

Chapter 120
LAND USE

ARTICLE 1
General

§120-108. Conditional or contract zoning.
[Amended 7-8-2014 by Order 14-223]

§120-108D Rezoning procedure

§120-108D(2): Planning Board. ~~Applications for conditional or contract zoning shall include all required submission materials and shall be~~ ~~submitted to the Windham Planning Department Board at least 21 days prior no later than thirty (30) calendar days prior~~ to the date at which the petitioner/property owner wishes to be heard by the Board. The Planner, ~~within 14 days, shall determine if the application is complete. An application shall determine completeness as specified in this Article. The application~~ shall not be placed on the Planning Board's agenda until it is found to be complete.

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ARTICLE 8
Site Plan Review

§120-806. Review procedures for minor developments. [Amended 2-14-2012 by Order 12-016; 7-8-2014 by Order 14-223]

§120-806A. Preapplication ~~conference~~. Applicants for site plan review of a minor development ~~are encouraged to schedule shall meet with the Planner for a~~ preapplication conference ~~at least seven calendar days (7) prior in advance to the submission of each application submission with the Planner.~~ The purpose of this meeting is to familiarize the applicant with the review procedures, ~~and~~ submission requirements, and approval criteria, and to familiarize the Planner with the nature of the project. ~~Such review shall not cause the plan to be a pending application or proceeding under 1 M.R.S.A. § 302. No decisions relating to the application may be made at this meeting.~~

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Commented [SP1]: The purpose of this meeting is to review the scope of the project, identify submission requirements, and discuss scheduling, application formatting, and review timelines.

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§120-806B(1). Application procedure.

All minor site plan ~~applications shall include all required submission materials and shall~~ ~~submission requirements shall~~ be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy and must contain all documentation required under this Article.~~ ~~at least 21 days prior to the meeting at which the applicant wishes to be heard by the Staff Review Committee and~~ ~~The application will not be placed on Staff Review Committee agenda until it has been determined complete by the Planning Department as specified in this Article. Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness.~~ ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy and must contain all documentation required under this Article.~~

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Commented [BM3]: Steve, I'm suggesting deleting this last sentence re: the 30 day timeline because that's specified in 806B2.

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§120-807. Review procedures for major developments. [Amended 2-14-2012 by Order 12-016; 7-8-2014 by Order 14-223]

§120-807A: Preapplication conference. Applicants for site plan review of a major development ~~are required to schedule shall meet with the Planner for~~ a preapplication conference at least seven (7) calendar days prior to the submission of each application in advance to each application submission. The purpose of this meeting is to familiarize the applicant with the review procedures, ~~and~~ submission requirements, and approval criteria, and to familiarize the Town with the nature of the project. Such review shall not cause the plan to be a pending application or proceeding under 1 M.R.S.A. § 302. No decisions relating give to the plan may be made at this meeting.

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§120-807D (1). Sketch plan review procedures.

All sketch plan ~~review applications shall include all required submission materials and submission requirements~~ shall be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy. An application at least 21 days prior to the meeting at which the applicant wishes to be heard by the Board, and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. The Planning Department Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~

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§120-807F. Final site plan review procedures.

§120-807F(3). All final ~~site plan review applications shall include all required submission materials and plan submission requirements~~ shall be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy. Upon receipt of a formal site plan review application, the Planner shall give a dated receipt to the applicant, and must contain all documentation required under this Article, at least 21 days prior to the meeting at which the applicant wishes to be heard by the Board. An application and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article. Upon receipt of a formal site plan review application, the Planner shall give a dated receipt to the applicant.~~

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§120-906. Review procedures for minor subdivisions. [Amended 2-14-2012 by Order 12-016; 7-8-2014 by Order 14-223]

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[§120-906A](#) Preapplication conference. Applicants for ~~a~~ minor subdivision ~~review are encouraged to schedule~~ shall meet with the Town development review staff for a preapplication conference at least seven (7) calendar days prior to the submission of each application. ~~in advance to each application submission with the Town development review staff.~~ The purpose of this meeting is to familiarize the applicant with the review procedures, ~~and~~ submission requirements, and approval criteria, and to familiarize Town staff with the nature of the project. ~~Such review shall not cause the plan to be a pending application or proceeding under 1 M.R.S.A. § 302. No decisions relating to the plan may be made at this meeting.~~

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[§120-906C](#) **Sketch plan review procedures.**
[§120-906C\(1\)](#) All sketch plan ~~review applications shall include all required submission materials and submission requirements~~ shall be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~
~~An application at least 21 days prior to the meeting at which the applicant wishes to be heard by the Planning Board and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~

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Commented [BM8]: Same comment as above. The 30-day timeline is specified in 906C2.

[§120-906E](#) **Final minor subdivision plan review procedures.**
[§120-906E\(1\)](#) All final minor subdivision plan ~~review applications shall include all required submission materials and submission requirements~~ shall be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~ Upon receipt of a formal subdivision review application, the Planner shall give a dated receipt to the applicant and shall notify by first-class mail all property owners within 500 feet of the parcel on which the proposed development is located. The notice shall specify the location of the proposed development and provide a general description of the project. ~~at least 21 days prior to the meeting at which the applicant wishes to be heard by the Board. An application and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness.~~ ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~ Upon receipt of a formal subdivision review application, the Planner shall give a dated receipt to the applicant and shall notify by first class mail all property owners within 500 feet of the parcel on which the

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~~proposed development is located. The notice shall specify the location of the proposed development and provide a general description of the project.~~

§120-907. Review procedures for major subdivisions. [Amended 2-14-2012 by Order 12-016; 7-8-2014 by Order 14-223]

§120-907A. Sketch plan

§120-907A(1).

Preapplication conference.

§120-907A(1)(a).

Applicants for a major subdivision ~~review are required to schedule shall meet with the Town development review staff for~~ a preapplication conference ~~with the Town development review staff~~ at least seven (7) calendar days prior to the submission of each application. ~~in advance to each application submission.~~ The purpose of this meeting is to familiarize the applicant with the review procedures, ~~and~~ submission requirements, and approval criteria, and to familiarize Town staff with the nature of the project. Such review shall not cause the plan to be a pending application or proceeding under 1 M.R.S.A. § 302. No decisions relating ~~give~~ to the plan may be made at this meeting.

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§120-907A(2)(b)

Review procedures.

§120-907A(2)(b)[1]

Submission deadline. All sketch plan ~~review applications shall include all required submission materials and shall submission requirements shall be~~ submitted to the Planning Department ~~at least 21 days prior to the meeting at which the applicant wishes to be heard by the Board.~~ ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~

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~~at 21 days prior to the meeting at which the applicant wishes to be heard by the Board.~~ ~~An application and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. Staff~~ The Planning Department shall have up to thirty (30) calendar days from the date of submission to determine completeness. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.~~

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§120-907A(2)(b)[2]

Site walk. The Planning Board ~~shall may conduct a site walk be conducted at the discretion of the Planning Board for major subdivisions;~~ in its sole and exclusive discretion, consistent with the provisions of §120-806(C), as amended ~~7 governing Site Plan Review.~~ The visit of the site is to observe existing conditions, generally confirm the information submitted and assess the development proposal. The site walk shall be scheduled by the Planner prior to the first regular meeting at which the application is

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reviewed by the Board.

§120-907 Preliminary Plan Review

§120-907B(4)

Review procedures.

§120-907B(4)(a)

All preliminary plan ~~review applications shall include all required submission materials and submission requirements~~ shall be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article. Upon receipt of an application for a preliminary plan review, the Planner shall give the applicant a dated receipt. An application at least 21 days prior to the meeting at which the applicant wishes to be heard by the Board and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article. Upon receipt of a preliminary plan, the Planner shall give a dated receipt to the applicant.~~

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§120-907 Final Plan Review

§120-907C(4)

Review procedures.

§120-907C(4)(a)

All ~~final plan review applications shall include all required submission materials and required final plan submission requirements~~ shall be submitted to the Planning Department. ~~Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article. Within three (3) days of the receipt of the final plan application, the Planner shall issue a dated receipt to the applicant.~~

~~An application at least 21 days prior to the meeting at which the applicant wishes to be heard by the Board and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in in this Article. Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article. Within three days of the receipt of the final plan application, the Planner shall issue a dated receipt to the applicant.~~

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§120-913. Revisions to approved plans.

§120-913B

Procedure

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[§120-913B\(1\)](#)

~~An applicant for a revision to a previously approved plan shall~~ All plan revision applications shall include all required submission materials and shall be submitted to the Planning Department. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article. An application, at least 21 days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. Board and will not be placed on a Planning Board agenda until it has been determined complete by the Planning Department as specified in this Article. The Planning Department Staff shall have up to thirty (30) calendar days from the date of submission to determine completeness. Applications shall be submitted in both digital format and as a bound and tabbed hard copy, and must contain all documentation required under this Article.

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