

## **SUBDIVISION REGULATIONS**

### **TOWN OF PORTER, MAINE**

Adopted April 16, 2003  
Revised October 16, 2019  
Revised October 21, 2020  
**Revised March 20, 2024**  
**DRAFT November 2024**

## ARTICLE 6 - PRELIMINARY PLAN FOR SUBDIVISION

### 6.2 Submissions.

The preliminary plan application shall consist of the following items.

D. **Application Requirements.** The application for preliminary plan approval shall include the following information.

25. For major subdivisions involving ~~forty (40)~~ twenty (20) or more parking spaces, projected to generate more than two hundred (200) vehicle trips per day, or if located more than 1000 feet from a State arterial or collector highway and are projected to generate more than fifty (50) 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 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.

**Commented [IT1]:** Large scale subdivisions applicants have the burden of proof that the traffic impacts will not cause undue impact and safety issues on town ways.

## ARTICLE 7 - FINAL PLAN FOR SUBDIVISION

### 7.1 Procedure.

- I. The Board shall notify the road commissioner, municipal officers, school superintendent, police chief, and fire chief of the proposed subdivision, the number of dwelling units proposed, the length of roadways, and the size and construction characteristics of any multi-family, commercial or industrial buildings. The Board shall request that these officials comment upon the adequacy of their department's existing capital facilities to service the proposed subdivision.

**Commented [IT2]:** Municipal Officers budget for infrastructure, and need to understand these developments and their impacts.

### 7.2 Submissions.

2. The final plan shall include or be accompanied by the following information:

S. A list of construction and maintenance items, with both capital and annual operating cost estimates that will add to costs that are financed by the municipality, or quasi-municipal districts. These lists shall include but not be limited to:

**Commented [IT3]:** The municipality needs to understand cost impacts beyond the property boundary of the project.

- **Schools, including busing**
- **Street maintenance and snow removal**
- **Police and fire protection**
- **Solid waste disposal**
- **Recreation facilities**

- Storm water drainage
- Waste water treatment
- Water supply
- The applicant shall provide an estimate of the net increase in taxable assessed valuation at the completion of the construction of the subdivision.

V. A Land Use Permit that has been approved or approved with conditions by the Porter Planning Board that meets all applicable performance standards or design criteria within the Porter Land Use Ordinance including but not limited to: **Article II (Non-Conforming Situations)**, **Article III (District & Dimensional Requirements)**, and **Article IV (Performance Standards – General Requirements)**, and **Article V (Specific Use) of the Land Use Ordinance**.

**Examples: Frontage, setbacks, acreage, access\*, parking, signage, light, glare, noise, dust, fumes, gases, explosive material, landscape buffering & screening, vegetation removal and revegetation within Shoreland, etc.**

**Commented [IT4]:** Access also includes understanding where the traffic volume increases occur, what types of loading town ways are experiencing, and the routes of travel, in order to maintain safe roadways and

**\*Roads shall have carrying capacity/Public road improvements required.**

The road to which a driveway connects and the roads which are expected to carry traffic to the use served by the driveway shall have traffic carrying capacity and suitable to accommodate the amounts and types of traffic generated by the proposed use. Comply with the Performance and Design Standards of the Town of Porter Subdivision Regulation Article 10 Section 10.15. Where specified, to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, engineered provisions shall be made for turning lanes, traffic directional islands, frontage roads, and traffic controls within the public roads.

a.) Access to a proposed land use that exceeds 50 passenger car equivalent trips and that is not located within 1,000 feet of, or directly entering a State owned arterial or collector road is defined as a High Impact Use in this Ordinance and will require annual re-permitting and annual traffic impact analysis engineering to monitor impact. As a condition of approval, the applicant shall be required to make offsite road improvements to private or public ways or streets to accommodate traffic generated by the proposed land use. Such improvements may include, but not be limited to, traffic control, paving, grading, rolling, ditching, widening, and filling, and the provision of turnouts.

**Commented [IT5]:** The burden of proof is on the applicant that the proposed use will not negatively impact existing town way infrastructure or create unsafe driving conditions.