

1. Each lot contains at least one hundred (100) feet of shore frontage and at least twenty thousand (20,000) square feet of lot area; or
2. Any lots that do not meet the frontage and lot size requirements of Article 5.B.7 (1) are re-configured or combined so that each new lot contains at least one hundred (100) feet of shore frontage and twenty thousand (20,000) square feet of lot area.

### 8. Vested Rights

Non-conforming use rights cannot arise by the mere filing of a notice of intent to build, an application for building permits, or an application for required state permits and approvals. Such rights arise:

1. When the landowner has made a substantial start on construction of structures, or
2. Development of infrastructure improvements for town approved subdivisions, prior to or within twelve (12) months of the adoption or amendment of this Ordinance, or
3. In the case of pending applications, when the review process on an application commences.
4. Such construction must be legal at the time it is commenced, and the owner must be in possession of and in compliance with all validly issued permits, federal, state and local.

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Article # 27

## Article VI: Administration

### 6.A Building Permits

#### 6.A.1 Permit Not Required

Only the following activities shall not require a building permit: repairs, replacement, and/or normal maintenance not requiring structural elements, decorative changes in existing structures or buildings, provided that the activity is in conformance with Federal, State or local laws and does not involve any other physical modifications or changes requiring a permit under this Ordinance.

6.A.1.1 A permit is not required for the replacement of an existing road culvert as long as:

1.1.A. The replacement culvert is not more than 25% longer than

1.1.B. The replacement culvert is not longer than seventy-five (75) feet; and

1.1.C. Adequate erosion control measures are taken to prevent sedimentation of the water, and the crossing does not block fish passage in the watercourse.

6.A.1.2 A permit is not required for an archaeological excavation as long as the excavation is conducted by an archaeologist listed on the State Historic Preservation Officer's level 1 or level 2 approved list and unreasonable erosion and sedimentation is prevented by means of adequate and timely temporary and permanent stabilization measures.

#### 6.A.2 Permits Required

After the effective date of this Ordinance no person shall, without first obtaining a permit, engage in any activity or use of land or structure requiring a permit in the District in which such activity or use would occur; or expand, change, or replace an existing use or structure; or renew a discontinued non-conforming use. A person who is issued a permit pursuant to this Ordinance shall have a copy of the permit on site and posted so that it is visible from the street while the work authorized by the permit is performed.

#### 6.A.4 Plumbing permits are required.

6.A.4.1 No building permit shall be issued for any structure or use involving the construction, installation or alteration of plumbing facilities unless a valid plumbing permit has been secured by the owner or agent in conformance with the Maine State Plumbing Code.

6.A.4.2 No building permit for a new residential or commercial building shall be issued without first being issued a subsurface wastewater disposal system permit in conformance with the State Plumbing Code.

6.A.5 Any permit required by this Ordinance shall be in addition to any other permit required by other law or ordinance.

#### 6.B Permit Application

6.B.1. Every applicant for a permit shall submit a written application which shall include the following information:

a. Structures to be erected, structures to be moved, alterations to the framing of an existing



structure, creating living space in attics or basements, and exterior additions to existing structures.

- b. The shape, size and location of the lot for which application is made.
- c. The shape, size and location on the lot of the proposed structure, and of any proposed additions to existing structures.
- d. The shape, size and location of any other existing structure on the lot.
- e. The location of adjacent structures on adjacent lots, with reference to the distance from the lot line.
- f. If the property is not served by a public sewer a valid plumbing permit or a completed application for a plumbing permit, including the site evaluation approved by the plumbing inspector, shall be submitted whenever the nature of the proposed structure or use would require the installation of a subsurface sewerage disposal system.

**6.B.2.All applications shall also include:**

- a. The name and address of the property owner.
- b. The name, address and telephone number of the person, firm, or firms involved in the construction the property.
- c. The value of the proposed construction.
- d. A statement of the proposed use for any new or moved structure or altered portion of an existing structure.
- e. Any other information the applicant wishes to furnish.
- f. Any other information requested by the Code Enforcement Officer to make the application intelligible and to determine whether the proposed construction will conform to this Ordinance, other local ordinances and State law. If the property is not served by a public sewer, a valid plumbing permit or a completed application for a plumbing permit, including the site evaluation approved by the plumbing inspector, shall be submitted whenever the nature of the proposed structure or use would require the installation of a subsurface sewage disposal system.
- g. A certification that the information in the application is complete and correct to the best of the applicant's knowledge and belief.
- h. A residential growth permit issued by the Code Enforcement Officer with any application for a permit for a new residential dwelling unit.

**6.B.3.All applications shall be signed:**

- a. By the person or firm to do the work: and



b. By the owner or individual who can show evidence of rights, title or interest in the property, or by an agent, representative, tenant, or contractor of the owner with authorization from the owner to apply for a permit hereunder certifying that the information in the application is complete and correct.

6.B.4. All applications shall be dated, and the Code Enforcement Officer shall note upon each application the date and time of its receipt.

6.B.5. Procedure for Administering Permits:

6.B.5.1 Within thirty-five (35) days of receiving a written application, the Planning Board or Code Enforcement Officer, as appropriate, shall notify the applicant in writing either that the application is a complete application, or, if the application is incomplete, that specified additional material is needed to make the application complete. The Planning Board or Code Enforcement Officer, as appropriate, shall approve, approve with conditions, or deny all permit applications in writing within thirty-five (35) days of receiving a completed application. However, if the Planning Board has a waiting list of applications, a decision on the application shall occur within thirty-five (35) days after the first available date on the Planning Board's agenda following receipt of the completed application, or with thirty-five (35) days of the public hearing, if the proposed use or structure is found to be in conformance with the purposes and provisions of this Ordinance.

6.B.5.2 When an application conforms to the provisions of this Ordinance and other codes and ordinances of the town, upon payment of the required fee, the Code Enforcement Officer shall, within ten (10) days of its receipt, issue the permit, shall notify the Tax Assessor, and keep a copy of the application/permit in a permanent file.

6.B.5.3 If the application does not conform, the Planning Board or Code Enforcement Officer shall, within ten (10) days, deny the permit in writing, stating therein his reasons for such denial. In the event the proposed building or structure is so constructed or is of such usage as to require a review of the application by other authorities or boards, as determined by reference to the land-use regulation file, the Code Enforcement Officer shall refer the applicant to the appropriate authority or board for review, approval or denial. Upon his receipt of the decision of the reviewing authority or board, in writing, and if such decision is an approval, the Code Enforcement Officer shall issue the permit with any conditions prescribed by the reviewing authority or board. The Code Enforcement Officer shall not issue any building permit if he has knowledge that a particular structure would be located in an unapproved subdivision, and/or if he has knowledge that the structure would be in violation of a particular State law for which the municipality has enforcement responsibilities, or local ordinance. In denying any permit under these circumstances, the Code Enforcement Officer shall state in writing the reasons for the denial.

6.B.5.4 The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of this Ordinance.



6.B.5.5 The following criteria shall apply only in Shoreland Zoning:

After the submission of a complete application to the Planning Board, the Planning Board shall approve the application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

6.B.5.5.1 Will maintain safe and healthful conditions;

6.B.5.5.2 Will not result in water pollution, erosion, or sedimentation to surface waters;

6.B.5.5.3 Will adequately provide for disposal of all wastewater;

6.B.5.5.4 Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

6.B.5.5.5 Will conserve shore cover and visual, as well as actual, points of access to inland and coastal waters;

6.B.5.5.6 Will protect archaeological and historic resources as designated in the Comprehensive Plan;

6.B.5.5.7 Will not adversely affect existing commercial fishing or maritime activities in a Commercial Fisheries/Marine Activities district;

6.B.5.5.8 Will avoid problems associated with floodplain development and use; and

6.B.5.5.9 Is in conformance with the provisions of Article 7, Land Use Standards.

6.B.6. If a permit is either denied or approved with conditions, the reasons as well as conditions shall be stated in writing. No approval shall be granted for an application involving a structure if the structure would be located in an unapproved subdivision or would violate any other local ordinance, or regulation or statute administered by the municipality.

6.B.8 Unless the applicant picks up the building permit within thirty (30) days after the Code Enforcement Officer notifies the applicant that it has been approved, the permit shall become void.

6.B.9 Following the issuance of a building permit, other than one granted for a residence to be located in an approved subdivision, if no substantial start is made on the construction within three (3) months of the date of the permit, and no extension of that time has been granted by the Code Enforcement Officer due to adverse weather conditions, the permit shall lapse and become void. Thereafter no further work on such construction can be made until a new application has been made and approved as aforesaid. The fee for such permit shall be charged as a renewal fee.



6.B.10 Any permit issued which is not in conformity with the provisions of this ordinance confers no rights and is void

6.B.11 No public utility, water district, sanitary district or any utility company of any kind may install services to any new structure unless written authorization attesting to the validity and currency of all local permits required under this or any previous Ordinance has been issued by the appropriate municipal officials. Following installation of service, the company or district shall forward the written authorization to the municipal officials, indicating that the installation has been completed.

#### 6.C Certificate of Occupancy Required

6.C.1. A Certificate of Occupancy issued by the Code Enforcement Officer is required in advance of the use or occupancy of:

6.C.1.a. Any lot or change of the use thereof.

6.C.1.b. A structure hereafter erected or a change in the use of an existing structure, or as the building code requires

6.C.2 No Certificate of Occupancy shall be issued unless the lot or building or structure complies with all the provisions of this Ordinance, and of the current edition of the Maine Uniform Building and Energy Code, which is incorporated herein by reference. A record of all Certificates of Occupancy shall be kept on file in the office of the Code Enforcement Officer, and a copy shall be furnished, on request, to any person having a proprietary or tenancy interest in the structure or a duplicate copy shall be filed in the office of the tax assessor and the certificate of occupancy shall state specifically the uses which it permits.

6.C.3 No Certificate of Occupancy shall be issued until a house number is properly placed in accordance with current 911 standards.

#### 6.D. Conditional Use Permits

##### 6.D.1 Authorization

The Planning Board is hereby authorized to hear and decide upon applications for Conditional Use Permits, in accordance with State law and the provisions of this ordinance. The Board shall approve, approve with modifications or conditions, or disapprove an application for a Conditional Use Permit. No Conditional Use Permit shall be authorized unless specific provision for such conditional use is made in this Ordinance

##### 6.D.2 Existing Conditional Use or Structure

A conditional use which existed prior to the effective date of this Ordinance may not be changed to another conditional use nor substantially expanded or altered except in conformity with all regulations of this Ordinance pertaining to conditional uses, no



changes shall be made in any approved conditional use without approval of the change by the Planning Board.

#### 6.D.3 Application Procedure

A person informed by the Code Enforcement Officer that a proposed use requires a Conditional Use Permit shall file an application for the permit with the Planning Board on forms provided for the purpose. All plans for conditional uses presented for approval under this section shall show the following information unless the Planning Board waives these requirements:

##### 6.D.3.A General

6.D.3.A.1 The name and address of the applicant (or his authorized agent).

6.D.3.A.2 The name of the proposed development.

6.D.3.A.3 A copy of the deed or record of ownership.

6.D.3.A.4 The assessor's map and lot number.

6.D.3.A.5 Names and addresses of owners of all property within two hundred (200) feet of the subject property's

6.D.3.A.6 A sketch plan showing the general location of the site within the Town.

6.D.3.A.7 Names of all abutting property owners shown on sketch plan.

##### 6.D.3.B. Description

6.D.3.B.1 Total floor area

6.D.3.B.2 Total ground coverage

6.D.3.B.3 Location, size and type of all existing and proposed buildings, structures, or additions, including;

- a. Height
- b. Driveways
- c. Sidewalks
- d. Parking areas
- e. Loading areas
- f. Open spaces
- g. Open drainage courses
- h. Signs
- i. Exterior lighting
- j. Service areas
- k. Easements

I. Landscaping

6.D.3.B.4 Perimeter survey of the parcel made and certified by a registered land surveyor licensed in Maine (drawn at a scale of not smaller than one (1) inch equals fifty (50) feet) showing:

- a. Reference points
- b. True north point
- c. Graphic scale
- d. Comers of parcel
- e. Date of survey
- f. Total acreage
- g. Lot area
- h. Road frontage

6.D.3.C The appropriate fees shall be paid to cover administrative and legal advertisement costs.

6.D.3.D Nine (9) copies (or other quantity if requested) shall be submitted to the Code Enforcement Officer at least two (2) weeks before a scheduled Planning Board meeting.

6.E Public Hearing

Following the filing of an application, and before taking action on any application, the Planning Board shall hold a public hearing on the application within thirty (30) days. The Board shall notify the Code Enforcement Officer and municipal officers, and shall publish notice of the time, place and subject matter of hearing at least ten (10) days in advance in a newspaper of general circulation in the area.

6.E.1. The Planning Board shall notify by regular U.S. mail, first class, postage prepaid, the applicant and the owners of all property within two hundred (200) feet of the property involved at least ten (10) days in advance of the hearing. of the nature of the application and of the time and place of the public hearing.

6.E.2. The owners of property shall be considered to be those against whom taxes are assessed. Failure of any property owner to receive a notice of public hearing shall not necessitate another hearing or invalidate any action by the Planning Board.

6.E.3. T  
he Code Enforcement Officer, or his designated assistant, shall attend hearings and may present to the Planning Board all plans, photographs or other material he deems appropriate for an understanding of the application.

6.E.4. The Code Enforcement Officer, or his designated assistant, shall attend hearings and may present to the Planning Board all plans, photographs or other material he deems appropriate for an understanding of the application.



6.E.5. Projects needing Board of Appeals Review:

When an applicant needs a variance from a requirement in this Ordinance before the Planning Board is able to approve ~~the~~ application as submitted, an appeal may be submitted to the Board of Appeals prior to final action by the Planning Board. If an appeal is filed with the Board of Appeals prior to the Planning Board making a final decision, the Planning Board shall table final action on the application pending the Board of Appeals' decision and shall notify the Board of Appeals of that action.

6.F Decision

6.F.1 Within thirty (30) days of the public hearing the Planning Board shall reach a decision on a conditional use and shall inform, in writing, the applicant, the Code Enforcement Officer and municipal officers of its decision and shall prepare a detailed finding of facts and conclusions. Upon notification of the decision of the Planning Board, the Code Enforcement Officer, as instructed, shall immediately issue, issue with conditions prescribed by the Planning Board, or deny a Building Permit.

6.F.2 A Conditional Use Permit secured under the provisions of this Ordinance by vote of the Planning Board shall expire if the work or change involved is not commenced within two (2) years of the date on which the conditional use is authorized.

6.F.3 An appeal may be taken to Superior Court within forty-five (45) days after a decision is rendered.

6.G Standards Applicable to Conditional Uses

6.G.1 It shall be the responsibility of the applicant to demonstrate that the proposed use meets all of the following criteria. The Planning Board shall approve the application unless it makes written findings that one or more of these criteria have not been met:

6.G.1.A The use will conserve shore cover and visual, as well as actual, access to water bodies.

6.G.1.B Traffic access to the site meets the standards contained in this Ordinance; and traffic congestion has been addressed in accordance with performance standards in this Ordinance.

6.G.1.C The site design is in conformance with all municipal flood hazard protection regulations.

6.G.1.D Adequate provision for the disposal of all waste water and solid waste has been made.

6.G.1.E Adequate provision for the transportation, storage and disposal of any

hazardous materials has been made.

6.G.1.F A storm water drainage system meeting State standards shall be installed.

6.G.1.G Adequate provisions to control soil erosion and sedimentation have been made.

6.G.1.H There is adequate water supply to meet the demands of the proposed use and for fire protection purposes.

6.G.1.I The provisions for buffer strips and on-site landscaping provide adequate protection to neighboring properties, including public areas, from detrimental features of the development, such as noise, glare, fumes, dust, odor, adverse visual impact, and the like.

6.G.1.J All performance standards in this Ordinance, applicable to the proposed use will be met.

6.G.1.K The use will not result in unsafe or unhealthful conditions.

6.G.1.L The use will not have an adverse impact on natural Beauty, historic sites, or rare and irreplaceable natural areas.

#### 6.H Conditions Attached to Conditional Uses

6.H.1 Upon consideration of the factors listed above, the Planning Board may attach such conditions, in addition to those required in this Ordinance that it finds necessary to further the purposes of this Ordinance.

6.H.2 Violation of any of these conditions shall be a violation of this Ordinance.

6.H.3 Such conditions may include, but are not limited to, specifications for:

6.H.3.A Type of vegetation;

6.H.3.B Increased setbacks and yards;

6.H.3.C Specified sewage disposal and water supply facilities;

6.H.3.D Landscaping and planting screens;

6.H.3.E Period of operation;

6.H.3.F Operational controls;



6.H.3.G Professional inspection and maintenance;

6.H.3.H Sureties;

6.H.3.I Deed restrictions,

6.H.3.J Restrictive covenants

6.H.3.K Locations of piers, docks, parking and signs;

6.H.3.L Type of construction;

6.H.3.M Any other conditions necessary to fulfill the purposes of this Ordinance.

6.H.4 In evaluating each application, the Planning Board may request the assistance of the County Soil and Water Conservation District, a State or Federal agency, or consultant which can provide technical assistance.

#### 6.I Performance Guarantees

6.I.1 At the time of approval of the application for conditional use, the Planning Board may require the applicant to tender either:

6.I.1.A A certified check payable to the Town of Limerickington;

6.I.1.B An irrevocable letter of credit from a lending institution, or;

6.I.1.C A performance bond payable to the Town of Limerickington issued by a surety company in an amount adequate to cover the total costs of all required improvements, taking into account the time-span of the bond and the effects of inflation upon cost.

6.I.2 The conditions and amount of the certified check or performance bond shall be determined by the Board of Selectmen.

6.I.3 Prior to the release of any part of or the entire performance guarantee, the Planning Board shall determine to its satisfaction, in part upon the report of the engineer hired by the town to inspect the development and whatever other agencies and departments may be involved, that the proposed improvements meet or exceed the design and construction requirements for that portion of the improvements for which the release is requested.

Any interest accumulated on an escrow account shall be returned with any money owed by the town to the developer after it has been determined that the proposed improvements meet all design and construction requirements.

6.I.4 If the appointed engineer finds, upon inspection of the improvements performed before release of the guarantee, that any of the required improvements have not been constructed in accordance with plans and specifications filed by the applicant, he shall so report to the

Planning Board and Code Enforcement Officer.

The Planning Board shall then notify the applicant, and, if necessary, the bonding company or lending institution, and take all necessary steps to preserve the town's rights under guarantee.

6.I.5 Performance guarantees, when required, shall be tendered for all improvements required under this Ordinance, including but not limited to:

6.I.5.A Sidewalks

6.I.5.B Drainage facilities

6.I.5.C Parking areas

6.I.5.D Lighting

6.I.5.E Signs

6.I.5.F Landscaping

6.I.5.G Buffer areas

6.J Site Review

6.J.1 Additional performance standards and specific submission requirements for new or expanded commercial, industrial, and multi-family housing structures of three (3) or more units. Exempt from this section will be all single family and two- family residential structures.

Site Plan Review, in accordance with the provisions of this Ordinance, shall be required for the following activities before a building permit may be issued;

6.J.1.A New construction with at least two thousand (2000) square feet of gross first floor area.

6.J.1.B Additions to existing structures of at least two thousand (2000) square feet of gross floor area.

6.J.1.C Creation of impervious surfaces of at least two thousand (2000) square feet.

6.J.1.D Creation of un-vegetated surfaces of at least two thousand (2000) square feet excluding impervious surfaces.

6.J.2 Site Plan Review shall be conducted by the Planning Board in concert with all other requirements of this Ordinance as well as any other requirements which may be applicable.

6.J.3 Review may be conducted as one application along with application for conditional use.



- 6.J.4 Construction, site development, and landscaping shall be carried out in accordance with the plans, sketches, drawings, and other documents approved by the Planning Board, unless amended with Planning Board approval.
- 6.J.5 Nothing in this section shall be construed to prevent the ordinary repair and improvement of existing structures and facilities.
- 6.J.6 If the development requires action by the Board of Appeals or any other government authority, Planning Board review shall not commence until all other applications and decisions have been made.
- 6.J.7 Failure to comply with any conditions of the Site Plan Review, subsequent to approval, shall be grounds for revoking the approval, initiating legal proceedings to enjoin the construction or any specific activity violating the conditions of approval, or imposing such fines as the municipal officers shall have established for violations of this Ordinance, for each day that the violation continues to exist after official notification by the Code Enforcement Officer.

#### 6.K Submission Requirements

When the owner of the property or an authorized agent of the owner makes formal application for Site Plan Review, the application package shall contain at least the following exhibits and information:

- 6.K.1 All application procedure requirements for a Conditional Use Permit.
- 6.K.2 A complete, signed copy of the application for Site Plan Review.
- 6.K.3 At least nine (9) copies of the site plan drawn at a scale sufficient to allow review of all performance standards required in this Ordinance, but not more than fifty (50) feet to the inch for that portion of the total tract being proposed for the development, showing the following:
  - 6.K.3.1 Owner's name, address, and signature;
  - 6.K.3.2 Names and addresses of owners of all property within two hundred (200) feet of the subject property's boundaries;
  - 6.K.3.3 Sketch map showing the general location of the site within the Town;
  - 6.K.3.4 Boundaries of all contiguous property under the control of the applicant, regardless of whether it is part of the development or not;
  - 6.K.3.5 The lot area of the parcel and the road frontage;
  - 6.K.3.6 The location, size, and type of all existing and proposed structures, including: height, driveways, sidewalks, parking areas, loading areas, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements, and landscaping;
  - 6.K.3.7 Existing and proposed topography of the site at two-foot contour levels if major changes are to be made to the existing topography; and
  - 6.K.3.8 A storm-water drainage plan showing:



- a) The existing and proposed method of handling storm water run-off;
- b) The direction of flow of the run off by uses of arrows;
- c) The location, size, and elevation of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm drains;
- d) A septic plan showing the location of waste water disposal devices and water supply sources;
- e) A landscaping schedule keyed to the site plan, indicating the sizes, types, and location of all plants and other landscaping elements to be planted to the site;
- f) Copies of any proposed or existing easements, covenants, deed restrictions, etc.

#### 6.L Administration

- 6.L.1 The following procedures and requirements shall apply to all applications for Site Plan Review:
  - 6.L.1.1 All applications for Site Plan Review shall be made in writing to the Planning Board on the forms provided for that purpose. The application shall be made by the owner of the property or by the owner's authorized agent, as designated in writing by the owner, and shall be accompanied by the payment of an application fee for Site Plan Review, to the Town of Limerickington to cover administrative costs of processing the application.
  - 6.L.1.2 Prior to formal application, an owner or agent may-be request an informal review of the site plan by the Planning Board to determine its compliance with Town regulations.
  - 6.L.1.3 The completed application with the required documentation shall be placed on the Planning Board agenda for consideration within thirty (30) days of its receipt.
  - 6.L.1.4 Any application which is not complete, shall be sent back to the applicant with an indication of the additional information needed.
  - 6.L.1.5 Prior to taking final action on any Site Plan Review application, the Planning Board shall, within thirty (30) days hold a public hearing to afford the public the opportunity to comment on the application.
  - 6.L.1.6 Notice of the nature of the application and of the time and location of the hearing shall be given by mail to the applicant and owners of all property within two hundred (200) feet of the property involved, at least ten (10) days in advance of the hearing, and shall be published at least seven (7) days in advance in a newspaper of general circulation in the area.
  - 6.L.1.7 The owners of property shall be considered to be those against whom taxes are assessed.
  - 6.L.1.8 Failure of any property owner to receive a notice shall not necessitate another hearing unless the property was not listed on the submitted application.



- 6.L.1.9 Failure of any property owner to receive a notice shall not invalidate any action by the Planning Board.
- 6.L.1.10 Within sixty (60) days of the receipt of a completed application, the Planning Board shall act to approve, disapprove, or approve with conditions, the site plan as submitted or amended, unless the applicant and the Planning Board agree to a continuance.
- 6.L.1.11 If the Planning Board does not act upon the application, the site plan shall be deemed to have been disapproved.
- 6.L.1.12 If the Planning Board shall vote to disapprove the application, the applicant shall be notified in writing and the specific cause for disapproval shall be noted.
- 6.L.1.13 The Planning Board may attach such conditions as it finds necessary to ensure compliance with the purpose and standards of this Ordinance. Requests for changes in the conditions of approval require Planning Board review under the provisions of this section.
- 6.L.1.14 The Planning Board may require that an expert consultant review one or more submissions of an application and report as to the compliance or non-compliance with this Ordinance, and advise, if necessary, of procedures which will result in compliance. The consultant shall be properly qualified to provide this information, and shall be agreed upon by the Planning Board and the applicant mutually. The applicant shall maintain responsibility for all costs incurred for the use of these consultants.
- 6.L.1.15 The Planning Board may require the applicant to undertake any study which it deems necessary and reasonable to ensure that the requirements of this Ordinance are met. The costs of all such studies shall be borne by the applicant.
- 6.L.1.16 One copy of the approved site plan shall be included in the application for a building permit.
- 6.M The Planning Board may require the applicant to post, prior to final approval of any plan a bond, escrow agreement, irrevocable letter of credit, or other surety in such amount as is approved by the Planning Board as being reasonably necessary to ensure completion of all improvements required as conditions of approval of such plan, in such form as approved by the Planning Board.
- 6.N A Certificate of Occupancy shall not be issued until the Code Enforcement Officer determines that the completed project meets all of the requirements of the plan as approved by the Planning Board

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