

## Article IV - Subdivision and Site Plan Review Regulations

### Section 1 - Subdivision Standards and General Provisions

#### 1.1 Purpose

The purpose of these subdivision regulations shall be to assure the comfort, health, safety, and general welfare of the people, to protect the environment, and to provide for the orderly development of a sound and stable community.

#### 1.2 Administration

1.2.1 The Planning Board for the Town of Edgecomb shall administer these regulations.

1.2.2 The provisions of these regulations shall apply to all of the land area of all proposed subdivisions, as defined, located in the Town of Edgecomb.

#### 1.3 Procedures for Subdivision Review

1.3.1 Introduction. The subdivider's application for subdivision approval will not be considered complete until a Final Subdivision Plan, based on a survey, has been submitted to the Planning Board

#### 1.3.2 Pre-Application Meeting and Submission of a Sketch Plan.

1.3.2.1 Before submitting an application for subdivision approval and the Preliminary Subdivision Plan, the subdivider or his authorized agent shall appear informally at a regular meeting of the Planning Board to discuss the proposed subdivision

1.3.2.2 The subdivider shall present to the Board for informal review and comment, a sketch plan of the proposed subdivision. The sketch plan shall consist of a rough outline of the proposed subdivision, and may be a free-hand, penciled sketch of the parcel.

1.3.2.3 No binding commitments shall be made between the subdivider and the Board at this stage. The purpose of the pre-application meeting shall be to understand what is proposed, what is possible, and what is acceptable.

1.3.3 Inspection of the Site. In order for the Planning Board to be more fully informed about the site, the subdivider shall arrange an inspection of the site with the Planning Board. The on-site inspection may be conducted at or shortly after the time of submission of the sketch plan. The pre-application phase of the application process will not be considered complete until such inspection has been made. The Planning Board may at its own discretion perform additional on-site inspections following submission of either a Preliminary or a Final Subdivision Plan.

### 1.3.4 Submission of a Preliminary Subdivision Plan.

1.3.4.1 Requirements: Written application for approval shall be filed with the Planning Board, together with the Preliminary Subdivision Plan at a regularly scheduled meeting of the Planning Board. The Preliminary Subdivision Plan and any supporting documentation shall be submitted in ten copies. The Plan shall be drawn at a scale of not less than 1" = 100' and not greater than 1" = 40'. Sheet size of drawings shall be not less than 8 ½" x 11" nor larger than 24" x 36".

The following information shall be submitted by the applicant: The applicant may request in writing a waiver of requirements not relevant or not of substantial import to his proposal, in which case he shall list them. In instances where the Preliminary Subdivision Plan shows less than five lots or dwelling units, the Planning Board may waive the requirement for the Preliminary Subdivision Plan, in which case the following information shall be submitted with the Final Subdivision Plan.

#### 1.3.4.1.1 Information on the Applicant.

- a. Name of owner.
- b. Name of Applicant (if other than owner).
- c. If applicant is a corporation, state whether the corporation is licensed to do business in Maine, and attach a copy of the Secretary of State's Registration.
- d. Name of applicant's authorized representative.
- e. Name, address, and registration number of the Licensed Professional Engineer, Licensed Land Surveyor, Licensed Landscape Architect and/or Licensed Architect responsible for preparation of the Subdivision Plan and related documentation.
- f. Address to which all correspondence from the Planning Board should be sent.
- g. Applicant's interest in the parcel to be subdivided, (option, land purchase contract, record of ownership, etc.).
- h. Applicant's interest in any abutting properties.
- i. State whether Preliminary Subdivision Plan covers entire contiguous holdings of applicant or not. *[amended May 17, 2008]*

#### 1.3.4.1.2 Information on Property to be Subdivided.

- a. Location of property: Book and page (from Registry of Deeds).
- b. Location of Property: Map and Lot (from Assessor's Office).

- c. Boundary survey of the property to be subdivided, and showing any easement or other encumbrances tied to established reference points, and certified by a Licensed Land Surveyor. The plan shall show the names of the owners of abutting properties and those on the opposite side of any road abutting the property.
- d. Current zoning of property.
- e. Acreage of parcel to be subdivided.
- f. Contour lines at an interval of not more than 2 feet, referenced to U. S. Coastal and Geodetic Survey benchmarks if such exist within 1,000 feet of the property. The Planning Board may permit 5-foot contour intervals in instances where there would be little impact upon existing drainage, and no underground utility systems are to be constructed.
- g. Location and size of existing buildings, water-courses, wetlands, and other essential existing physical features.
- h. Location and size of any existing sewers and water mains, drainage courses, and culverts.
- i. A soils report, prepared by a Licensed Soil Scientist, Geologist or Site Evaluator, identifying soil types and location of soil test areas. There shall be at least one soils test pit per lot. *[amended May 17, 2008]*

#### 1.3.4.1.3 Information on Subdivision

- a. Proposed name of subdivision.
- b. Number of lots.
- c. Date, north point, graphic map scale.
- d. Proposed lot lines with approximate dimensions and suggested locations of buildings, subsurface sewage disposal systems, and wells.
- e. Location of temporary markers adequately located to enable the Planning Board to locate lots readily and appraise basic lot layout in the field.
- f. Location of all parcels to be dedicated to public use, the conditions of such dedication, and the location of all natural features or site elements to be preserved.
- g. A location map, consisting of a USGS Topographic Map, showing the relation of the proposed subdivision to adjacent properties and to the general surrounding area. The location map shall show all the area within 2,000 feet of any proposed subdivision.

- h. Location, names and widths of existing and proposed streets, highways, easements, building lines, parks and other open spaces. For subdivisions in which the developer chooses to comply with Section 1.4.13.1:
- i. A copy of the bylaws and regulations of the homeowners association.
  - ii. A copy of the covenants setting forth the lot owners' rights, interests, and privileges in the association which will be included in the deed for each lot.
  - iii. A copy of the legend relating to the above covenants which will appear on the final submission for subdivision approval.
- i. Vertical profile of proposed road centerlines drawn at a vertical scale of either 1" = 4' or 1" = 5'; and a typical cross-section of the proposed roadway and storm drainage facilities drawn at a horizontal scale of either 1" = 40' or 1"=50'. Where the Planning Board deems it appropriate, a vertical profile of existing or proposed stormwater drainage facilities may also be required.
- j. A stormwater management plan in conformance with Section 1.4.5.
- k. A description of any restrictive covenants to be placed on the deeds.
- l. In the instance of a condominium development, the applicant shall also be required to submit a draft of the Condominium Declaration and Bylaws.
- m. An erosion and sedimentation control plan in conformance with Section 1.4.14 (attach to application)
- n. If the subdivision is in the watershed of a great pond, a phosphorus control plan in conformance with Section 1.4.15.
- o. For subdivisions greater than 5 lots that are not served by public sewer, a hydrogeologic assessment prepared in accordance with Section 1.4.16 by a certified geologist or licensed professional engineer experienced in hydrogeology.
- p. Preliminary designs of any bridges or culverts which may be required.
- q. Base flood elevation data.
- r. The location of significant resources including important deer wintering yards, other important plant or wildlife habitats and areas with visual significance.

s. An owner or his authorized agent shall submit information on the location of the development to the following address:

State Historic Preservation Officer  
Maine Historic Preservation Commission  
55 Capitol Street  
State House Station 55  
Augusta, Maine 04333

and include a request that the Edgecomb Planning Board be notified of any comments. The applicant shall submit to the Planning Board proof of such notification, including a copy of the letter to the State Historic Preservation Officer.

t. For six or more dwelling units in a subdivision, a plan for ensuring an adequate on-site water supply for fire suppression, which shall consist of a minimum 10,000 gallon underground storage tank, together with appurtenant piping and hydrants, designed by a licensed professional engineer or an approved building sprinkler system. The plan shall include any existing or proposed perpetual easements necessary to ensure access to fire fighting water supply or hydrants.

u. Other information not indicated above, as specified by the Board on the application form. *[amended May 17, 2008]*

#### 1.3.5 Issuance of Dated Receipt.

Upon receipt of the Preliminary Subdivision Plan and the application form, the Planning Board shall issue the subdivider a date receipt.

#### 1.3.6 Public Hearing

In the event that the Planning Board determines to hold a public hearing on the proposed subdivision, it shall hold such public hearing within 30 days of having received a complete Preliminary Subdivision Plan, and shall cause notice of the date, time and place of such hearing to be given to the subdivider and to be published in a newspaper of general circulation in the municipality in which the subdivision is proposed to be located at least 7 days prior to the hearing. The applicant shall provide notice of the date, time, and place of the public hearing by certified mail to all abutting property owners, including those located directly across a public or private road from the parcel proposed to be subdivided, and also shall present proof to the Planning Board that such action by the developer to described abutters has occurred. The decision to hold a public hearing is discretionary, and in making its decision, the Planning Board may consider the size and type of subdivision, the community impact, and whether any written requests for such a hearing have been received.

### 1.3.7 Planning Board Action on the Preliminary Subdivision Plan.

Within 60 days of the issuance of the dated receipt, or within 30 days of the date of a public hearing if one is held, the Planning Board shall notify the applicant in writing either that:

- 1.3.7.1 With the exception of the submission of a Final Subdivision Plan, the application is a complete application, or
- 1.3.7.2 In addition to the submission of a Final Subdivision Plan, there are a number of specific additional materials, which will have to be submitted to make a complete application. The Planning Board shall list the specific additional items that must be submitted in order to make the application complete except for the Final Subdivision Plan; and/or,
- 1.3.7.3 The Planning Board has determined that there are a number of apparent deficiencies with the proposal, which should be corrected before submission of the Final Subdivision Plan. The Planning Board shall indicate in writing the nature of these deficiencies. Submission of the Final Subdivision Plan without correcting these deficiencies shall be grounds for disapproval of the application for subdivision approval.

The Planning Board shall maintain a permanent record of its action on the Preliminary Subdivision Plan.

### 1.3.8 Submission of a Final Subdivision Plan

Within 6 months of the date of Planning Board action on the Preliminary Subdivision Plan, the subdivider shall submit the Final Subdivision Plan to the Planning Board with a check for fees (see Fee Schedule). The check shall be payable to the Town of Edgecomb. Failure to submit the Final Subdivision Plan within the designated time period shall require the submission of a new subdivision application.

The Final Subdivision Plan shall consist of 1 original transparency and 8 copies of one or more maps or drawings similar to the maps or drawings prepared for Preliminary Subdivision Plan submission. In addition to all the items required for the Preliminary Subdivision Plan, unless otherwise indicated by the Planning Board, the following items shall be required as part of the Final Subdivision Plan submission:

- 1.3.8.1 Licensed Land Surveyor. The name, registration number, and seal of the registered land surveyor who prepared the Final Subdivision Plan. *[amended May 17, 2008]*
- 1.3.8.2 Streets. The names and lines, lengths of all straight lines, the deflection of angles, radii, length of curves, and central angles of all curves, and tangent distances and bearings.
- 1.3.8.3 Open Spaces. The designation of all easements, areas reserved for or dedicated to public use, and areas reserved by the subdivider.
- 1.3.8.4 Lots: The location, bearing, and length of every line, with all lots to be numbered in accordance with local practices.



1.3.10.3 Construction of an approved subdivision shall be commenced within one year from the date of approval of the Final Subdivision Plan, or approval of the Final Subdivision Plan shall become null and void.

#### 1.4 General Requirements

- 1.4.1 Buffer Strip: The Planning Board may require a buffer strip when the proposed subdivision will be located adjacent to a use where separation is desirable.
- 1.4.2 Basement Drainage. If lots are being created to accommodate structures with basements, the subdivider shall show that the basement can be drained by gravity to the ground surface, or storm sewers, if they are required to be installed, or that the water table is below the level of the basement.
- 1.4.3 Conformance with Other Laws, Regulations. The proposed subdivision shall be in conformance with all pertinent local, State and Federal ordinances, statutes, laws and regulations. If the proposed subdivision meets the definition of subdivision as defined in the Site Location Act, Title 38, M.R.S.A., Section 482, the subdivider must secure the approval of the Board of Environmental Protection and the Planning Board. When a proposed subdivision requires approval of the Planning Board and the Board of Environmental Protection, each review may be conducted simultaneously. However, each review will be conducted independently, and the Planning Board may deny approval of the subdivision even though the Board of Environmental Protection has granted an approval under the provisions of the Site Location Act.
- 1.4.4 Construction Prohibited. No utility installations, no ditching, grading or construction of roads, no grading of land or lots, and no construction of buildings shall be done on any part of the subdivision until a Final Subdivision Plan has been prepared, submitted, reviewed, approved, and endorsed as provided by these regulations, nor until an attested copy of the Final Subdivision Plan so approved and endorsed has been recorded by the subdivider in the Registry of Deeds. Plans for road construction, grading and ditching shall be reviewed by the Road Commissioner for his recommendations before Planning Board approval.
- 1.4.5 Stormwater Management Facilities. A storm water management plan, prepared by a licensed professional engineer, shall be designed so that the post-development storm water runoff does not exceed the pre-development storm water runoff for the 24-hour duration, 2-, 10-, and 25-year frequency storm events. The storm water plan shall be prepared in accordance with *Stormwater Management for Maine: Best Management Practices*, latest edition, prepared by the Maine Department of Environmental Protection, which is incorporated herein by reference and made a part thereof. The storm water plan shall include the following information for the pre- and post-development conditions: drainage area boundaries, hydrologic soils groups, ground cover type, time of concentration flow paths, modeling methodology, calculations, and background data. The Board may require review and endorsement of the stormwater plan and calculations by the Knox-Lincoln Soil and Water Conservation District. [amended May 17, 2008]
- 1.4.6 Easements. The Planning Board may require easements for sewerage, drainage, or other utilities.

1.4.7 Guidelines for Reviewing Subdivisions in Subdivision Law. In reviewing any proposed subdivision, the Planning Board shall consider the criteria set forth in the Guidelines contained in the State Subdivision Law, Title 30-A, M.R.S.A., Section 4401-4407, and before granting approval shall determine that they have been or will be met. In all instances, the burden of proof shall rest with the applicant.

1.4.8 Lots and Density.

1.4.8.1 The lot size, width, depth, shape and orientation and the minimum setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

1.4.8.2 Where individual, on-site sewage disposal systems are to be utilized, the size of each lot shall be based on soil characteristics, and shall conform to the Minimum Lot Size Guide contained in Appendix 1 of the State of Maine Plumbing Code, Part 11, dated April 25, 1975, as amended.

1.4.8.3 For cluster developments, overall net density shall not be greater than the density that would result from the creation of individual, non-clustered lots. Such density shall be calculated by dividing the total acreage within the subdivision (including open spaces or common recreational areas) by the number of proposed units.

1.4.8.4 All lots within a subdivision shall conform to the lot size, frontage and setback requirements of the zone in which it is located.

1.4.9 Land not Suitable for Development.

All portions of any proposed subdivision that are located on land below sea level, or on land within the 100-year flood plain, or on land which has been filled or drained, or on land created by diverting a watercourse shall not be included in the calculation of density or minimum dimensions. The Planning Board shall not approve a subdivision requiring filling of tidal land or filling or draining of a great pond. *[amended May 17, 2008]*

1.4.10 Open Space Provisions.

1.4.10.1 The Planning Board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees (10" or more in diameter), the replacement of trees and vegetation, graded contours, streams and the preservation of scenic, historic, or environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as much as possible.

1.4.10.2 Where the proposed subdivision abuts a lake, pond, river or perennial stream, the Planning Board may require, where feasible and appropriate, that the subdivider reserve an area of land abutting the water body or water course as an open space and/or recreational area for use by property owners in the subdivision. The instruments of conveyance (deeds) from the subdivider to the property owners in the subdivision shall provide for an access right-of-way to this reserved land. The cost of maintenance and development of the reserved land shall be borne by the property owners of the subdivision.

1.4.10.2.1 The property owners may enter into a written agreement with the Selectmen for development and maintenance of the reserved land, but all costs of development and maintenance shall be borne by the property owners of the subdivision in the appropriate manner, which may include attaching to the property tax assessment bill a separate item for cost of development and/or maintenance for the designated reserved land. If this method is employed, development and maintenance costs shall be prorated among the property owners of the subdivision based upon assessed valuation.

1.4.10.2.2 The manner of providing for the cost of development and/or maintenance of the reserved open space shall be included in the instrument of conveyance to each property owner of the subdivision.

#### 1.4.11 Performance Bond.

1.4.11.1 The Planning Board may require that the subdivider file with the Board at the time of submission of the Final Plan a performance guarantee in an amount sufficient to defray all expenses of the proposed public improvements. This may be tendered in the form of a certified check payable to the Treasurer of the municipality and issued by a surety company acceptable to the municipality. The conditions and amount of such certified check or performance bond shall be determined by the Planning Board of the municipality with the advice of the municipal officers. The amount shall be at least equal to the total cost of furnishing, installing, connecting, and completing all of the street grading, paving, storm drainage and utilities or other improvements specified on the Final Subdivision Plan within two years of the date of the certified check or performance bond.

1.4.11.2 The Planning Board may recommend a maximum extension of 12 months to the guaranteed performance period when the subdivider can demonstrate, to the satisfaction of the Board and the municipal officers, good cause for such extension. Such recommendation shall be referred to the municipal officers for official action.

1.4.11.3 Before a subdivider may be released from any obligation requiring his guarantee of performance, the Planning Board will require certification from the various municipal officers to the effect that all improvements have been satisfactorily completed in accordance with all applicable standards (state, federal and local codes, ordinances, laws, and regulations).

1.4.11.4 The Planning Board may, at its discretion waive the requirement of a performance bond and recommend a properly executed conditional agreement with the municipality. Such agreement, if executed with the municipality, shall be endorsed in writing on the Final Plan or any part thereof, on the condition that no lot in the subdivision may be sold and no permit shall be issued for construction of any building on any lot on any street in the subdivision until it shall have been certified in the manner set forth in paragraph 1.4.11.3 above that all improvements have been made within 2 years or the date of executing such conditional agreement.

#### 1.4.12 Plan Revisions after Approval.

No changes, erasures, modifications, or revisions shall be made in any Final Subdivision Plan after approval has been given by the Planning Board and endorsed in writing on the plan, unless the plan is first re-submitted and the Planning Board approves any modifications, provided, that the Code Enforcement Officer may approve the correction of typographic, arithmetic, and similar errors, providing a memorandum of such correction to the Planning Board. In the event that the Final Subdivision Plan is recorded without complying with this requirement, the same shall be considered null and void and the Planning Board shall institute proceedings to have the Subdivision Plan stricken from the records of the Selectmen and the Registry of Deeds.

Amendment to Article IV Section 2 - Resource Based Subdivision Regulations. *[amended May 17, 2008]*

#### 1.4.13 Street Design and Construction.

1.4.13.1 Streets constructed within subdivisions or to provide access thereto shall conform to the following minimum design standards:

1.4.13.1.1	Right-of way width	50'
1.4.13.1.2	Pavement width	20'
1.4.13.1.3	Pavement material:	2.5" bituminous concrete (1.5" base course and 1.0" surface course) or 1.0" penetrated cutback asphalt surface, 1.0 gal/sq.yd. in two applications.
1.4.13.1.4	Gravel base	12" extended under shoulder
1.4.13.1.5	Shoulder	4'
1.4.13.1.6	Side Slopes	3' hor. : 1' vert. maximum
1.4.13.1.7	Minimum Grade	0.5%
1.4.13.1.8	Maximum Grade	12.0%

1.4.13.1.9 Minimum angle of street intersections 60 degrees

1.4.13.1.10 Maximum grade within 75' of intersections 3%

Where subdivision streets are to remain private roads, the requirement above titled "Pavement material" shall not be applicable and the following words shall appear on the recorded plan:

"All roads in this subdivision shall remain private roads to be maintained by a road association consisting of all subdivision lot owners and shall not be maintained by the Town or considered for acceptance by the Town until they meet all of the design standards contained in Paragraph 1.4.13.1 above."

1.4.13.2 At the option of the developer the requirements in Sec. 1.4.13.1.3 may be omitted if the following requirements are met:

1.4.13.2.1 The proposed subdivision does not contain more than ten (10) lots.

1.4.13.2.2 The proposed roads in the subdivision are not thoroughfares but serve only the lots within the proposed subdivision.

1.4.13.2.3 The formation of a homeowners association with evidence of its accomplishment submitted to the Planning Board within thirty (30) days of approval. No building permit shall be issued prior to the satisfaction of this requirement. The homeowners association shall be governed by the following regulations.

- a. The organization shall be established by the developer and shall commence operation, with the financial support of the developer if necessary, before the sale of any lot in the development.
- b. Membership in the association shall be mandatory for all purchasers of lots in the subdivision and their successors.
- c. The association shall be responsible for the upkeep, maintenance and repair of all roads in the subdivision together with any road related open spaces.
- d. The association shall levy annual charges against all property owners in the subdivision to defray the costs of maintenance and repair of all roads and associated open spaces in the subdivision.
- e. The association shall have the power to place liens on the property of members who are more than six months in arrears on their annual association charges.
- f. The association shall have or hire adequate staff to maintain and repair the subdivision roads.

#### 1.4.14 Erosion and Sediment Control Plan

An erosion and sediment control plan shall be prepared in accordance with the *Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices*, latest revision, prepared by the Cumberland County Soil and Water Conservation District and the Maine Department of Environmental Protection, which is incorporated herein by reference and made a part thereof. The plan shall be prepared either by a professional civil engineer or by a Certified Professional in Erosion and Sediment Control (CPESC). At a minimum, the following items shall be discussed and provided:

- 1.4.14.1 The name, address, and telephone number of the person responsible for implementation of the plan.
- 1.4.14.2 A vicinity map showing the location of waterbodies that may be affected by erosion and sedimentation from the project.
- 1.4.14.3 Existing and proposed drainage patterns, including drainage channels that drain to surrounding waterbodies.
- 1.4.14.4 A sequence of work that outlines how the project will be constructed and specifically addressing how soil disturbance will be minimized during the construction process.
- 1.4.14.5 Clear definition of the limits of work and any buffer areas that will remain undisturbed and an indication of how these areas will be protected during construction.
- 1.4.14.6 Description of temporary and permanent erosion control practices that will be used.
- 1.4.14.7 Identification of the locations of the temporary and permanent erosion control practices.
- 1.4.14.8 Identification of how and where collected sediment will be disposed.
- 1.4.14.9 Dust control measures.
- 1.4.14.10 Inspection and maintenance procedures, including schedule and frequency.

The Board may require the review and endorsement of this plan by the Knox-Lincoln Soil and Water Conservation District.

#### 1.4.15 Phosphorus Control Plan

For subdivisions located within the watershed of a great pond, phosphorous export from construction and long term operation shall be equal to or less than that which is calculated using the methodology established by the Maine Department of Environmental Protection and described in “Phosphorous Control in Lake Watersheds: A Technical Guide to Evaluating New Development (September, 1992)”.

#### 1.4.16 Hydrogeologic Assessment

1.4.16.1 When a hydrogeologic assessment is submitted, the assessment shall contain at least the following information:

1.4.16.1.1 A map showing the basic soils types.

1.4.16.1.2 The depth to the water table at representative points throughout the subdivision.

1.4.16.1.3 Drainage conditions throughout the subdivision.

1.4.16.1.4 Data on the existing ground water quality, either from test wells in the subdivision or from existing wells on neighboring properties.

1.4.16.1.5 An analysis and evaluation of the effect of the subdivision on ground water resources. In the case of residential developments, the evaluation shall, at a minimum, include a projection of post development nitrate-nitrogen concentrations at any wells within the subdivision and at the subdivision boundaries. For subdivisions within the watershed of a lake, projections of the subdivision's impact on ground water phosphate concentrations shall also be provided.

1.4.16.1.6 A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the subdivision and within 200 feet of the subdivision boundaries.

1.4.16.2 Projections of ground water quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).

1.4.16.3 No subdivision shall increase any contaminant concentration in the ground water, at any on-site well or at the subdivision boundary to more than the Primary Drinking Water Standards. No subdivision shall increase any contaminant concentration in the ground water at any on-site well or at the subdivision boundary to more than the Secondary Drinking Water Standards.

1.4.16.4 If ground water contains contaminants in excess of the primary standards, and the subdivision is to be served by on-site ground water supplies, the applicant shall demonstrate how water quality will be improved or treated.

1.4.16.5 If ground water contains contaminants in excess of the secondary standards, the subdivision shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

1.4.16.6 Subsurface waste water disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the Final Plan, and as restrictions in the deeds to the affected lots.

## 1.5 Waiver and Modification of These Regulations

1.5.1 Where the Planning Board finds that extraordinary and unnecessary hardships may result from the strict compliance with these regulations, or where there are special circumstances of a particular plan, it may waive any of these regulations provided that such waiver will not have the effect of nullifying the purpose of these regulations, the Comprehensive Plan, the Shoreland Zoning Ordinance, or any other ordinance.

1.5.2 In granting any waiver, the Planning Board shall require such conditions as will, in its judgment, secure substantially the objectives of the requirements so waived.

## 1.6 Appeals See Article VI. *[amended May 17, 2008]*

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