form along with department addresses is attached to the back of this application.

Town of Poland, Maine

Final Major Subdivision Application

PROJECT NAME: _____ **Number of Lots/Units** _____
Date Application Approved: _____ **Application #** _____

LOT INFORMATION:
 Tax Assessor's Map # _____ Lot # _____ Sub lot # _____
 Registry of Deeds Book # _____ Page # _____
 Road Location: _____
 Lot Size _____ Acres or Sq. Ft. Road Frontage: _____ Ft.
 Year lot created: _____ (If unknown, give best guess with +/- after date)
 Zoning District(s): _____ Flood Zone: _____ Aquifer Overlay: _____
 Current use of lot _____

LAND OWNER(s): *Submit copy of deed and copy of Tax Assessor's information card*

 Mail Address: _____ Main Phone: _____
 Town/State/Zip _____ Alternate Phone: _____

APPLICANT - CONTACT PERSON
 Applicant is: _____ Landowner _____ Contractor _____ Renter _____ Buyer _____
If not the landowner, submit a letter of permission to construct, use, or contract to buy from the landowner, along with the following information:
 Name(s): _____
 Company _____
 Mail Address: _____ Main Phone: _____

 Town/State/Zip _____ Alternate Phone: _____

THIS APPLICATION IS FOR: (Check all that apply)

<input type="checkbox"/> Commercial	<input type="checkbox"/> New Development
<input type="checkbox"/> Industrial	<input type="checkbox"/> Change in Use
<input type="checkbox"/> Institutional	<input type="checkbox"/> Expansion of Use
<input type="checkbox"/> Governmental	<input type="checkbox"/> Expansion of Structure(s)
<input type="checkbox"/> Residential	<input type="checkbox"/> Resumption of Use

Proposed Development

SUBMISSION REQUIREMENTS :

1. Standard submissions requirements shall follow Section 6-108 Comprehensive Land Use Code.
 - *(See attached Addendum B.)*
2. Additional information requested by the Planning Board at the Preliminary Plan meeting(s) is to be added to the standard submission requirements.
3. Information should be submitted in the order shown in the check list.

DISCLOSURE:

(READ CAREFULLY BEFORE SIGNING)

1. I hereby acknowledge that I have read this application and pertinent sections of the ordinances, and state that the information in this document is to the best of my knowledge true and accurate.
2. I agree to comply with all the Town of Poland's ordinances and the State of Maine's statutes regulating the activities sought in this application as well as any permits approved for this application.
3. I understand that all construction shall conform to the Town's ordinances and the State's statutes, and all structures to the International Building Codes of 2000.
4. I understand that any approval is valid for only those uses as specified in this application. The permitting authority must approve any changes made to the uses sought in the application. Any approval issued for this application is approved on the basis of truthful information provided by the applicant(s), and as allowed by the ordinances of the town.
5. I understand that it is my responsibility to assure that the original lot's description herein accurately describes its ownership, its boundary lines, and the setback measurements from the legal boundary lines. All sub-lots described herein accurately describe their boundary lines and setback measurements.
6. I understand that I have the burden of proof as to the legal right to use the property, and approval of this application in no way relieves me of this burden. Any approval issued does not constitute a resolution in favor of myself or the landowner in any matters regarding the property boundaries, ownership, or similar titles.
7. I understand that if I fail to comply with the aforementioned statements, a "STOP WORK" order may be issued for which I will immediately halt any construction or uses that are approved for this application. This failure may also require that I return the property to its natural state or as closely thereto before the construction or uses were approved.

Map _____

Lot _____

Sublot _____

- 8. I understand that all necessary **Construction, Development, Building, and Use Permits** shall be secured from the Code Enforcement Office after the Planning Board grants approval of this application **before work commences on this project.**
- 9. I understand that the **approval becomes invalid if** construction or use has not commenced within twelve (12) months of the Planning Board's approval date, construction is suspended for more than six (6) months and no notice for just cause is submitted prior to the end of the six (6) months, or it is found that false statements have been furnished in this application.
- 10. I understand that **all state and federal permits** are my responsibility as the applicant and/or owner.

Applicant's Signature

Date

Completeness of Submission CHECKLIST for

(Plan Name) _____

The following list is the information required in Chapter 6-108.2 of the Comprehensive Land Use Code for the Town of Poland, Maine for a Minor Subdivision Plan Application. Please check the appropriate left-hand column depending if the information has been provided, if you request a waiver from submitting the information, or if you believe the information is not applicable to your application. If a waiver(s) is requested, or the information is not applicable, a written explanation is required.

For Applicant Use			Submission requirements <i>Sec 6-108.2 (See addendum B)</i>	For Planning Board Use			
Provided	Waiver Request	Not Applicable		Received	On File	Waived	Not Applicable
			A. Final Plan				
			• Two stable transparent originals				
			• Nine copies				
			• Size of drawings requirement				
			• Digital copy of plan				
			B.1. Name, town, & #'s				
			B.2. Names & address of all involved				
			B.3. Date, North, Scale				
			B.4. Existing physical features				
			B.5. Zoning dist. & boundaries				
			B.6. Location of existing & proposed utilities				
			B.7. Location, names, size of roads				
			B.8. 100-yr flood boundaries				
			B.9. Detailed street construction plans				
			B.10 Prior to sale of lots				
			• List of const. items				
			• Estimates of cost				
			• Proof of financial commitment				
			B.11. Town incurred items				
			• Estimate of net increase in taxable assessed valuation				
			B.11.a. Schools & busing				
			B.11.b. Street maint. & snow removal				
			B.11.c. Police				
			B.11.d. Solid waste disposal				
			B.11.e. Recreational facilities				
			B.11.f. Storm water drainage				
			B.11.g. Fire & rescue				
			B.12. Copy of any additional deed restrictions				
			B.13. Public Use Land				
			• Written offers to convey to town				
			• Copy of agreements to retain open spaces				
			• Written approval from town to recommend acceptance of roads				

Map _____

Lot _____

Sublot _____

For Applicant Use				For Planning Board Use			
Provided	Waiver Request	Not Applicable	Submission requirements <i>Sec 6-108.2 (See addendum B)</i>	Received	On File	Waived	Not Applicable

*Addendum A***6-108****Final Plan for Major Subdivisions****6-108.1 Procedure****A. Submittal of Application**

Within six (6) months after the approval of the Preliminary Plan, the applicant shall submit an application for approval of the Final Plan at least ten (10) days prior to a scheduled meeting of the Board. Applications shall be submitted by mail to the Board in care of the Code Enforcement Officer or delivered by hand to the Code Enforcement Officer. Failure to submit the application for the Final Plan within six (6) months after Preliminary Plan approval shall require resubmission of the Preliminary Plan, except as stipulated below. The Final Plan shall approximate the layout shown on the Preliminary Plan, and any changes required by the Board. If an applicant cannot submit the Final Plan within six (6) months, due to delays caused by other regulatory bodies, or other reasons, the applicant may request an extension. Such a request for an extension to the filing deadline shall be filed, in writing, with the Board prior to the expiration of the filing period. In considering the request for an extension the Board shall make findings that the applicant has made due progress in preparation of the Final Plan and in pursuing approval of the Plans before other agencies, and that this Code, Municipal standards, ordinances or regulations which may impact on the proposed development have not been amended.

B. Applicant Attendance for Presentation of Final Plan

The applicant, or the applicant's duly authorized representative, shall attend the meeting of the Board to discuss the Final Plan. Failure to attend the meeting to present the Final Plan application shall result in a delay of the Board's receipt of the Plan until the next meeting which the applicant attends.

C. Planning Board Responsibilities Upon Presentation of Final Plan

At the meeting at which an application for Final Plan approval of a Major Subdivision is initially presented, the Board shall issue a dated receipt to the applicant.

D. Determination of Completeness of Final Plans

Within thirty (30) days of the receipt of the Final Plan application, the Board shall determine whether the application is complete and notify the applicant in writing of its determination. If the application is not complete, the Board shall notify the applicant of the specific additional material needed to complete the application. Should the applicant not provide the specific additional material needed to complete the application within six (6) months of the date of the initial determination of an incomplete application the application shall become void. Upon written request by the applicant that presents reasonable cause for an extension and approval by the Planning Board this time period may be extended by six (6) months.

E. Notification of Applicant

Upon determination that a complete application has been submitted for review, the Board shall issue a dated receipt to the applicant. The Board shall determine whether to hold a Public Hearing on the Final Plan application.

F. Public Hearing Requirements

If the Board decides to hold a Public Hearing, it shall hold the hearing within thirty (30) days of determining it has received a complete application, and shall publish a notice of the date, time and place of the hearing in a newspaper of local circulation at least two (2) times, the date of the first publication to be at least seven (7) days before the hearing. In addition, the notice of the hearing shall be posted in at least three (3) prominent places within the Municipality at least seven (7) days prior to the hearing.

G. Required Approvals Prior to Submission of Final Plan Application

Prior to submittal of the Final Plan application, the following approvals shall be obtained in writing, where applicable:

1. Maine Department of Environmental Protection, under the Site Location of Development Act requires DEP permits for (a) Residential Subdivisions with fifteen (15) or more lots and land area of

Map _____ Lot _____ Sublot _____

thirty (30) acres or more, for (b) Non-Residential Subdivisions of five (5) or more lots and land area of twenty (20) acres or more.

2. Maine Department of Environmental Protection, under the Natural Resources Protection Act or if a Storm Water Management Permit or a Wastewater Discharge License is needed.
 - a. Required for any activity that includes twenty thousand (20,000) square feet or more of impervious area or five (5) acres or more of disturbed area in Poland's lake watersheds.
 - b. Discharge of wastewater into surface water bodies requires a permit.
3. Maine Department of Human Services (DHS), if the applicant proposes to provide a public water system.
 - a. Approval from the DHS Drinking Water Program is necessary for any water supply having fifteen (15) connections or serving nine (9) dwelling units or more.
4. Maine Department of Human Services, if an engineered subsurface wastewater disposal system(s) is to be utilized.
 - a. Any subsurface waste water disposal system which has a design flow of two thousand (2,000) gallons per day is required to be reviewed and approved by the DHS Plumbing and Waste Water Control Program.
5. U.S. Army Corps of Engineers (USACE), if a permit under Section 404 of the Clean Water Act is required.
 - a. When placement of fill material into the waters of the United State including the filling of wetlands, the applicant shall be required to obtain a written opinion from USACE as to the applicability of the USACE regulations to the applicant's project.

H. Requirements for Possible Historic Designations

If the Preliminary Plan identified any area listed on or eligible to be listed on the National Register of Historic Places, in accordance with Section 6-113.3.B, the applicant shall submit a copy of the Plan and a copy of any proposed mitigation measures to the Maine Historic Preservation Commission prior to submitting the Final Plan application.

I. Performance Guarantee Requirements

Before the Board grants approval of the Final Plan, the applicant shall meet the performance guarantee requirements contained in Section 6-114.

J. Finding of Facts and Conclusions

Within thirty (30) days from the Public Hearing or within sixty (60) days of receiving a complete application, if no hearing is held, or within another time limit as may be otherwise mutually agreed to by the Board and the applicant, the Board shall make findings of fact, and conclusions relative to the criteria for approval contained in Title 30-A, M.R.S.A. Section 4404 and the standards of this Chapter. If the Board finds that all the criteria of Title 30-A, M.R.S.A. Section 4404 and the standards of this Code have been met, they shall approve the Final Plan. If the Board finds that any of the criteria of Title 30-A, M.R.S.A. Section 4404 or the standards of this Code have not been met, the Board shall either deny the application or approve the application with conditions to ensure all of the standards will be met by the Subdivision. The reasons for any conditions shall be stated in the records of the Board.

Map_____

Lot_____

Sublot_____

Addendum B**6-108.2 Submissions**

A. Final Plan

The Final Plan for a Major Subdivision shall consist of two (2) reproducible, stable based transparent originals, one to be recorded at the Registry of Deeds, the other to be filed at the Municipal Office and nine (9) copies of the application and one or more maps or drawings drawn to a scale of not more than one (1) inch equals one hundred (100) feet. Plans shall be no larger than twenty-four (24) by thirty-six (36) inches in size, and shall have a margin of two (2) inches outside of the border lines on the left side for binding and a one (1) inch margin outside the border along the remaining sides. Space shall be provided for endorsement by the Board. The Final Plan shall be also provided in digital form as specified by the Planning Board.

The Plan to be recorded at the Androscoggin County Registry of Deeds shall follow the requirements of Title 33, M.R.S.A. Section 652.

B. The Final Plan Shall Include or be Accompanied by the Following Information

1. Proposed name of the Major Subdivision and the name of the Municipality in which it is located, and the assessor's map and lot numbers.
2. The name(s) and address(s) of the owner of record, applicant, and individual or company who prepared the Plan. The Plan shall be embossed with the seal and signed by the State of Maine registered Professional Engineer or State of Maine registered Land Surveyor who prepared the Plan.
3. The date the Plan was prepared, magnetic north point, graphic map scale.
4. The number of acres within the proposed Subdivision, location of property lines, existing buildings, watercourses, and other essential existing physical features.
5. The location of any Zoning District boundaries affecting the Subdivision.
6. The location and size of existing and proposed sewers, water mains, culverts, and drainage ways on or adjacent to the property to be subdivided.
7. The location, names, and present widths of existing and proposed streets, highways, easements, buildings, 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 location, bearing and length of street lines, lot lines and parcel boundary lines shall be certified by a State of Maine registered Land Surveyor.
8. The boundaries of any flood hazard areas and the 100-year flood elevation as depicted on the Town of Poland Flood Insurance Rate Map, shall be delineated on the Plan.
9. Street Plans, meeting the requirements of Chapter 8.
10. A list of construction items, with cost estimates that will be completed by the applicant prior to the sale of lots, and evidence that the applicant has financial commitments or resources to cover these costs.
11. A list of construction and maintenance items, with both capital and annual operating cost estimates, that must be financed by the Municipality, or Quasi-municipal Districts. These lists shall include but not be limited to:
 - a. Schools, including busing;
 - b. Street maintenance and snow removal;
 - c. Police;

- Map _____ Lot _____ Sublot _____
- d. Solid waste disposal;
 - e. Recreation facilities;
 - f. Storm water drainage; and
 - g. Fire protection;

The applicant shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the Major Subdivision.

- 12. If different from those submitted with the Preliminary Plan, a copy of any proposed deed restrictions intended to cover all or part of the lots or dwellings in the Subdivision.
- 13. All parcels of land proposed to be dedicated to public use and the conditions of such dedication. Written offers to convey title to the Municipality of all public ways and open spaces shown on the Plan, and copies of agreements or 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 proposed streets and/or open spaces or other land is to be offered to the Municipality, written evidence that the Municipal Officers have voted to recommend acceptance of the offer and that they are satisfied with the legal sufficiency of the written offer to convey title shall be included.