

The site plan shall provide for a system of pedestrian ways within the development appropriate to the type and scale of development. This system shall connect the major building entrances/exits with parking areas and with existing sidewalks, if they exist or are planned in the vicinity of the project. The pedestrian network may be located either in the street right-of-way or outside of the right-of-way in open space or recreation areas. The system shall be designed to link the project with residential, recreational, and commercial facilities, schools, bus stops, and existing sidewalks in the neighborhood or, when appropriate, to connect with amenities such as parks or open space on or adjacent to the site.

E. Stormwater Management

1. Adequate provisions shall be made for the collection and disposal of all stormwater that runs off proposed streets, parking areas, roofs, and other surfaces, through a stormwater management plan, which shall not have adverse impacts on abutting or downstream properties.
 - (a) Stormwater management systems for minor and major site plans shall detain, retain, or result in the infiltration of stormwater from the 24-hour storms of the 2-year, 10-year, and 25-year frequencies such that the peak flows of stormwater from the project site do not exceed the peak flows of stormwater prior to undertaking the project. The Planning Board may waive the flooding standard in accordance with the following criteria:
 - (1) Insignificant Increases in Peak Flow Rates from a Project Site. When requesting a waiver for a project resulting in an insignificant increase in peak flow rates from a project site, the applicant shall demonstrate that insignificant increases in peak flow rates cannot be avoided by reasonable changes in project layout, density, and stormwater management design. The applicant shall also demonstrate that the proposed increases will not unreasonably increase the extent, frequency, or duration of flooding at downstream flow controls and conveyance structures. In making its determination to allow insignificant increases in peak flow rates, the Planning Board shall consider cumulative impacts.
 - (b) The applicant shall demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow of a minimum 25-year storm without adverse effects, including but not limited to, flooding and erosion of drainage channels and shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation. The Development Review Committee or Planning Board may require capacity for a storm of greater than 25 years due to soil, topographic, or other factors that affect stormwater drainage.

- (c) All natural drainage ways shall be preserved at their natural gradients and shall not be filled or converted to a closed system unless approved as part of the site plan review.
- (d) The design of the stormwater drainage system shall provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and vegetation.
- (e) The design of the storm drainage systems shall be fully cognizant of upstream runoff which shall pass over or through the site to be developed and provide for this movement.
- (f) Major site plans, regardless of size, shall submit a stormwater management plan that complies with Section 4B4C(2) and Section 4B4C(3) of the General Standards of the DEP Chapter 500 Stormwater Management, as amended.

(g) Major and minor site plan projects located within the Highland Lake watershed shall also meet the following standards:

- i. Projects in the Highland Lake watershed must include a stormwater plan designed to meet the standards of DEP Chapter 500, Section 4D, Phosphorous standards. The option to pay the compensation fee for exceeding the parcel's phosphorus allocation is not allowed in this watershed. Notwithstanding 1 M.R.S. §302, this amendment shall be applicable to and shall govern any application for site plan approval that did not receive lawful final approval by, and so was pending on or at any time after, September 5, 2017 regardless of whether that application was a "pending proceeding" under 1 M.R.S. §302.

F. Erosion Control

1. All building, site, and roadway designs and layouts shall harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible, such that filling, excavation and earth moving activity shall be kept to a minimum. Parking lots on sloped sites should be terraced to avoid undue cut and fill, and/or the need for retaining walls. Natural vegetation shall be preserved and protected wherever possible.
2. Soil erosion and sedimentation of watercourses and water bodies shall be minimized by an active program meeting the requirements of the "Maine Erosion and Sediment Control BMPS" (Maine Department of Environmental Protection), dated March

I. Floodplain Management

When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency:

1. All public utilities and facilities, such as sewer, gas, electrical and water systems shall be located and constructed to minimize or eliminate flood damages.
2. Adequate drainage shall be provided so as to reduce exposure to flood hazards.
3. The plan shall include the finished floor elevation of all proposed structures within the flood hazard area.
4. The plan shall meet the requirements of the Town's floodplain management ordinance.

J. Stormwater Management

1. Stormwater management for subdivisions shall incorporate appropriate treatment measures for water quantity and quality to meet the requirements specified below for development of the lots as well as the infrastructure to support the project. Each application shall include maximum developed, disturbed and impervious areas for each lot based upon the definitions contained in Section 3 DEP Chapter 500 Stormwater Management.
2. For subdivisions that require a DEP review under the Site Location of Development Act (SLDA), a stormwater management plan shall be submitted which complies with the SLDA permit and the requirements of DEP Chapter 500 Stormwater Management.
3. For subdivisions that do not require a SLDA permit, but require a DEP permit under the Stormwater Law, a stormwater management plan shall be submitted which complies with the requirements of DEP Chapter 500 Stormwater Management.
4. For subdivisions outside of the watershed of a Great Pond, that neither require a SLDA permit, nor a DEP stormwater permit, a stormwater management plan shall be submitted that complies with Section 4~~AB~~ Basic Standards and 4~~CB~~ General Standards of the DEP Chapter 500 Stormwater Management.
5. For subdivisions within the watershed of a Great Pond that require neither a DEP SLDA permit nor a DEP Stormwater Permit, a stormwater management plan shall be submitted that complies with Section 4A Basic Standards of DEP Chapter 500 Stormwater Management. In addition, the stormwater management plan shall comply with Section 4~~DE~~ Phosphorous Standards of DEP Chapter 500 Stormwater Management. ~~If the Great Pond is not severely blooming as listed in DEP Chapter 502, the applicant shall submit a stormwater management plan that complies with~~

~~either Section 4B General Standards or Section 4C Phosphorous Standards of DEP Chapter 500 Stormwater Management.~~

6. For all subdivisions, regardless of size, a stormwater management plan shall be submitted that complies with Section 4E Flooding Standard of the DEP Chapter 500 Stormwater Management, as amended. For a project that does not require a DEP SLDA Permit, the Planning Board, upon a request by the Applicant, may waive the Flooding Standard in the event that greater than 75% of the impervious and developed areas (as defined in Section 3 of DEP Chapter 500) for both the lots and infrastructure are treated through the use of buffers in accordance with DEP Chapter 500 Stormwater Management.

7. For all subdivision, regardless of size, located in the Highland Lake watershed, the following additional standards shall be met:

(a) Projects in the Highland Lake watershed shall not be allowed to pay the compensation fee for exceeding the project's phosphorus allocation. Notwithstanding 1 M.R.S. §302, this amendment shall be applicable to and shall govern any application for subdivision plan approval that did not receive lawful final approval by, and so was pending on or at any time after, September 5, 2017 regardless of whether that application was a "pending proceeding" under 1 M.R.S. §302.

(See also Chapter 142 Surface Water Protection Ordinance)

K. Cluster Developments

1. **Purpose**

Development under this provision is intended to promote imaginative, well-designed subdivisions which preserve open space and agricultural uses, provide public access to land for passive and active recreation, protect natural features, environmentally sensitive areas and wildlife cover, respect the physical qualities of the land, and, in some instances, reduce the overall development costs of a subdivision. The standards for cluster development allow for the creation of lots that are smaller than those that would otherwise be required by the applicable zoning district regulations and in some cases can be combined with density bonuses to allow additional lots, in return for setting aside the balance of the property as permanent common open space. In addition to all applicable standards of this Ordinance, the Planning Board may approve a single-family cluster subdivision provided the following conditions are met:

2. **Procedure**

- (a) **Application Requirements.** All submissions for single-family subdivisions that meet the space and bulk requirements listed in the appropriate zoning district may be designed as a cluster subdivision.

- (b) Property located within more than one residential zoning district. The overall density of the subdivision shall not exceed the combination of the density requirements of the districts in which the subdivision is located, before density bonuses are applied.

3. *Basic Standards for Cluster Subdivisions*

- (a) Cluster developments shall meet all applicable requirements of the Land Use Ordinance.
- (b) Each building envelope shall be an element of an overall subdivision plan for site development. Only developments having a total site plan for structures will be considered. The application shall illustrate the placement of building envelopes and the treatment of spaces, paths, roads, service and parking and in so doing shall take into consideration all requirements of this section and of other relevant sections of these regulations.
 - (1) For cluster subdivisions that are not served by a public water supply, the applicant must demonstrate on the plan that it is possible to locate a subsurface wastewater disposal field and a well on each lot. When determined that it is necessary for specific lots, by the Planning Board, as a Condition of Approval, the location of these elements shall be elements of the subdivision plan, and any future changes to the location of these elements will require an amended subdivision plan review.
- (c) The Planning Board shall allow lots within cluster developments to be reduced from standard subdivision standards as specified in the applicable zoning district. In return for the reduction in the requirements for lot area, frontage, and structure setbacks, the applicant shall provide common open space.
- (d) In order to determine the maximum number of dwelling units permitted on a tract of land, the net residential acreage of the parcel shall be divided by the net residential density standard of the applicable zoning district. Density bonuses are applicable, per the appropriate zoning district standards (see Section 400.)
 - (1) Density Bonuses are not applicable in the Highland Lake watershed. Notwithstanding 1 M.R.S. §302, this amendment shall be applicable to and shall govern any application for subdivision plan approval that did not receive lawful final approval by, and so was pending on or at any time after, September 5, 2017 regardless of whether that application was a “pending proceeding” under 1 M.R.S. §302.
- (e) Up to 30% of individual lots or dwelling units may have direct vehicular access onto a public road existing at the time of development.