

ARTICLE 8: SITE PLAN REVIEW

801 PURPOSE

The purpose of Site Plan Review is to promote the public health, safety, and general welfare by requiring Planning Board review of plans for certain uses or structures which have a significant potential impact on the neighborhood or the environment but which, when properly designed with respect to their surroundings, can become uses or structures that are compatible with the neighborhood and environment.

802 ACTIVITIES REQUIRING SITE PLAN REVIEW

Except as provided in Section 803, below, Site Plan Review and Approval by the Planning Board shall be required for:

- 802.1 Any proposed use designated in Article 4, as requiring Site Plan Approval from the Planning Board;
- 802.2 The construction, substantial alteration or external enlargement of any existing building or structure devoted to a use requiring Site Plan Approval from the Planning Board; and
- 802.3 The enlargement or expansion of the parking, loading, outdoor display or storage area of any commercial or industrial use.

803 ACTIVITIES NOT REQUIRING SITE PLAN REVIEW

Unless specifically required by Article 4, Site Plan Review shall not be required for:

- 803.1 Uses designated in Article 4 as requiring only a permit from the Code Enforcement Officer or as requiring no permit at all;
- 803.2 External enlargement of a building otherwise requiring Site Plan Review, provided that such enlargement shall not exceed one hundred (100) square feet in gross floor area, and that only one (1) such enlargement shall be permitted in any five (5) year period without Site Plan Review; and
- 803.3 Any hazardous activity identified by the Maine Department of Environmental Protection, as exempt from the definition of hazardous activity in Title 38, MRSA, Section 482, Sub-Section 2-C, including domestic and other uses of substances in quantities too small to present a significant risk of ground water contamination.

804 CLASSIFICATION OF PROJECTS

Projects subject to Site Plan Review shall be classified by the Code Enforcement Officer into one (1) of the following classes:

804.1 MAJOR DEVELOPMENTS

Projects involving any of the following shall be classified by the Code Enforcement Officer as a Major Development:

- 804.1.1 Any project which contemplates drilling for or excavating natural resources, including mineral extraction, on land or under water where the area affected is in excess of 30,000 square feet;
- 804.1.2 Hazardous activities involving the consumption, generation, or handling of:
 - 804.1.2.1 Hazardous wastes as defined in Title 38, MRSA, Section 1303;
 - 804.1.2.2 Hazardous materials as defined in Title 38, MRSA, Section 1317;

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804.1.2.3 Oil, as defined in Title 38, MRSA, Section 542; and

804.1.2.4 Low-level radioactive wastes, as defined in Title 38, MRSA, Section 1451.

804.1.3 Any building or buildings on a single parcel constructed or erected with a fixed location on or in the ground or attached to something on or in the ground which occupies a ground area in excess of 20,000 square feet;

804.1.4 Any project where parking lots, roads, paved areas, or other areas to be stripped or graded and not to be revegetated causes the total project, including any buildings, to occupy a ground area in excess of 60,000 square feet;

804.1.5 Any project which is a conversion of an existing project meeting the description in Sections 804.1.3 and 804.1.4, above; and

804.1.6 Any multi-unit housing development involving a building or buildings built for the purpose of providing ten (10) or more housing units located on a single parcel of land.

804.1.7 The construction or erection of a telecommunications tower in the Telecommunications Overlay Zone.

804.2 MINOR DEVELOPMENTS

804.2.1 Projects not classified by the Code Enforcement Officer as a Major Development shall be considered a Minor Development under this Section.

804.2.2 Residential back lot developments.

804.2.3 Projects classified as Minor Developments have to submit the information specified in Sections 806.1 through 806.7, below. Projects classified as Major Developments, in addition to submitting the information required of Minor Developments, are required to submit the information specified in Section 807.1 through 807.14.

805 PROHIBITION

No activity or use described in Section 802 shall commence until the property owner has received Site Plan Approval from the Planning Board and has received any necessary permits from the Code Enforcement Officer under Article 7.

806 SITE PLAN REVIEW APPLICATION

Applications for Site Plan Review shall be submitted on application forms provided by the Town. The complete application form, required fees, and the required plans and related information shall be submitted to the Code Enforcement Officer who shall forward it to the Planning Board. The submission shall contain at least the following exhibits and information:

806.1 APPLICATION FORM

A fully executed and signed copy of the application form;

806.2 FEES

Site Plan Review Fees in the amounts specified in Article 10;

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806.3 ORIGINALS

One (1) original of all maps and drawings on durable, permanent transparency material;

806.4 COPIES

Ten (10) copies of written materials plus ten (10) sets of maps or drawings containing the information listed below. The written materials shall be contained in a bound report or a three-ring notebook. The maps or drawings shall be at a scale sufficient to allow review of the items listed under the criteria for approval.

806.5 GENERAL INFORMATION

The following general information is required:

806.5.1 Name of owner of record and address;

806.5.2 Applicant's name and address if different;

806.5.3 The name of the proposed development;

806.5.4 Names and addresses of all property owners within three hundred (300) feet of the edge of the property line;

806.5.5 Sketch map showing general location of the site within the Town;

806.5.6 Location map showing the boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time;

806.5.7 The tax map(s) and lot number(s) of the parcel or parcels;

806.5.8 A copy of the deed to the property, option to purchase the property or other documentation to demonstrate right, title, or interest in the property on the part of the applicant; and

806.5.9 The name(s), registration number(s), and seal(s) of the land surveyor, architect, engineer, and/or similar professionals assisting with the preparation of the plan.

806.6 INFORMATION REGARDING EXISTING CONDITIONS

The following information regarding existing conditions is required:

806.6.1 Zoning classifications(s) of the property and the location of zoning district boundaries if the property is located in more than one (1) zoning district or abuts a different district;

806.6.2 Boundary lines of the parcel to be developed with bearings on less than to the nearest 30 seconds, distances no less than to the nearest 0.01-foot, curve data and any additional information to reproduce the boundary lines mathematically. Said boundary lines shall be determined and certified by a Maine licensed land surveyor and prepared in accordance to the Rules set forth by the Maine Board of Licensure for Professional Land Surveyors.

806.6.3 Location and size of any existing sewer and water mains, culverts, and drains on the property to be developed and of any that will serve the development from abutting streets or land;

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- 806.6.4 Location, names, and present widths of existing streets and rights-of-way within or adjacent to the proposed development;
- 806.6.5 The location, dimensions, and ground floor elevations of all existing buildings on the site;
- 806.6.6 The location and dimensions of existing driveways, streets, parking and loading areas, and walkways on the site;
- 806.6.7 Location of intersecting roads or driveways within two hundred (200) feet of the site;
- 806.6.8 Topography of the site at an appropriate contour interval (1', 2', or 5') depending on the nature of the use and character of the site;
- 806.6.9 Major natural features on the site and including within two hundred fifty feet (250') of the boundaries of the site, wetlands prepared by a State Certified Soil Scientist or Geologist, registered in the State of Maine, based on an on-site investigation, streams, ponds, flood plains, groundwater aquifers, significant wildlife habitats including deer wintering areas identified in the 2007 Comprehensive Plan, scenic areas identified in the 2007 Comprehensive Plan, archaeological resources or other important natural features;
- 806.6.10 Soils information if on-site sewage disposal is proposed. This information should be detailed enough to allow those portions of the site not suitable for on-site disposal systems to be identified;
- 806.6.11 The location of wetlands prepared by a State Certified Soil Scientist or Geologist, registered in the State of Maine, and based on an on-site investigation, open drainage courses, wetlands, significant stands of trees, and other important natural features, with a description of such features to be retained;
- 806.6.12 The direction of existing surface water drainage flow across the site;
- 806.6.13 The location and dimensions of existing signs;
- 806.6.14 The location and type of all existing exterior lighting; and
- 806.6.15 A copy of such covenants or deed restrictions, if any, as are intended to cover all or part of the tract. Such covenants or deed restrictions shall be referenced on the plan.
- 806.6.16 The location of snowmobile trails shown on the Interconnecting Trail System map published by the Maine Department of Conservation, or recognized club-maintained trails; and
- 806.6.17 For projects located within the Town's sand and gravel aquifers or within 500 feet of the Town's sand and gravel aquifers, a groundwater impact analysis prepared in accordance with the requirements of Section 407.

806.7 INFORMATION REGARDING PROPOSED DEVELOPMENT ACTIVITY

The following information regarding the proposed development activity is required:

- 806.7.1 The location of all building setbacks, yards, and buffers required by this Ordinance;
- 806.7.2 The location, dimensions, including heights, and ground floor elevations of all proposed buildings on the site;

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- 806.7.3 The location and dimensions of proposed driveways, parking and loading areas, and walkways;
- 806.7.4 The location and dimensions of all proposed water supply and wastewater disposal systems. If the property is not served by a public sewer, a valid plumbing permit or a completed application for a plumbing permit, including the site evaluation approved by the Plumbing Inspector, shall be submitted whenever the nature of the proposed structure or use would require the installation of a subsurface sewage disposal system.
- 806.7.5 The direction of proposed surface water drainage flow across the site;
- 806.7.6 Location, front view, and dimensions of proposed signs;
- 806.7.7 Location and type of proposed exterior lighting;
- 806.7.8 Proposed landscaping and buffering; and
- 806.7.9 A schedule of construction, including anticipated beginning and completion dates.

807 ADDITIONAL INFORMATION REQUIRED OF MAJOR DEVELOPMENTS

Applications for major developments shall include the following additional information:

- 807.1 Existing and proposed topography of the site at one (1), two (2), or five (5) foot contour intervals, or such closer intervals as the Planning Board may determine;
- 807.2 A storm water drainage and erosion control program showing:
 - 807.2.1 The existing and proposed method of handling storm water run-offs;
 - 807.2.2 The direction flow of the run-off through the use of arrows;
 - 807.2.3 The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers;
 - 807.2.4 Engineering calculations used to determine drainage requirements based upon the 25-year 24-hour storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed; and
 - 807.2.5 Methods of controlling erosion and sedimentation during and after construction.
- 807.3 A groundwater impact analysis prepared by a groundwater hydrologist for projects involving common on-site water supply or sewage disposal facilities with a capacity of two thousand (2,000) gallons or more per day.
- 807.4 A utility plan showing, in addition to provisions for water supply and wastewater disposal, the location and nature of electrical, telephone, and any other utility services to be installed on the site.
- 807.5 A planting plan and schedule keyed to the site plan and indicating the general species and sizes of trees, shrubs, and other plants to be planted on the site.
- 807.6 A traffic impact analysis demonstrating the impact of the proposed project on the capacity, level of service and safety of adjacent streets.

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- 807.7 A written statement from a professional engineer as to the adequacy of the water supply in terms of quantity and pressure for both domestic and fire flows, if public water supply is to be utilized.
- 807.8 The location, width, typical cross-section, grades and profiles of all proposed streets and sidewalks.
- 807.9 Construction drawings for streets, sanitary sewers, water and storm drainage systems, designed and prepared by a professional engineer registered in the State of Maine.
- 807.10 The location of any pedestrian ways, lots, easements, open spaces, and other areas to be reserved for or dedicated to public use and/or ownership. For any proposed easement, the developer shall submit the proposed easement language with a signed statement certifying that the easement will be executed upon approval of the development. In the case of any streets or other ways dedicated to public ownership, the developer shall submit a signed statement that he will maintain such streets or ways year-round until such time as they may be accepted by the Town.
- 807.11 Written offers of dedication or conveyance to the municipality, in a form satisfactory to the Town Attorney, of all land included in the streets, highways, easements, parks, or other open space dedicated for public use, and copies of agreements or other documents showing the manner in which spaces, title to which is reserved by the developer, are to be maintained.
- 807.12 If the development is a condominium or a clustered development, evidence that all requirements relative to establishment of a homeowners' association or condominium owners' association have been met. If the development is a clustered development, evidence shall be presented that all other requirements of this Ordinance pertaining to clustered development have been met. The submission shall include copies of the by-laws of any homeowners' or condominium association charged with maintaining common spaces and lands. Homeowners' associations or condominium documents shall clearly state that the association or condominium shall properly maintain private roadways serving the development after the developer has legally relinquished that responsibility and until such time as the Town may accept them as public ways.
- 807.13 Cost of the proposed development and evidence of financial capacity to complete it. This evidence should be in the form of a letter from a bank or other source of financing indicating the name of the project, amount of financing proposed, and their interest in financing the project.
- 807.14 An assessment of the impact of the development on wetlands, streams, ponds, flood plains, archaeological resources and significant wildlife habitats, including review letters from appropriate State Officials.

808 REVIEW PROCEDURES

The procedures for Site Plan Review are as follows:

808.1 STEP 1: SUBMISSION OF COMPLETED APPLICATION TO THE CODE ENFORCEMENT OFFICER

The applicant shall submit the requisite number of copies of his/her application and supporting information required by Section 806.

808.2 STEP 2: CODE ENFORCEMENT OFFICER CLASSIFICATION AND REVIEW

808.2.1 **DATED RECEIPT:** The Code Enforcement Officer shall issue the applicant a dated receipt.

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808.2.2 **CLASSIFICATION:** The Code Enforcement Officer shall review the application and classify it as either a Major or Minor Development in accordance with the provisions of Section 804. If the proposal is classified as a Major Development, the applicant shall be required to submit the additional information required in Section 807.

808.2.3 **FEES SUBMITTED:** After classification, the applicant shall provide the Code Enforcement Officer with the applicable fees established in Article 10.

808.2.4 **REVIEW FOR COMPLETENESS:** The Code Enforcement Officer shall initially review the application and determine whether or not it is complete.

808.2.5 **NOTICE OF INCOMPLETE APPLICATION:** If the application is found to be incomplete, the Code Enforcement Officer shall, within ten (10) days, notify the applicant in writing of the information needed to complete the application. Upon the applicant's submission of such additional information, Steps 1 through 4 shall be repeated.

808.2.6 **APPLICATION FORWARDED:** The Code Enforcement Officer shall forward copies of the application and supporting documents to the Town Planner, if the Town has retained the services of a professional planner, and members of the Planning Board and place the project on the agenda of the next regular Planning Board meeting occurring not less than fourteen (14) days before such meeting.

808.2.7 **NOTICE TO ABUTTERS:** Abutting property owners shall be notified by mail by the Town, of all pending applications for Site Plan Review. This notice shall indicate the time, date, and place of Planning Board consideration of the application.

808.3 STEP 3: TOWN PLANNER REVIEW

If the Town has retained the services of a professional planner, copies of the application and supporting documents shall be forwarded to the Town Planner. Upon receipt of the application and supporting documents, the Town Planner shall review the material and determine whether or not the application is complete with regard to:

808.3.1 **COMPLETE APPLICATION:** Whether or not the information has been submitted required by Section 806, and if applicable Section 807;

808.3.2 **COMPLIANCE WITH LAND USE STANDARDS:** Whether or not the proposed development meets the requirements of the applicable land use standards contained in Articles 5 and 6 of this Ordinance; and

808.3.3 **CRITERIA OF APPROVAL:** Whether or not the applicant has adequately addressed the Criteria for Approval contained in Section 815.

808.4 STEP 4: PLANNING BOARD REVIEW

At the meeting of the Planning Board at which the proposed development is scheduled to be reviewed, the Planning Board shall:

808.4.1 **CEO AND TOWN PLANNER REPORTS:** Hear any report of the Code Enforcement Officer and if the Town has retained the services of a professional planner the report of the Town Planner regarding the proposed development;

808.4.2 **APPLICANT'S RESPONSE:** Hear any comments of the applicant regarding the Code Enforcement Officer's and Town Planner's report;

808.4.3 **REQUEST FOR WAIVERS:** Hear any requests from the applicant for waivers pursuant to Sections 816 and 817;

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808.4.4 DETERMINATION OF COMPLETENESS: Determine whether or not the application is complete;

808.4.5 NOTICE OF INCOMPLETENESS: If the application is determined to be incomplete, the Board shall inform the Code Enforcement Officer of the information required to make the application complete. The Code Enforcement Officer shall, within ten (10) days, inform the applicant, in writing, of the additional information required by the Planning Board. Upon the applicant's submission of such additional material, Steps 1, 2, 3, and 4 shall be repeated.

808.4.6 DECIDING ON PUBLIC HEARING: If the application is determined to be complete, the Board shall deem the application pending and shall determine whether or not to set the matter to public hearing. If a public hearing is set, such hearing shall take place within forty-five (45) days of the Planning Board's determination that the application is complete. This deadline may be extended by mutual agreement of the Board and the applicant, either in writing or orally, on the record at a public meeting.

If the proposed development has been classified as a Major Development such public hearing shall be mandatory. If the proposed development has been classified as a Minor Development such public hearing shall be held at the discretion of the Planning Board.

Public hearing held for the purpose of hearing testimony regarding proposals requiring Site Plan Approval under this Ordinance and notice thereof, shall be governed by Section 809.

808.5 STEP 5: PLANNING BOARD DELIBERATION AND DECISION

808.5.1 DELIBERATION: Within thirty-five (35) days after the public hearing on an application, or within thirty-five (35) days of a determination of completeness by the Board, if no hearing is held, the Planning Board shall deliberate to determine whether the proposed Site Plan complies with all applicable land use standards set forth in Articles 5 and 6 and meets the Criteria of Approval set forth in Section 815. This deadline may be extended by mutual agreement of the Board and the applicant, either in writing or orally, on the record at a public meeting.

808.5.2 DECISION: If the Planning Board finds that the proposed Site Plan complies with all such standards it shall issue an order granting Site Plan Approval subject to such terms and conditions as the Board considers advisable to ensure conformity with Site Plan Review Standards and criteria of this Ordinance, or to protect the public's health, safety, or general welfare. If the Planning Board finds that the proposed Site Plan does not comply with all applicable review standards, it shall issue an order denying Site Plan Approval. In either case the Planning Board shall, within ten (10) working days after the completion of its deliberations, issue specific written findings of fact supporting its decision.

808.6 STEP 6: CEO BUILDING PERMIT

If the Board approves the Site Plan Application, the Code Enforcement Officer shall issue a building permit, provided that, in his/her opinion, all other requirements of the Ordinance have been met.

809 PUBLIC HEARING PROCEDURES

Site Plan Review public hearings and notice thereof shall comply with the following procedures:

809.1 PUBLISHED NOTICE

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Notice of said hearing shall be published in a newspaper of general circulation in the Town of Holden at least ten (10) days prior to the hearing date.

809.2 MAILED NOTICE

At least ten (10) days prior to the hearing date, written notice of said hearing shall also be mailed to the applicant, to the owners of all property within three hundred feet (300') of the property in question, to the Chairperson of the Town Council. The owners of property shall be considered to be those shown on the Town's tax list as the persons against whom taxes are assessed. The Planning Board shall, in each case, maintain a list of property owners so notified. Notice shall be deemed received if mailed to an owner's last known address according to the Town tax records. Failure of any property owner to actually receive notice shall not necessitate another hearing or invalidate any actions of the Planning Board.

809.3 CONTENT OF NOTICE

Notice of said hearing shall identify the applicant and the property involved, describe the specific nature of the proposal, state the date, time and place of the hearing, and explain how the recipient of the notice may attend and present evidence.

809.4 RULES

Said hearings shall be conducted according to rules adopted by the Planning Board.

809.5 REPRESENTATION

At any hearing a party may be represented by an agent or attorney provided, however, if any party is not present, any person acting as that party's agent or attorney shall provide written evidence of such authority.

809.6 CONTINUATION

Any hearing may be continued or recessed to another time for good cause shown or upon written or recorded agreement of the Board and the applicant.

810 PROFESSIONAL REVIEW

810.1 ADDITIONAL STUDIES

The Planning Board may require the applicant to undertake any additional studies which it deems reasonable and necessary to insure that the requirements of the Ordinance are met. The cost of all such studies shall be borne by the applicant.

810.2 INDEPENDENT TECHNICAL REVIEW

The Planning Board may require that an independent consultant(s) review one (1) or more submissions of an application. The independent consultant(s) shall report to the Planning Board as to the project's compliance or non-compliance with the applicable provisions of this Ordinance and recommend, if appropriate, those actions which will result in compliance. Such consultants shall be fully qualified to provide the required information, and may include:

- An Attorney;
- A Community Planner;
- A Registered Professional Engineer;
- A Registered Architect;
- A Registered Landscape Architect;
- A Registered Geologist;
- A Licensed Soil Scientist;
- A Registered Land Surveyor; or

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Any other Registered/Licensed Professional or independent Expert Witness deemed fully qualified and mutually acceptable to the Town and the applicant.

The consultant(s) selected shall estimate the cost of such review and the applicant shall deposit with the Town the full estimated cost in accordance with Article 1003.3.

811 FAILURE TO ACT

Failure of the Planning Board to act within any of the time requirements set forth herein shall constitute a denial of the application.

812 EXPIRATION OF APPROVALS

All Site Plan Approvals shall expire within eighteen (18) months of the date of issuance unless work thereunder is commenced within eighteen (18) months from the date of issuance. If work is not substantially completed within two (2) years from the date of issuance, a new application shall be required.

813 OTHER PERMITS

The granting of Site Plan Approval does not relieve the applicant from the need to obtain any other permits or approvals required prior to the commencement of any activity or use. Such other required permits or approvals may include, but are not limited to, subdivision approval, building, plumbing and electrical permits, licenses granted pursuant to Title 38, MRSA, Sub-Section 1022, Maine Department of Environmental Protection and United States Army Corps of Engineer's approvals, subsurface wastewater disposal permits, sewer connection permits, Maine Department of Transportation approvals, and the like. The fact that the applicant may have obtained or may have been granted such permits or approvals prior to Site Plan review may be considered by the Planning Board as evidence as to the plan's compliance with applicable review standards, but shall not be deemed conclusive evidence as to compliance.

814 ACCESS TO SITE AND RECORDS

The Town shall have access to the site at all times to review the progress of the work and shall have the authority to review all records and documents related to the project. The applicant, by accepting a Building Permit, waives any objection to the Town having access to the site to review the progress of the work or to review all records and documents related to the Project.

815 SITE PLAN REVIEW CRITERIA

The Planning Board in reviewing projects requiring Site Plan Approval under this Ordinance shall make positive written findings that the applicant has submitted clear and convincing evidence that:

815.1 Adequate provision has been made for off street parking and loading;

815.2 Adequate provision has been made for traffic movement of all types, including pedestrian, into, out of, and within the proposed project. The Board shall consider traffic movement both on-site and off-site in making its determination under this criteria;

815.3 Any traffic increase attributable to the proposed project will not result in unreasonable congestion or unsafe conditions on a road in the vicinity of the proposed development;

815.4 That the proposed project will be built on soil types which are suitable to the nature of the project and that adequate provision has been made to avoid erosion, contamination of ground or surface waters, interference with adjacent land, over-burdening of natural or artificial drainage systems, and/or any other adverse effects of inadequate drainage;

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- 815.5 Adequate provision has been made to locate and design proposed outdoor display and/or storage areas so as to avoid any safety hazard to vehicular and pedestrian traffic on and off the site;
- 815.6 Adequate provision has been made to avoid any hazard to travel on public or private ways, or any glare or other nuisance to the use of adjoining public or private property;
- 815.7 Adequate provision has been made with regard to Buffers, Screening, Landscaping, and the preservation and Enhancement of Significant natural features;
- 815.8 Adequate provision has been made, including, but not limited to modification of the proposed design of the site, timing of construction, and limiting the extent of filling or excavation, to protect to the maximum extent possible, the scenic or natural beauty of the area including scenic areas designated in the 2007 Comprehensive Plan, aesthetics, historic sites, archaeological resources, rare and irreplaceable natural areas, wildlife habitats including deer wintering areas identified in the 2007 Comprehensive Plan, existing uses, air quality, water quality, or other natural resources within the town or in neighboring towns;
- 815.9 Whenever a project is situated, in whole or in part, within two hundred fifty feet (250'), horizontal distance, of the normal high-water line of any great pond or river, or within two hundred fifty feet (250') horizontal distance, of the upland edge of a freshwater wetland, or within seventy five feet (75'), horizontal distance, of the normal high-water line of a stream, adequate provision has been made to conserve shoreland vegetation, visual points of access to waters as viewed from public facilities, and actual points of public access to waters;
- 815.10 Adequate provision has been made to prevent any significant adverse effect upon the public health, safety, or general welfare of the neighborhood or community;
- 815.11 Adequate provision has been made to prevent any undue adverse effect upon adjacent or nearby properties;
- 815.12 Adequate provision has been made to avoid any undue burden on municipal services;
- 815.13 Adequate provision has been made to assure the proper operation of the proposed business(es) or activity(ies) on the site through the provision of adequate and appropriate utilities, drainage, water supply, sewage disposal, solid waste disposal, access, parking and loading, and other necessary site improvements; and
- 815.14 Adequate provision has been made to assure that the proposed development conforms in all respects with the provisions of this Ordinance.

816 WAIVER OF SUBMISSIONS REQUIREMENTS

The Planning Board may, for good cause shown and only upon the written request of an applicant specifically stating the reasons therefore, waive any of the application requirements set forth in Section 806 and 807 provided such waiver will not unduly restrict the review process. The Planning Board may condition such a waiver on the applicant's compliance with alternative requirements. Good cause may include the Board's finding that particular submissions are inapplicable, unnecessary, or inappropriate for a complete review. Notwithstanding the waiver of a submission requirement, the Planning Board may, at any later point in the review process, rescind such waiver if it appears that the submission previously waived is necessary for an adequate review. A request for a submission previously waived shall not affect the pending status of an application.

817 WAIVER OF REVIEW CRITERIA

The Planning Board, may upon the written request of an applicant specifically stating the reasons therefore, waive any of the Review Criteria set forth in Section 815 when it finds that such waiver is reasonable and that the public health, safety, or welfare would not be adversely effected by such a waiver, provided that shoreland zoning criteria shall not be waived.

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818 APPEALS

An appeal may be taken within thirty (30) days after any decision is rendered by the Planning Board, by an aggrieved person, to Superior Court.