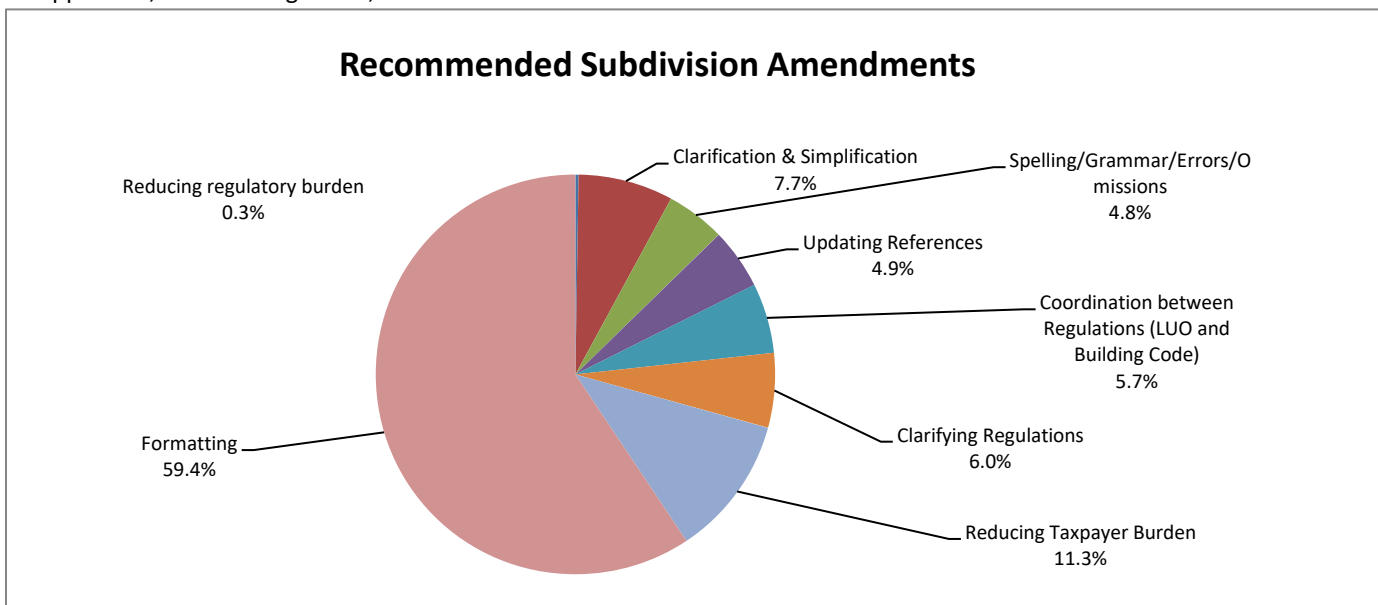


Proposed Amendments to the Town of Porter Subdivision Regulations – Public Hearing 9.18.19

The proposed amendments recommended in this draft perform the following:

- Reaffirm road construction standards for a wide-array of activities in the municipality, beyond minor or major subdivisions.
- Align the definition of words used in multiple town regulations (*LUO, Building Code, Subdivision*)
- Update numerous references that were outdated or that are no longer in existence (*ITE Trip Generation, Highway Capacity, Stormwater BMPS, Erosion/Sedimentation BMPS, outdated Water Company references, Sand and Gravel Aquifers, etc.*), and added new sources of accessible information (*Beginning with Habitat and National Wetlands Inventory Mapping Software*).
- Remove redundancies and obsolete references and formatted text and tables for easier reading
- More effective deployment of taxpayer funded municipal labor (timing of documentation, clarification of roles).
- Reintroduce Cluster Developments (*moved back from LUO*) for more effective administration, enforcement, and use of taxpayer dollars.
- Reaffirm applicant layout requirements for inspections, necessary engineering, applicant filing responsibilities at the Registry of Deeds, quality and extent of drawing submissions, representative competence and due diligence during presentation and review of the development, review authority, and applicant coordination with the Maine DOT and the SRCC, where required.
- Restores missing state regulations (ie.blocks), and increased material options (sidewalk construction materials)
- Clarify and coordinate design requirements with the Land Use Ordinance (*design speed, sight distances, sidewalks, ROWs, slopes, curves, widths, tack coat at joints, paving temperatures*)
- Adjust fees for inflation and removed risks so the town can affectively pay for the administrative and consultation impacts of subdivision development. (ie. insufficient and outdated fees, the town taking on scopes of work from the development, taking land off of tax rolls, reaffirming responsibility of costs, road acceptance, municipal engineering accepting troublesome curvilinear culverts)
- Specify Maine certified and registered occupations servicing the application of subdivision developments to support Maine employment (6 occupations).
- Coordinate with other town documents (*Comprehensive Plan and Land Use Ordinance*) – Such as: *Cluster impacts, historically notable buildings and areas, underground utilities, etc.*
- Simplified and consolidated forms and processes

This proposal draft should: Be easier to read and navigate, is now digitized (*a problem with the current ordinance has been that paper copies of copies over time make the reference materials unreadable*), reduce unnecessary taxpayer costs, divert adequate permit revenue toward funding the municipal services that are needed to properly administer subdivisions, addresses a number of reporting and delinquency issues that occur with the prior basic ordinance template, and provides up-to-date guides and references for applicants, the Planning Board, and the CEO.



Article by Article Breakdown Narrative:

Article 1 – clarification, emphasis, justification, and intent of requirements

Article 2 – *Clarifies that major and minor subdivisions fall under this regulation.*

Article 3 – updated and coordinated definitions with State law and other Town of Porter rules and regulations (Land Use Ordinance and Building Code), the State “Farmland” definition was added. Multi-family development and major and minor subdivision definitions were coordinated with the Land Use Ordinance and Building Code for simplified and uniform administration.

Article 4 – adjusts the receipt of application to allow for proper preparations by municipal officials/board members and clarifies code enforcement responsibilities.

Article 5 – clarifies the non-binding nature of the initial site inspection and preliminary proposal (*“the clock” does not start*), also includes applicant costs if the site is not properly laid out for inspection with visible and accessible markers.

Article 6 – “minor” subdivision has been merged with “major” to just be “subdivision” review – both have similar problems and risks, and this will be a more stringent and coordinated review that will reduce paperwork load and confusion.

Article 7 – Introduced a requirement to have qualified representation at subdivision meetings, added regional municipality notification for potential watershed and roadway infrastructure impacts (state law), updated fees, merged “minor” into this section, coordinated requirements with the land use ordinance and comprehensive plan, required engineering and consulting to be registered in Maine, added a submission requirement for design plans altering public water infrastructure, introduced consideration of farmland (state law), and introduced liquidation harvesting protections (state law).

Article 8 – Clarified code officer responsibilities, updated fees, added MEDOT approval of infrastructure designs, coordinated with land use ordinance, added PPHS for review of historic elements (if exists), requires qualified representation, clarifies need for signed and sealed final documents and plans by a registered professional land surveyor, clarifies that applicant records documents at the registry of deeds, requires engineers and consultants to be licensed/registered in Maine, updates manual references (phosphorus, stormwater, erosion and sedimentation control, traffic, etc.).

Article 9 – Added Land Use Ordinance coordination and removed public hearing requirements for minor revisions that do not create a net increase in lots or dwelling units

Article 10 – Coordinated with the Land Use Ordinance

Article 11 & 12 – Updates maps & manuals, coordinated with Land Use Ordinance and Comprehensive Plan, responsibility of applicant for major subdivision road infrastructure engineering costs emphasized. Engineers-consultants to be registered/licensed in Maine, MEDOT added to the review process, emphasis on quality of private roads required for municipality to assume ownership, design data was charted and coordinated with other town regulations, design speed was added, sight distance was clarified, material flexibility was provided, sidewalk guidance was added, paving regulations were upgraded (tack coat and install temperatures), PPHS was added to reviews involving historically notable elements in town, maps and manuals were updated, guidance on “Blocks” was added (State Law). The two sections (Performance and Design Standards) have had significant redundancies and these two sections were merged to simplify the review process and paperwork load on the town and taxpayers.

Article 13 – Coordinates with the Land Use Ordinance

Article 14 – Clarifies intent and criteria for reviewing waivers and adds a 2 year cut-off to record a variance with the register of deeds or it is void (state law).

Article 15 – Clarifies which decision is appealed.