

TOWN OF LIMERICK
SUBDIVISION ORDINANCE

PROPOSED CHANGES FOR MARCH 2022

Legislative Body: Town Meeting.

Official Map:

The Official Zoning Map and Shoreland Zoning Map of the Town of Limerick, Maine.

Official Submittal Date:

The time of submission of a Pre-application Plan, Final Plan for Minor Subdivision, Preliminary Plan for Major Subdivision or Final Plan for Major Subdivision or Final Plan for Major Subdivision shall be considered to be the date written acknowledgement by the Planning Board of the receipt of a completed application.

Pursuant to 30-A M.R.S.A. Section 4403, Subpart 6A, Paragraph 3, the Planning Board upon receipt of an application shall issue a written dated receipt to the applicant and notify by mail all abutting property owners of the proposed subdivision. Within 30 days of this dated receipt, the Planning Board shall notify the applicant in writing either that the application is a complete application or, if it is incomplete, the specific additional material needed to make a complete application.

After it has been determined that a complete application has been filed, the Planning Board shall notify the applicant (which shall constitute the official submittal).

Person:

Includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.

Preliminary Subdivision Plan:

The preliminary drawings indicating the proposed layout of the subdivision to be submitted to the Planning Board for its consideration.

Soil Scientist:

A soil scientist, soil engineer or soil geologist registered by the State of Maine.

Street:

The word "street" means and includes such public or private ways as alleys, avenues, boulevards, highways, roads, streets and other right-of-way. The term "street" shall also apply to areas on subdivision plans designated as "streets", etc.

Subdivision

See definition in Maine Revised Statutes Title 30-A, Chapter 187, Section 4401(4). A lot of 40 or more acres shall not be counted as a lot, except when the parcel of land being divided is located entirely within any shoreland area as defined in title 38, section 435 or a municipality's shoreland zoning ordinance

Subdivision, Amendment:

The change to any existing subdivision or any change of an approved subdivision which affects the lot lines or configuration of any parcels within the subdivision.

Subdivision, Major:

Any subdivision containing more than four (4) lots, or any subdivision requiring any new public street extension, or the extension of municipal facilities.

ARTICLE 6 - Review and Approval of Minor Subdivision

6.1 Procedure

- 6.1.1** Within six months after classification of the Sketch Plan as a Minor Subdivision by the Planning Board, the subdivider shall submit an application for approval of a Final Plan. * Failure to do so shall require resubmission of the Sketch Plan. The Final Plan shall conform to the layout shown on the Sketch Plan plus any recommendations or changes agreed to by the Planning Board.
- 6.1.2** As determined by the Limerick Planning Board, all fees and costs to the Town associated with the review of an application for a Minor Subdivision will be charged to the applicant.
- 6.1.3** The subdivider, or his duly authorized representative, shall attend the meeting of the Planning Board to discuss the Final Plan.
- 6.1.4** The Planning Board shall within 30 days of a public hearing or within 60 days of receipt of a completed application, if no hearing is held, approve, modify and approve, or disapprove the Final Plan. The Board shall specify in writing its reasons for any such modification or disapproval.

6.2 Submissions

- 6.2.1** The final subdivision plan for a Minor Subdivision shall consist of one original and three copies of one or more maps or drawings drawn to a scale of not more than one hundred (100) feet to the inch, which shall be legibly reproduced on a durable material or clearly drawn in India ink on linen, and the size of the sheets shall be 8 ½ x 11 inches or a multiple thereof, but in no case larger than 24x36 inches. Such sheets 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 reserved thereon for endorsement by all appropriate agencies. The application for approval of a Minor Subdivision shall include all the information presented on the Final Plan plus the following:
- 1) Verification of right, title and interest in the property, including any A-copy of covenants or deed restrictions as are intended to cover all or part of the tract.
 - 2) An actual field survey of the boundary lines of the ~~tract~~, lots to be subdivided, which shall include all remaining lands unless the remaining land is 40 acres or greater, giving complete descriptive data by bearings and distances, made and certified by a licensed land surveyor. The corners of the ~~tract~~ lots shall be located on the ground and marked by monuments as herein required, and shall be referenced as shown on the Plan.
 - (See Appendix x for sample Final Plan)
 - 3) When connection to the district system is possible, the developer shall install a complete sewerage collection system consistent with the specifications and pipe size requirements of the sewer district.
 - 4) All proposed on-site sewage disposal systems and / or water supply facilities

as prerequisite to the approval of the Final Subdivision Plan. The decision of the Planning Board plus any conditions imposed shall be noted on three (3) copies of the Preliminary Plan. One copy shall be returned to the subdivider, one retained by the Planning Board and one forwarded to the Selectmen of the Town of Limerick.

- 7.1.6** Approval of a Preliminary Plan shall not constitute approval of the Final Plan, but rather it shall be deemed an expression of approval of the design submitted on the Preliminary Plan as a guide to the preparation of the Final Plan. The Final Plan shall be submitted for approval of the Planning Board and for recording upon fulfillment of the requirements of these standards and the conditions of the preliminary approval, if any. Prior to approval of the Final Subdivision Plan, the Planning Board may require additional changes as a result of further study of the subdivision in final form or as a result of new information obtained at a public hearing.

* (see Appendix ix for sample Preliminary Plan.)

7.2 Submissions

7.2.1 Location Map*

The Preliminary Plan shall be accompanied by a Location Map drawn at a scale of not over four hundred (400) feet to the inch to show the relation of the proposed subdivision to the adjacent properties and to the general surrounding area. The Location Map shall show: 1. all the area within two thousand (2,000) feet from any boundary of the proposed subdivision.

7.2.2 Preliminary Plan

The Preliminary Subdivision Plan shall be submitted in four (4) 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, drawn to a scale of 1 inch equals not more than one hundred (100) feet, showing or accompanied by the following information:

- 1) Verification of right, title and interest in the property, including any deed descriptions, covenants or deed restrictions as are intended to cover all or part of the tract
- 2) An actual field survey of the boundary lines of the ~~tract~~, lots to be subdivided, which shall include all remaining lands unless the remaining land is 40 acres or greater, giving complete descriptive data by bearings and distances, made by a licensed land surveyor. The corners of the ~~tract~~-lots shall be located on the ground and marked by monuments as herein required, and shall be referenced as shown on the plan.
- 3) Proposed subdivision name or identifying title and the name of the Municipality.
- 4) Name and address of record owner, subdivider and, if the owner or subdivider is not the designer of the Preliminary plan, written authorization identifying the designer of the Preliminary Plan that allows said designer to represent the applicant in official business related to the application.
- 5) Number of acres within the proposed subdivision, location of property lines, existing easements, buildings, watercourses and other significant existing physical features.
- 6) The names of all subdivisions immediately adjacent and the names of owners of record of adjacent acreage.
- 7) The name or designation of the Zoning District applicable to the area to be subdivided and any zoning district boundaries affecting the subdivision. This includes space, setback and bulk requirements of the zone(s).