

ARTICLE 9: SUBDIVISION

A) Purpose.

The purposes of this section are:

- 1) To provide for the expeditious, equitable, and efficient review of proposed subdivisions;
- 2) To establish standards for the application of the approval criteria of the State Subdivision Law, found in Title 30-A M.R.S.A. §4401 et seq.;
- 3) To ensure that development in the Town of Bowdoinham meets the goals and conforms to the policies of the adopted Comprehensive Plan;
- 4) To ensure the comfort, convenience, safety, health, and welfare of the people of the Town of Bowdoinham;
- 5) To protect the environment and conserve the natural and cultural resources identified in the adopted Comprehensive Plan as important to the community;
- 6) To ensure that an adequate level of services and facilities are available to the residents of new subdivisions and that lots in subdivisions can support the proposed uses and structures;
- 7) To minimize the potential impacts from new subdivisions on neighboring properties and on the municipality; and
- 8) To promote the development of an economically sound and stable community.

B) Administrative Procedures

1) Review & Approval Authority.

The Planning Board is authorized to review and act on all applications for subdivisions. In considering subdivisions under this section, the Planning Board may act to approve, disapprove, or approve the project with conditions as are authorized by these provisions.

2) Classification of Projects.

a) The Town Planner shall classify each proposed project as:

- (i) Minor Subdivision. Any subdivision containing ~~four~~ **five** or fewer lots or dwelling units.
- (ii) Major Subdivision. Any subdivision containing ~~five~~ **six** or more lots or dwelling units.
- (i) Subdivision Amendment. An application to revise an existing subdivision.

3) Subdivision Amendment.

a) If the revision involves the creation of additional lots or dwelling units; and the applicants the developer or the subdivision is less than five years old:

(i) the procedures for preliminary plan approval shall be followed

(ii) the scope of review shall be the entire subdivision.

b) If the revision involves the creation of additional lots or dwelling units and the applicants the purchaser of one of the lots within the subdivision:

(i) then the procedures for preliminary plan approval shall be followed and

(ii) the scope of review shall be the lots or dwelling units that the application is for and subdivision's infrastructure (i.e. road, utilities, fire protection).

(iii) the lot sizes, density, open space, and any restrictions included the original subdivision still apply.

c) If the revision involves a modification of the approved plan (such as relocation of rights-of-way, changes of grade by more than 1%, etc.), without the creation of additional lots or dwelling units:

F) Approval Criteria

9) Special Resources –

a) Shoreland – The proposed subdivision will not adversely affect the quality of the water body or unreasonably affect the shoreline of the water body and is in compliance with the Shoreland Zoning provisions of this Ordinance.

b) Floodplain – The proposed subdivision is in compliance with the Floodplain Management provisions of this Ordinance.

c) Wetlands & Waterbodies – The proposed subdivision will not have an undue adverse impact on wetlands and/or waterbodies, to the extent that is practicable.

d) Historic & Archaeological – The proposed subdivision will not have an undue adverse effect on historic and/or archaeological sites.

e) Groundwater – The proposed subdivision will not adversely affect the quality or quantity of groundwater.

f) Wildlife Habitat – The proposed subdivision will not have an undue adverse effect on wildlife habitat.

g) Natural Areas – The proposed subdivision will not have an undue adverse effect on rare and irreplaceable natural areas.

h) Open Space – The proposed subdivision includes reserved Open Space that adequately meets the requirements of the district.