Site Plan Review Ordinance

Brooklin, ME

Effective Date: 9/19/1995

Amended: 4/6/2013

Certified: _____ **Date:** 4/16/13

Certified: _____ **Date:** 4/16/13

Certified: _____ **Date:** 4/16/13

Selectboard

Attest: A True Copy: _____ **Date:** 4/16/2013

Town Clerk

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Section 1. Purpose

The site plan review provisions set forth in this ordinance are intended to protect the public health and safety, promote the general welfare of the community, and conserve the environment by assuring that commercial and multifamily uses are designed and developed in a manner which assures that adequate provisions are made for traffic safety and access; emergency access; water supply; sewage disposal; management of stormwater, erosion, and sedimentation; protection of the groundwater; protection of the environment, **wildlife habitat**, fisheries, and protection **of historic and archaeological resources** avoiding clear adverse affects on health, safety or valuation of abutting property.

This Ordinance is being adopted pursuant to Article VIII, Part 2, Section 1 of the Maine Constitution and pursuant to the authority granted in Title 30-A M.R.S.A. Section 3001.

Section 2. Review and Approval Authority

The Planning Board is authorized to review and act on all applications for development requiring site plan review as defined above.

In considering an application under this provision, the Planning Board may act to approve, disapprove, or approve the project with conditions as are authorized by these provisions in accordance with the standards provided.

Section 3. Applicability of Site Plan Review

A person who has **right, title, or interest** in a parcel of land must obtain site plan approval prior to commencing any of the following activities on the parcel, or undertaking any alteration or improvement of the site including grubbing or grading:

1. The construction or placement of any new **building** or **structure** for a nonresidential **use**, including **accessory buildings** and **structures**.

2. The **expansion** of an existing nonresidential building or **structure** including **accessory buildings** that increases the total **floor area** by two hundred fifty (250) square feet.

3. The conversion of an existing **building**, in whole or in part, from a residential **use** to a **new nonresidential use**.

4. The establishment of a **new nonresidential use** even if no **buildings** or **structures** are proposed, including **uses** such as gravel pits, cemeteries, golf courses, and other nonstructural nonresidential **uses**.

5. The conversion of an existing nonresidential **use**, in whole or in part, to another nonresidential **use**.

6. The construction of a residential **building** containing three (3) or more dwelling units.

7. The modification or **expansion** of an existing residential **structure** that increases the number of dwelling units in the **structure** by three (3) or more.

8. The conversion of an existing nonresidential **building** or **structure**, in whole or in part, into three (3) or more dwelling units.

9. The construction or **expansion** of paved areas or other **impervious surfaces**, including roof surfaces, walkways, access drives, and parking lots involving an area of more than two thousand five hundred (2,500) square feet.

The following activities shall not require site plan approval. Certain of these activities will, however, require the owner to obtain a plumbing permit or other state or local approvals:

1. The construction, alteration, or **enlargement** of a single family or two-family dwelling, including **accessory buildings** and **structures**.

2. The placement, alteration, or enlargement of a single manufactured home or mobile home dwelling, including **accessory buildings** and **structures** on individually owned lots.

3. Agricultural activities, including agricultural **buildings** and **structures**.

4. Timber harvesting and forest management activities.

5. The establishment and modification of **home occupations** that do not result in changes to the site or exterior of the **building** and do not require on-street parking or storage of large equipment.

6. Flea markets, yard sales, and similar intermittent or occasional activities were the total activity area is less than 10,000 ft^2 to be held not more than six (6) times per year.

7. Any **structure** or **use** lawfully existing as of the date of this amended Ordinance, unless such **structure** or **use** has been discontinued for a period of at least 12 months, is to be changed to a different **use**, or is altered or enlarged.

Section 4. Availability

A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public, at reasonable cost, at the expense of the person making the request. Notice of availability of this Ordinance shall be posted.

Section 5. Severability

The invalidity of any section or provision of this ordinance shall not be held to invalidate any other section or provision of this ordinance.

Section 6. Conflicts

Whenever a provision of this Ordinance conflicts with or is inconsistent with another provision of this Ordinance or of any other ordinance, regulation or statute administered by the Town, the more restrictive provision shall control.

Section 7. Amendments

Amendments of this ordinance may be initiated by the Selectboard, or the Planning Board.

No proposed amendments to this ordinance shall be referred to the Town Meeting until the Selectboard has held a public hearing with Planning Board members in attendance on the proposal, notice of which shall be posted at least fourteen (14) days prior to such hearing and advertised in a newspaper of general circulation in the town at least two (2) times with the date of first publication being at least fourteen (14) days prior to the hearing and the second at least seven (7) days prior to the hearing.

The proposed amendments shall be adopted by a simple majority vote of the Town Meeting and upon approval be certified to by the Town Clerk who shall maintain copies in accordance with law.

Section 8. Administration and Enforcement

This ordinance shall be administered and enforced by the Code Enforcement Officer (CEO) appointed by the Selectboard.

It shall be the duty of the CEO to enforce the provisions of this ordinance. If the CEO shall find that any provision of this ordinance is being violated, he/she shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He/she shall order discontinuance of illegal use of **buildings**, **structures**, additions, or work being done, or shall take any other action authorized by this Ordinance to insure compliance with or to prevent violation of its provisions.

The Selectboard is hereby authorized to institute or cause to be instituted, in the name of the Town, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this ordinance; provided, however, that this section shall not prevent any person entitled to equitable relief from enjoining any act contrary to the provisions of this ordinance.

Any person, firm, or corporation being the owner of or having control or use of any **building** or premises who violates any of the provisions of this ordinance, shall be fined, enjoined, or otherwise penalized all in accordance with Title 30-A §4452. Each day such a violation is permitted to exist after notification shall constitute a separate offense. The Selectboard, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this ordinance and recovering fines without court action. Such agreements shall not allow an illegal **structure** or use to continue unless the removal of the

structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.

Section 9. Standards and Review Criteria

The following criteria shall be used by the Planning Board in reviewing applications for site plan review and shall serve as standards with minimum requirements for approval of the application. The application shall be approved unless the Planning Board determines that the applicant has failed to meet one or more of the standards. In all instances, the burden of proof shall be on the applicant who must produce evidence sufficient to warrant a finding that all applicable standards have been met. The Planning Board may waive any of the application standards or requirements when the Board determines that because of special circumstances such application standards or requirements would be either (1) burdensome or (2) not be applicable and that the waiver will not adversely affect the Town or the abutting properties' landowners' or public health, safety and welfare or the intent of this ordinance. The Planning Board may also utilize as guidelines in meeting specific standards expert opinion and such related provisions as may be found in the Shoreland Zoning Ordinance.

The Planning Board shall determine by recorded vote that each of the following listed standards either:

A. Applies and either (1) has been met by the applicant or (2) has been or will be met by the applicant subject to stated conditions;

B. Applies and has NOT been met by the applicant for stated reason(s);

C. Does not apply for stated reason(s);
OR
D. Applies but has been waived for stated reason(s).

9.1. Utilization of the Site
Standard: The planned development makes proper utilization of the site.
Minimum requirements:

A. The plan for the development must reflect the natural capabilities of the site to support development.

B. **Buildings**, lots, and support facilities must be clustered in those portions of the site that have the most suitable conditions for development consistent with the criteria of this Ordinance.

C. **Buildings** must be set back at least twenty five (25) feet from the edge of traveled portions of existing town ways and fifty (50) feet from the edge of traveled portions of a state highway, and must have minimum side and rear lot **setbacks** of fifteen (15) feet.

D. **Buildings** shall not exceed thirty-five (35) feet in height.

E. Environmentally sensitive areas, including but not limited to, wetlands, steep slopes, floodplains, **significant wildlife habitats, fisheries**, scenic areas, habitat for rare and

endangered plants and animals, **unique natural communities** and **natural areas**, and sand and gravel aquifers must be maintained and preserved to the maximum extent.

F. Natural drainage areas must also be preserved to the maximum extent. The development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

9.2. Adequacy of Road System
Standard: The road system accessing the site is adequate and safe.
Minimum Requirement: Vehicular access to the site must be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

Guidelines: For developments which generate one hundred (100) or more peak hour trips based on the Trip Generation Manual of the Institute of Traffic Engineers (see Appendix I), the project must not reduce the current level of service on any major access route or intersection within one mile of any entrance road.

Waiver: This requirement may be waived by the Planning Board if the project is located within a growth area designated in the Town's adopted Comprehensive Plan and the Board determines that the project will not have an unnecessary adverse impact on traffic flow or safety.

Alternative guideline: A development not meeting this standard may be approved if the applicant demonstrates that:

A. A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard, or

B. The applicant will assume financial responsibility for the improvements necessary to bring the level of service to this standard and will assure the completion of the improvements with a financial guarantee acceptable to the Town (see Section 12.C).

9.3. Access into the Site
Standard: Vehicular access to and from the development must be safe and convenient.
Minimum Requirements:

A. The applicant must have a letter from the Brooklin Fire Chief stating that the development meets the needs of the Fire Department.

B. Any driveway or proposed street must be designed so as to provide the minimum sight distance according to the Maine Department of Transportation (DOT) standards, to the maximum extent possible and a DOT entrance permit must be obtained for new **curb cuts**.

C. Points of access and egress must be located to avoid hazardous conflicts with existing turning movements and traffic flows.

D. The grade of any proposed drive or street must be not more than ±3% for a minimum of two (2) car lengths, or forty (40) feet, from the intersection.

E. Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot must be provided from the street where there is less potential for traffic congestion and for traffic and pedestrians hazards. Access from other streets may be allowed if it is safe and does not promote shortcutting through the site.

F. Where it is necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the applicant shall be responsible for providing turning lanes, traffic directional islands, and traffic controls within public streets.

G. Accessways must be designed and have sufficient capacity to avoid queuing of entering vehicles on any public street. Private entrances/exits must be located at least fifty (50) feet from the closest intersection as measured from the point of tangency for the corner to the point of tangency for the accessway. This requirement may be reduced if the shape of the site does not allow conformance with this standard.

H. Private accessways in or out of a development must be separated by a minimum of seventy-five (75) feet where possible.

I. The following criteria must be used to limit the number of driveways serving a proposed project:

1. No use which generates less than one hundred (100) vehicle trips per day and has less than 500 feet of roadway frontage shall have more than one (1) two-way driveway onto a single roadway. Such driveway must be no greater than thirty (30) feet wide.

2. No use which generates one hundred (100) or more vehicle trips per day and has less than 1,000 feet of roadway frontage shall have more than two (2) points of entry from and two (2) points of egress to a single roadway. The combined width of all accessways must not exceed sixty (60) feet.

3. Shared access points to an existing roadway shall be used whenever possible.

9.4. Internal Vehicular Circulation

Standard: The layout of the site provides for the safe movement of passenger, service and emergency vehicles through the site.

9.5. Parking Layout and Design

Standard: Off-street parking is properly located and sufficient for proposed use.

Minimum Requirements:

A. Parking areas with more than two (2) parking spaces must be arranged so that it is not necessary for vehicles to back into the street.

B. Parking areas for nonresidential uses must be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicles.

C. Provisions must be made to ensure that parked vehicles do not restrict traffic flow on adjacent through roads, restrict pedestrian or bicycle movement on adjacent walkways, or damage landscape materials.

9.6. Pedestrian Circulation
Standard: The site plan provides for a system of pedestrian ways within the development appropriate to the type and scale of development.

9.7. Stormwater Management
Standard: Adequate provisions have been made for the collection and disposal of all stormwater.
Minimum Requirements:

A. The stormwater drainage system and maintenance plan must not have adverse impacts on abutting or downstream properties.

B. To the extent possible, the plan must retain stormwater on the site using the natural features of the site.

C. Stormwater runoff systems must detain or retain water such that the rate of flow from the site after development does not exceed the predevelopment rate.

D. The applicant must demonstrate that on- and off-site downstream channel or system capacity is sufficient to carry the flow without adverse effects, including but not limited to flooding and erosion of shoreland areas, or that he/she will be responsible for whatever improvements are needed to provide the required increase in capacity and/or mitigation.

E. All natural drainage ways must be preserved at their natural gradients and must not be filled or converted to a closed system unless approved as part of the site plan review.

F. The design of the stormwater drainage system must provide for the disposal of stormwater without damage to streets, adjacent properties, downstream properties, soils, and **vegetation.**

G. The design of the storm drainage systems must be fully cognizant of upstream runoff which must pass over or through the site to be developed and provide for this movement.

H. The biological and chemical properties of the receiving waters must not be degraded by the stormwater runoff from the development site.

Guideline: The use of oil and grease traps in manholes, the use of on-site vegetated waterways, and vegetated buffer strips along waterways and drainage swales, and the reduction in use of deicing salts and fertilizers may be required, especially where the development stormwater discharges into a gravel aquifer area or other water supply source.

9.8. Erosion Control
Standard: All building, site, and roadway designs and layouts harmonize with existing topography and conserve desirable natural surroundings to the fullest extent possible.

Minimum Requirements:

A. Filling, excavation and earth moving activity must be kept to a minimum.

B. Parking lots on sloped sites must be terraced to avoid undue cut and fill, and/or the need for retaining walls.

C. Natural **vegetation** must be preserved and protected wherever possible.

D. Soil erosion and sedimentation of watercourses and water bodies must be minimized by an active program meeting the requirements of the Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, dated March 1991.

9.9. Water Supply

Standard: The development is provided with a system of water supply that provides each **use** with an adequate supply of water and does not infringe on **use** by neighboring properties.

Minimum Requirements:

Uses that require extraction of more than 1000 gallons daily of **ground water** must provide addition information:

A. A complete copy of any application and/or permit for such extraction filed with any agency or department of the State of Maine.

B. A written report of a hydrologic investigation conducted and prepared by a licensed professional hydrogeologist, geologist, hydrologist or other appropriately licensed professional describing the rates of draw down and recharge of any aquifer or other **ground water** source as may have been established by a pumping or "stress test" or other similar testing regime in accordance with accepted professional standards; the characteristics of the **ground water** source including rates of draw down and recharge, sustainable extraction rates, aquifer boundaries, **recharge areas**, impacts on the water table, and impacts on all existing water bodies including and not limited to streams, wetlands and private wells or other existing extraction locations within the zone of contribution; the possible effects on other **ground water** resources which might result in the disturbance of existing minerals and any health hazards raised by such a disturbance or other impacts including issues such as turbidity and aroma of water extracted within the zone of contribution.

9.10. Sewage Disposal

Standard: The development is provided with a method of disposing of sewage which is in compliance with the State Plumbing Code.

Minimum Requirements:

A. Applicant must show proof of a subsurface waste water permit for the proposed development.

B. When four (4) or more lots or buildings in different ownership share the use of a common subsurface disposal system, the system must be owned and maintained in common by an owners' association. Covenants in the deeds for each lot must require mandatory membership in the association and provide for adequate funding of the association to assure proper maintenance of the system.

9.11. Utilities
Standard: The development is provided with electrical, telephone, and telecommunication service adequate to meet the anticipated use of the project.
Minimum Requirements:
A. New utility lines and facilities must be screened from view to the extent feasible.

B. If the service in the street or on adjoining lots is underground, the new service must be placed underground.

9.12. Natural Features
Standard: The landscape is preserved in its natural state as much as is practical.
Minimum Requirements:
A. Minimize tree removal, disturbance and compaction of soil.

B. Retain existing vegetation in so far as practical during construction.

C. Extensive grading and filling must be avoided as far as possible.

9.13. Water Quality Protection
Standard: The proposed site development and use does not adversely impact either the quality or quantity of groundwater available to abutting properties or to public water supply systems.
Minimum Requirements:
A. Applicants whose projects involve on-site water supply or sewage disposal systems with a capacity of two thousand (2,000) gallons per day or greater must demonstrate that the groundwater at the property line will comply, following development, with the standards for safe drinking water as established by the State of Maine.

B. All aspects of the project must be designed so that:

1. No person shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that may run off, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant, or aquatic life.

2. All storage facilities for fuel, chemicals, chemical or industrial wastes, and biodegradable raw materials, must meet the standards of the Maine Department of Environmental Protection and the State Fire Marshall's Office.

9.14. Hazardous, Special and Radioactive Materials
Standard: The handling, storage, and use of all materials identified by the standards of a federal or state agency as hazardous, special or radioactive is done in accordance with the standards of these agencies.

Minimum Requirements:

A. No flammable or explosive liquids, solids or gases shall be stored in bulk above ground unless they are located at least seventy-five (75) feet from any lot line, or forty (40) feet in the case of underground storage.
B. All materials must be stored in a manner and location which is in compliance with appropriate rules and regulations of the Maine Department of Public Safety and other appropriate federal, state, and local regulations.

9.15. Shoreland Relationship

Standard: The development does not adversely affect the water quality or shoreline of any adjacent water body.

Minimum Requirement:

A. Portions of the project within the Shoreland Zone must be approved under the Town of Brooklin Shoreland Zoning Ordinance.
B. The development plan must provide for access to abutting navigable water bodies for the use of the occupants of the development as appropriate.

9.16. Technical and Financial Capacity

Standard: The applicant demonstrates that he/she has the financial and technical capacity to carry out the project in accordance with this ordinance and the approved plan.

Guideline: Financial capacity may be evidenced by a letter of credit from a state or national financial institution or improvement guarantee as provided in Section 12. Technical capacity may be evidenced by expert opinion or past successful performance of similar development.

9.17. Solid Waste Disposal

Standard: The proposed development provides for adequate disposal of solid wastes.

Minimum Requirement: All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

9.18. Historic and Archaeological Resources

Standard: If any portion of the site has been identified as containing **historic or archaeological resources**, the development includes appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

Guideline: Consult the Maine Historic Preservation Commission regarding the possibility of **historic or archaeological resources** on the site.

9.19. Floodplain Management

Standard: If any portion of the site is located within a special flood hazard area as identified by the Federal Emergency Management Agency, all use and development of that portion of the site is to be consistent with the Town's Floodplain management provisions.

Guideline: consult the CEO regarding Floodplain management provisions.

9.20. Air Pollution
Standard: The proposed use does not result in undue air pollution.
Note: The Planning Board shall consult federal and state authorities it determines applicable regarding air quality laws and regulations.
Minimum Requirements:
A. Emissions of dust, dirt, fly ash, fumes, vapors or gases which pose an unreasonable risk of harm to human health or the environment shall be prohibited.
B. No land use or establishment shall be permitted to produce unreasonable, offensive or harmful odors perceptible beyond their lot lines, measured either at ground or habitable elevations.

9.21. Town Services
Standard: The development does not have an unreasonable adverse impact on Town services including Town road systems, fire department, police department, solid waste program, schools, open spaces, recreational programs and facilities, and any other Town services and facilities.

9.22. Exterior Lighting
Standard: All exterior lighting is designed to increase night time safety and minimize adverse impact on neighboring properties.
Minimum Requirements:
A. Any land use or establishment must have adequate exterior lighting to provide for its safe use during nighttime hours, if such use is contemplated. All exterior lighting shall be designed to avoid undue glare, adverse impact on neighboring properties and rights-of-way, and the unnecessary lighting of the night sky.
B. Lighting fixtures shall be shielded or hooded so that the lighting elements are not exposed to normal view of motorists, pedestrians or buildings on abutting properties.
C. Direct or indirect illumination shall not exceed 0.5 foot-candles at the lot line.

9.23. Noise
Standard: Land uses involving noise in excess of that which is normal for the area are designed and landscaped to minimize noise interference with neighboring uses.
Minimum Requirement:
Noise emanating from the proposed use shall not exceed the standards set forth in Appendix B "Noise Control" of the Town of Brooklin Wind Energy Facility Ordinance.

9.24. Campgrounds
Standard: Campgrounds shall conform to the minimum requirements imposed under State licensing procedures.
Minimum Requirements:
A. Campgrounds shall contain a minimum of five thousand (5000) square feet of land, not including roads and driveways for each site. Land supporting wetland vegetation, and land below the normal high-water line of a water body shall not be included in calculating land area per site.
B. The areas intended for placement of a recreational vehicle, tent or shelter, and utility and service buildings shall be set back seventy-five (75) feet, horizontal distance, from the normal high water line of water bodies, tributary streams, or the upland edge of a wetland.

9.25. Mineral Exploration and Extraction

Standard: Mineral exploration and extraction activities not regulated by the State including extraction of sand, gravel and fill, of less than five acres in size satisfies each of the minimum requirements of this Section 9.25.

Minimum Requirements:

A. Mineral exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance of less than 100 square feet of land surface. A permit from the CEO shall be required for mineral exploration which exceeds the above limitation. All excavations, including test pits and holes, shall be immediately capped, filled or secured by other equally effective measures to restore disturbed areas and to protect the public health and safety.

B. Prior to mineral extraction, a reclamation plan shall be filed with and approved by the Planning Board before a permit is granted. Such plan shall describe in detail procedures to be undertaken to fulfill the requirements of this Section.

C. No part of any extraction operation, including drainage and runoff control features, shall be permitted within 100 feet, horizontal distance, of the normal high-water line of a river, and within 75 feet, horizontal distance, of the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland. Extraction operations shall not be permitted within 50 feet, horizontal distance, of any property line without written permission of the owner of such adjacent property.

D. Within 12 months following the completion of extraction operations at any extraction site, which operations shall be deemed complete when less than 100 cubic yards of materials are removed in any consecutive 12 month period, ground levels and grades shall be established in accordance with the following:
   1. All debris, stumps and similar material shall be removed for disposal in an approved location, or shall be buried on-site. Only materials generated on-site may be buried or covered on-site.
   2. The final graded slope shall be two and one half to one (21/2:1) slope or flatter.
   3. Top soil or loam shall be retained to cover all disturbed land areas, which shall be reseeded and stabilized with vegetation native to the area. Additional topsoil or loam shall be obtained from off-site sources if necessary to complete the stabilization project.

E. In keeping with the purposes of this Article, the Planning Board may impose such conditions as are necessary to minimize the adverse impacts associated with mineral extraction operations on surrounding uses and resources.

9.26. Signage

Standard: Signs relating to goods and services being sold on the premises are properly placed, sized and illuminated.

Minimum requirements:

A. Freestanding commercial signs shall be placed at right angles to the street, so as to be viewed from both directions, and shall be set back at least ten (10) feet from the edge of the traveled way and fifteen (15) feet from the side lot lines.

B. Signs shall be no larger than sixteen (16) square feet in area, shall not exceed two (2) signs per premises, and shall not extend more than fifteen (15) feet above the ground.

C. Signs shall be illuminated only by shielded, non-flashing lights and shall conform with Section 9.22.

Section 10. Submission Requirements

Applications for site plan review must be submitted on application forms provided by the Town. The complete application form, evidence of payment of the required fees, and the required plans and related information must be submitted to the CEO. The submission must contain at least the following exhibits and information unless specifically waived in writing. The Planning Board may waive any of the submission requirements based upon a written request of the applicant and a finding that the requirement is not necessary for the Board's consideration of the application as proposed. Such request must be made at the time of the preapplication conference or at the initial review of the application if no preapplication conference is held. A waiver of any submission requirement may be granted only if the Board makes a written finding that the information is not required to determine compliance with the standards.

All applications for site plan review must contain the following information:

A. A fully executed and signed copy of the application for site plan review.

B. Evidence of payment of the application fee, and agreement to pay the professional review fees.

C. Seven (7) copies of written materials plus seven (7) sets of maps or drawings containing the information listed below. The written materials must be presented as a report. The maps or drawings must be at a scale sufficient to allow review of the items listed under the approval standards and criteria, but in no case shall be more than one hundred (100) feet to the inch for that portion of the tract of land being proposed for development.

10.1 General Information

A. Record owner's name, address, and phone number and applicant's name, address and phone number if different.

B. The location of all required building setbacks, yards, and buffers.

C. Names and addresses of all property owners within five hundred (500) feet of any and all property boundaries.

D. Sketch map showing general location of the site within the town based upon a reduction of the tax maps.

E. Boundaries of all contiguous property under the total or partial control of the owner or applicant regardless of whether all or part is being developed at this time.

F. The tax map and lot number of the parcel or parcels on which the project is located.

G. A copy of the deed to the property, an option to purchase the property or other documentation to demonstrate right, title or interest in the property on the part of the applicant.

H. The name, registration number, and seal of the person who prepared the plan, if applicable.

I. Evidence of the applicant's technical and financial capability to carry out the project as proposed.

10.2. Existing Conditions

A. Zoning classification(s) of the property and the location of Shoreland Zoning district boundaries if the property is located in two (2) or more zoning districts or abuts a different district.

B. The bearings and length of all property lines of the property to be developed and the source of this information. The Planning Board may waive this requirement of a boundary survey when sufficient information is available to establish, on the ground, all property boundaries.

C. Location and size of any existing sewer and water mains, culverts and drains, on-site sewage disposal systems, wells, underground tanks or installations, and power and telephone lines and poles on the property to be developed, on adjacent streets, or land that may serve the development, and an assessment of their adequacy and condition to meet the needs of the proposed use. Appropriate contours must be provided as necessary to determine the direction of surface water flow.

D. Location, names, and present widths of existing public and/or private streets and rights-of-way within or adjacent to the proposed development.

E. The location, dimensions and ground floor elevation of all existing buildings on the site.

F. The location and dimensions of existing driveways, parking and loading areas, walkways, and sidewalks on or immediately adjacent to the site.

G. Location of intersecting roads or driveways within two hundred (200) feet of the site.

H. The location of open drainage courses, wetlands, stonewalls, graveyards, fences, stands of trees, and other important or unique natural areas and site features, including but not limited to, floodplains, deer wintering areas, significant wildlife habitats, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas,

sand and gravel aquifers, and **historic and/or archaeological resources**, together with a description of such features.

I. The direction of existing surface water drainage across the site.

J. The location, front view, dimensions, and lighting of existing signs.

K. Location and dimensions of any existing easements and copies of existing covenants or deed restrictions.

L. The location of the nearest water supply for fire protection.

10.3. Proposed Development Activity

A. Estimated demand for water supply and sewage disposal together with the location and dimensions of all provisions for water supply and wastewater disposal, and evidence of their adequacy for the proposed use, including soils test pit data if on-site sewage disposal is proposed and plumbing permit.

B. The direction of proposed surface water drainage across the site and from the site, with an assessment of impacts on downstream properties.

C. Provisions for handling all solid wastes, including hazardous and special wastes and the location and proposed screening of any on-site collection or storage facilities.

D. The location, dimensions, and materials to be used in the construction of proposed driveways, parking and loading areas, and walkways and any changes in traffic flow onto or off-site.

E. Proposed landscaping and buffering.

F. The location, dimensions, and ground floor elevation of all proposed **buildings** or building **expansion** proposed on the site. Plan and elevation views of all proposed **buildings** or building **expansion** proposed on the site.

G. Location, front view, materials, and dimensions of proposed signs together with the method for securing the sign.

H. Location and type of exterior lighting.

I. The location of all utilities, including fire protection systems.

J. A general description of the proposed use or activity.

K. An estimate of the peak hour and daily traffic to be generated by the project.

Section 11. Review Procedures

The Planning Board shall use the following procedures in reviewing applications for site plan review.

A. Preapplication

Prior to submitting a formal application, the applicant or his/her representative may request a preapplication conference with the Planning Board. A preapplication conference is strongly advised. The preapplication conference shall be informal and informational in nature. There shall be no fee for a preapplication review, and such review shall not cause the plan to be a pending application or proceeding under Title 1 M.R.S.A. §302. No decision on the substance of the plan shall be made at the preapplication conference.

1. Purpose

The purposes of the preapplication conference are to:

a. Allow the Planning Board to understand the nature of the proposed use and the issues involved in the proposal,

b. Allow the applicant to understand the development review process and required submissions,

c. Identify issues that need to be addressed in future submissions, and

d. Make the applicant aware of any opportunities for coordinating the development with community policies, programs, or facilities.

e. To determine whether the Planning Board will waive certain submission requirements.

2. Information Required

There are no formal submission requirements for a preapplication conference. However, the applicant should be prepared to discuss the following with the Board:

a. The proposed site, including its location, size, and general characteristics,

b. The nature of the proposed use and potential development,

c. Any issues or questions about existing town regulations and their applicability to the project, and

d. Any requests for waivers from the submission requirements.

B. Application Submission and Review Procedures

The applicant must prepare and submit a site plan review application, including the development plan and supporting documentation, that meets the submission requirements set

forth in Section 10 and below. This material must be submitted to the CEO two weeks prior to the next regular monthly meeting.

1. The applicant shall notify by first-class mail all property owners within five hundred (500) feet of the parcel on which the proposed development is located. Written notice of the pending application shall be mailed to the CEO, Fire Chief, Road Commissioner, and Plumbing Inspector.

2. Within thirty-five (35) days of the receipt of a formal site plan review application, the Planning Board shall review the material and determine whether or not the submission is complete. If the application is determined to be incomplete, the Board shall notify the applicant of this finding, shall specify the additional materials required to make the application complete and shall advise the applicant that the application will not be considered by the Board until the additional information is submitted to the Board. These steps, except the notification requirements, shall be repeated until the application is found to be complete.

3. As soon as the Board determines that the application is complete and the Board has received payment of any professional service fees as determined in subsection D.2 below, the Board shall: notify the applicant of this finding, meet the notification requirements of subsection 4 below, and place the item on the agenda for substantive review within thirty-five (35) days of this finding.

4. The Planning Board shall hold a public hearing on any complete application if so requested by the applicant, by a landowner within 500 feet of the proposed site, by a majority vote of the Board of Selectman, or by a petition of 15% of the votes cast in the last gubernatorial election in town. Upon receipt of any completed application the Board shall publish a notice as soon as possible in a newspaper of area-wide circulation describing the application and notifying the public that a hearing will be held. The deadline for receipt by the Planning Board of requests or petitions for a public hearing shall be the next regular Planning Board meeting that occurs within thirty-five (35) days after the application is deemed complete. Public hearings by the Planning Board shall be conducted according to the procedures outlined in Title 30, M.R.S.A. Section 2691.

5. The Planning Board may hold an on-site inspection of the site to review the existing conditions, field verify the information submitted and investigate the development proposal. The Board may schedule this visit either before or after the first meeting at which the application is considered. The Board may decide not to hold an on-site inspection when the site is snow covered. If an application is pending during a period when there is snow cover, the deadline by which the Planning Board shall take final action on the application as specified in subsection 4 above may be extended, which extension shall not exceed thirty-five (35) days after the Board is able to conduct an on-site inspection. Written notice of the on-site inspection shall be provided to all parties entitled to notice under subsection 1 above or by publication of notice as soon as possible in a newspaper of area-wide circulation describing the application and notifying the public that an on-site inspection will be held. Any site inspection made by the Board shall be with notice as provided by

law for the holding of a public meeting, however, no deliberations may then be conducted nor evidence taken, with the exception that photographs may be made for later presentation at hearing or Board meeting.

6. The Planning Board shall take final action on said application within thirty-five (35) days of determining that the application is complete. The Board shall act to deny, to approve, or to approve the application with conditions. The Board may impose such conditions as are deemed advisable to assure compliance with the standards of approval.

In issuing its decision, the Planning Board shall make written findings of fact establishing that the proposed development does or does not meet the standards of approval and other requirements of the Town. The Board shall notify the applicant of the findings of fact and any conditions of approval.

All time limits provided for in this section may be extended by mutual agreement of the applicant and Planning Board.

C. Final Approval and Filing

Upon completion of the requirements of this Section and an approval vote by the majority of the Planning Board members, the application shall be deemed to have final approval and the permit shall be signed by the voting members of the Board and must be filed with the Code Enforcement Officer.

D. Fees

1. The Selectboard may, from time to time and after consultation with the Board, establish the appropriate application fees and permit fees. An application for site plan review must be accompanied by the application fee. The fee shall not be refundable. The application must be paid to the Town and evidence of payment of the fee must be included with the application. Application fees shall be based on a percentage of development cost.

2. The applicant will be responsible for all professional fees incurred by the Planning Board in evaluating an application. In reviewing the application for compliance with this Ordinance, the Planning Board may retain professional services, including, but not limited to, those of an attorney or consultant, to verify information presented by the Applicant. The attorney or consultant shall first estimate the reasonable cost of such review and the Applicant shall deposit with the Town of Brooklin the full estimated cost, which the Town shall place in an escrow account. The Town shall pay the attorney or consultant from the escrow account and shall provide an accounting and refund, if due, within forty-five (45) days of a request from the applicant. The commencement of such professional services shall not be required until the requested deposit is made and the time lapsed from request to payment shall be added to the time allowed for Board consideration of the application.

Section 12. Post Approval Activities

A. Limitation of Approval

Construction of the approved, permitted project must be **substantially commenced** within twelve (12) months and **substantially completed** within eighteen (18) months of the date upon which the approval was granted. If construction has not been **substantially commenced** or **substantially completed** within the specified period, the approval shall be null and void and the CEO shall issue a stop work order until the applicant appears before the Board at a regularly scheduled meeting to review the prior approval. The applicant may request an extension of either deadline prior to the expiration of the period. Such request must be in writing and must be made to the Planning Board. The Planning Board may grant extensions to the periods if the approved plan conforms to the ordinances in effect at the time the extension is granted and any and all federal and state approvals and permits are current.

B. Incorporation of Approved Plan

All construction activities must conform to the approved plan, including any conditions of approval and minor changes approved by the CEO to address field conditions.

C. Improvement Guarantees

1. Application

a. Improvement Guarantee - The Planning Board may require the posting of an improvement guarantee in such amount and form as specified in subsection 2 below as is reasonably necessary to ensure the proper installation of all off-site improvements required as conditions of approval. The nature and duration of the guarantee shall be structured to achieve this goal without adding unnecessary costs to the applicant.

b. Upon substantial completion of all required improvements, the developer must notify the Planning Board of the completion or substantial completion of improvements, and must send a copy of such notice to the CEO. The CEO shall inspect all improvements and must file a report indicating either approval, partial approval, or rejection of such improvements with a statement of reasons for any rejection.

c. The Planning Board shall either approve, partially approve, or reject the improvements on the basis of the report of the CEO.

d. If the improvements are approved the guarantee shall be released upon receipt by the Board of a contractor's certificate with accompanying lien waivers evidencing that all contractors, subcontractors and suppliers have been paid in full. Where partial approval is granted, the developer shall be released from liability only for that portion of the improvements approved.

2. Form of Guarantee

Performance guarantees may be provided by a variety of means including, but not limited to, the following which must be approved as to form and enforceability by the Board of Selectmen.

a. Security Bond - The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.

b. Letter of Credit - The applicant may provide an irrevocable letter of credit from a bank or other reputable lending institution.

c. Escrow Account - The applicant may deposit cash, or other instruments readily convertible into cash at face value, either with the town, or in escrow with a bank. Any such account must require Town approval for withdrawal and must stipulate that the Town can withdraw the money upon forty-eight (48) hour advance notice to the applicant to complete the guaranteed improvements.

D. Submission of As-Built Plans

Any project involving the construction of more than ten thousand (10,000) square feet of gross floor area or twenty thousand (20,000) square feet of **impervious surface**, must provide the CEO with a set of construction plans showing the **building**(s) and site improvements as actually constructed on the site. These "as-built" plans must be submitted within thirty (30) days of completion of construction or upon request of the CEO.

E. Minor Changes to Approved Plans

Minor changes in approved plans necessary to address field conditions may be approved by the CEO provided that any such change does not affect compliance with the standards or alter the essential nature of the proposal. Any such change must be endorsed in writing on the approved plan by the CEO.

F. Amendments to Approved Plans

Approvals of site plans are dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant. Any variation from the plans, proposals, and supporting documents, except minor changes that do not affect approval standards, is subject to review and approval by the Board at a regular or special meeting following public notification procedures outlined in Section 11.B above.

Section 13. Appeals and Variances

A. Powers and Duties of the Board of Appeals. The Board of Appeals shall have the following powers:

1. Administrative appeals in accordance with section 13.C.

2. Variance Appeals in accordance with section 13.B.

B. Variance Appeals: Variances may be granted only under the following conditions:

1. Variances may be granted only from dimensional requirements including, but not limited to, lot width, structure height, and setback requirements.

2. Variances shall not be granted for establishment of any uses otherwise prohibited by this Ordinance.

3. The Board of Appeals shall not grant a variance unless it finds that:

a. the variance is necessary for access by handicapped or disabled persons in accordance with Title 30-A M.R.S.A Section 4353 (4)(A-C);

OR

b. The proposed structure of or use would meet the provisions of Section 9 except for the specific provision which has created the nonconformity and from which relief is sought; and

c. The strict application of the terms of this Ordinance would result in undue hardship. The term "undue hardship" shall mean:

i. That the land in question cannot yield a reasonable return unless a variance is granted;

ii. That the need for a variance is due to the unique circumstances of the property and not the general conditions in the neighborhood.

iii. The granting of a variance will not alter the essential character of the locality; and

iv. That the hardship is not the result of action taken by the applicant or prior owner.

4. The Board of Appeals shall limit any variances granted as strictly as possible in order to ensure conformance with the purposes and provisions of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with any conditions imposed.

C. Administrative Appeals

1. When the board of Appeals reviews a decision of the CEO, the Board of appeals shall hold a "de novo" hearing. At this time the Board may receive and consider new evidence and testimony, be it oral or written. When acting in a "de novo" capacity the Board of Appeals shall hear and decide the matter afresh, undertaking its own independent analysis of evidence and the law, and reaching its own decision.

2. When the board of Appeals hears a decision of the Planning Board, it shall hold an appellate hearing, and may reverse the decision of the Planning Board only upon finding that the decision was contrary to specific provisions of the Ordinance or contrary to the facts presented to the Planning Board. The Board of Appeals shall not receive or consider any evidence which was not presented to the Planning Board, but the Board of Appeals may receive and consider written or oral arguments. If the Board of appeals determines that the record of the Planning Board proceedings are inadequate, the Board of Appeals may remand the matter to the Planning Board for additional finding of fact.

D. Appeal Procedure

1. Making an appeal.

a. An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party who is either an abutter or who had participated in the proceedings before the Planning Board from any decision of the CEO or the Planning Board, except for enforcement-related matters as described in Section 8 above. Such an appeal shall be

taken within thirty (30) days of the date of the official, written decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.

b. Applications for appeals shall be made by filing with the Board of Appeals a written notice of appeal which includes:
   i. A concise written statement indicating what relief is requested and why the appeal or variance should be granted.
   ii. A sketch drawn to scale showing lot lines, location of existing buildings, structures and other physical features of the lot pertinent to the relief sought.

c. Upon receiving an application for an administrative appeal or a variance, the CEO or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from.

d. The Board of Appeals shall hold a public hearing on an administrative appeal or a request for a variance within thirty-five (35) days of its receipt of a complete written application, unless this time period is extended by the parties.

2. Decision by Board of Appeals.
   a. A majority of the full voting membership of the Board shall constitute a quorum for the purpose of deciding an appeal.
   b. The person filing the appeal shall have the burden of proof.
   c. The Board shall decide all administrative appeals and variance appeals within thirty-five (35) days after the close of the hearing, and shall issue a written decision on all appeals.
   d. The Board of appeals shall state the reasons and basis for its decision, including a statement of the facts found and conclusions to be mailed or hand-delivered to the applicant within seven (7) days of the Board's decision. Copies of written decisions of the Board of Appeals shall be given to the Planning Board, CEO and Selectboard.

E. Appeal to Superior Court

Except as provided by Title 30-A M.R.S.A. Section 2691(3)(F), any aggrieved party who participated as a party during the proceedings before the Board of Appeals may take an appeal to Superior Court in accordance with State laws within forty-five (45) days from the date of any decision of the Board of Appeals.

F. Reconsideration.

In accordance with Title 30-A M.R.S.A. Section 2691(3)(F), the Board of Appeals may reconsider any decision within forty-five (45) days of its prior decision. A request to the Board to reconsider a decision must be filed within ten (10) days of the decision that is being reconsidered. A vote to reconsider and the action taken on that reconsideration must occur and be completed within forty-five (45) days of the date of the vote on the original decision. Reconsideration of a decision shall require a positive vote of the majority of the Board members originally voting on the decision, and proper notification to the landowner, petitioner, Planning Board, CEO, and other parties of interest, including abutters and those who testified at the original hearing(s). the Board may conduct addition hearings and receive additional evidence and testimony. Appeal of a reconsidered decision to Superior court must be made within fifteen (15) days after the decision on reconsideration.

Section 14. Definitions

A. Meaning of Words

All words not defined herein shall carry their customary and usual meanings. Words used in the present tense shall include the future. Words used in the singular shall include the plural.

B. Definitions

Abutting property: Any lot which is physically contiguous with the subject lot even if only at a point and any lot which is located directly across a street or right-of-way from the subject lot such that the extension of the side lot lines of the subject lot would touch or enclose the abutting property.

Accessory building: A detached, subordinate **building**, the use of which is clearly incidental and related to that of the **principal structure** or use of the land, and which is located on the same lot as that of the **principal structure** or **use**.

Aggrieved party: An owner of land whose property is directly or indirectly affected by the granting or denial of an approval under this Ordinance; a person whose land abuts land for which approval has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such approval.

Arterial: A controlled access road or a street or road with stop signs on side streets or which is functionally classified by the Maine Department of Transportation as an arterial.

Building: Any permanent **structure**, having one or more floors and a roof, which is used for the housing or enclosure of persons, animals or property. When any portion thereof is separated by a division wall without opening, then each such portion shall be deemed a separate building.

Building footprint: The area covered by a building measured from the exterior surface of the exterior walls at grade level exclusive of cantilevered portions (including roof overhangs) of the building. Where the building is elevated above grade level on posts or similar devices, the building footprint is the area the **building** would cover if it were located at ground level.

Curb cut: The opening along the curb line or street right-of-way line at which point vehicles may enter or leave the street.

Enlargement or expansion of a structure: An increase of the **building footprint** and/or increase in the height of the **structure** beyond its present highest point. Alterations of existing **buildings** which are required in order to meet the requirements of the Americans with Disabilities Act (ADA) and/or the State Fire Code are not considered to be enlargements or expansions of a **structure** and are not required to meet otherwise applicable **setback** requirements, provided the alterations are the minimum necessary to satisfy the ADA and/or State Fire Code.

Enlargement or expansion of use: Any intensification of use in time, volume, or function, whether or not resulting from an increase in the footprint, height, **floor area**, land area or cubic volume occupied by a particular use. Increases which are required in order to meet the requirements of the Americans with Disabilities Act and/or the State Fire Code are not considered to be enlargements or expansions of use.

Fisheries, significant fisheries: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife, Atlantic Salmon Authority, or Maine Department of Marine Resources as having significant value as fisheries and any areas so identified in the town's comprehensive plan.

Floor area: The sum of the horizontal areas of the floor(s) of a **structure** enclosed by exterior walls as measured from the inside of exterior walls.

Ground water: All of the water found beneath the surface of the ground. For purposes of aquifer protection, this term refers to the subsurface water present in aquifers and **recharge areas.**

Historic or archaeological resource: Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as an historic or archaeological resource and any areas identified in the Town's comprehensive plan.

Home occupation: An occupation or profession which is customarily conducted on or in a residential **structure** or property and which is 1) clearly incidental to and compatible with the residential use of the property and surrounding residential uses: and 2) which employs no more than two (2) persons other than family members residing in the home.

Impervious surface: The area covered by **buildings** and associated constructed facilities, areas which have been or will be covered by a low-permeability material, such as asphalt or concrete, and areas such as gravel roads and unpaved parking areas, which have been or will be compacted through design or use to reduce their permeability. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled, macadam, or other surfaces which similarly impede the natural infiltration of stormwater.

Multi-Family Use: The use of a single structure or multiple structures for residential purposes by more than one independently living family but not including successive seasonal rentals of a single family residence.

Natural areas and natural communities, Unique natural areas and natural communities: Areas identified by a governmental agency such as the Maine Department of Conservation Natural Areas Program as having significant value as a natural area and any areas identified in the Town's comprehensive plan.

Natural capabilities: The ability of the natural conditions at the site to facilitate the proposed project (for example, countour or ledge).

New nonresidential use: A change in the type of occupancy of a nonresidential **building** or structure, or a portion thereof, such that the basic type of use is changed, such as from retail to office or storage to a restaurant, but not including a change in the occupants.

Principal structure: A **building** other than one which is used for purposes wholly incidental or accessory to the use of another **building** or use on the same premises.

Principal use: A use other than one which is wholly incidental or accessory to another **use** on the same premises.

Recharge area: Area composed of permeable, porous material through which precipitation and surface water infiltrate and directly replenish groundwater in aquifers.

Residential: used or intended to be used wholly or principally for human.

Right, title or interest: An interest in real estate that is evidenced by (a) holding record title, (b) having a purchase and sale agreement and seller consent to the action requested, (c) having a written option to buy, or (d) having a lease for a term of more than ten (10) years.

Setback, front: An open area extending the entire width of a lot from lot sideline to lot sideline and extending in depth at a right angle from the street right-of-way to such depth as specified. For lots that do not front on a street then the phrase shall mean an open area extending the entire width of a lot from lot sideline to lot sideline and extending in depth at a right angle from the side of the lot that is closest to a street. Such area shall be unoccupied and unobstructed by any **building** from the ground upward.

Setback, rear: An open area extending the entire width of a lot from lot sideline to lot sideline and extending at a right angle from the rear property line of such lot to such depth as specified. Such area shall be unoccupied and unobstructed by any **building** from the ground upward.

Setback, side: An open area extending along each sideline of a lot between the **front setback** and the rear setback on such lot and extending at a right angle from the sidelines of such lot to such depth as specified. Such area shall be unoccupied and unobstructed by any **building** from the ground upward.

Structure: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including a tent or vehicle.

Substantially commenced; substantially completed: Construction shall be considered to be substantially commenced when any work beyond the state of excavation, including but not limited to, the pouring of a slab or footings, the installation of piles, the construction of columns, or the placement of a manufactured home on a foundation has begun. Construction shall be considered to be substantially completed when it has been completed to the point where normal functioning, use, or occupancy can occur without concern for the general health, safety, and welfare of the occupant and the general public. At a minimum it shall include the completion of no less than seventy (70) percent of the costs of the proposed improvements within a

development and shall include permanent stabilization and/or revegetation of areas of the site that were disturbed during construction.

Use: The purpose for which land or a **building** is arranged, designed, or intended, or for which either land or a **building** is or may be occupied or maintained.

Vegetation: All live trees, shrubs, ground cover, and herbaceous plants.

Wildlife habitat, significant wildlife habitat: Areas identified by a governmental agency such as the Maine Department of Inland Fisheries and Wildlife as having significant value as habitat for animals and any areas identified in the town's comprehensive plan.

Appendix I. Trip Generation Manual of the Institute of Traffic Engineers.

INSTITUTE OF TRANSPORTATION ENGINEERS
TRIP GENERATION RATE (PM Peak Hour)

(Trip Generation Manual, 8th Edition)

Code	Description	Unit of Measure	Trips Per Unit
[illegible]	[illegible]		
30	Truck Terminal	Acres	0.85
90	Park and Ride Lot with Bus Service	Parking Spaces	0.62
[illegible]	[illegible]		
110	General Light Industrial	1,000 SF	0.97
120	General Heavy Industrial	Acres	0.16
130	Industrial Park	1,000 SF	0.86
140	Manufacturing	1,000 SF	0.73
150	Warehousing	1,000 SF	0.32
151	Mini-Warehouse	1,000 SF	0.26
152	High-Cube Warehouse	1,000 SF	0.10
170	Utilities	1,000 SF	0.79
[illegible]	[illegible]		
210	Single-Family Detached Housing	Dwelling Units	1.01
220	Apartment	Dwelling Units	0.62
230	Residential Condominium / Townhouse	Dwelling Units	0.52
240	Mobile Home Park	Dwelling Units	0.59
251	Senior Adult Housing - Detached	Dwelling Units	0.27
252	Senior Adult Housing - Attached	Dwelling Units	0.19
253	Congregate Care Facility	Dwelling Units	0.17
254	Assisted Living	Beds	0.22
255	Continuing Care Retirement Community	Dwelling Units	0.29
[illegible]	[illegible]		
310	Hotel	Rooms	0.59
320	Motel	Rooms	0.47
330	Resort Hotel	Rooms	0.42
[illegible]	[illegible]		
411	City Park	Acres	0.10
412	County Park	Acres	0.05
413	State Park	Acres	0.07
415	Beach Park	Acres	1.30
416	Campground / Recreation Vehicle Park	Camp Sites	0.37
417	Regional Park	Acres	0.20
420	Marina	Berths	0.19
430	Golf Course	Acres	0.30
431	Miniature Golf Course	Holes	0.33

Code	Description	Unit of Measure	Trips Per Unit
432	Golf Driving Range	Tees / Driving Positions	1.20
433	Batting Cages	Cages	2.22
435	Multi-Purpose Recreational Facility	Acres	5.77
437	Bowling Alley	1,000 SF	2.54
441	Live Theater	Seats	0.02
443	Movie Theater without Matinee	1,000 SF	5.16
444	Movie Theater with Matinee	1,000 SF	3.80
445	Multiplex Movie Theater	1,000 SF	4.91
452	Horse Race Track	Acres	4.38
454	Dog Race Track	Attendance Capacity	0.15
460	Arena	Acres	3.33
473	Casino / Video Lottery Establishment	1,000 SF	13.43
480	Amusement Park	Acres	3.95
488	Soccer Complex	Fields	20.67
490	Tennis Courts	Courts	3.88
491	Racquet / Tennis Club	Courts	3.35
492	Health / Fitness Club	1,000 SF	3.53
493	Athletic Club	1,000 SF	5.96
495	Recreational Community Center	1,000 SF	1.45
[illegible]	[illegible]		
520	Elementary School	1,000 SF	1.21
522	Middle School / Junior High School	1,000 SF	1.19
530	High School	1,000 SF	0.97
536	Private School (K-12)	Students	0.17
540	Junior / Community College	1,000 SF	2.84
560	Church	1,000 SF	0.55
565	Daycare Center	1,000 SF	12.46
566	Cemetery	Acres	0.84
571	Prison	1,000 SF	2.91
590	Library	1,000 SF	7.30
591	Lodge / Fraternal Organization	Members	0.03
[illegible]	[illegible]		
610	Hospital	1,000 SF	1.14
620	Nursing Home	1,000 SF	0.74
630	Clinic	1,000 SF	5.18
640	Animal Hospital / Veterinary Clinic	1,000 SF	4.72

Code	Description	Unit of Measure	Trips Per Unit
OFFICE			
710	General Office Building	1,000 SF	1.49
714	Corporate Headquarters Building	1,000 SF	1.40
715	Single Tenant Office Building	1,000 SF	1.73
720	Medical-Dental Office Building	1,000 SF	3.46
730	Government Office Building	1,000 SF	1.21
732	United States Post Office	1,000 SF	11.12
733	Government Office Complex	1,000 SF	2.85
750	Office Park	1,000 SF	1.48
760	Research and Development Center	1,000 SF	1.07
770	Business Park	1,000 SF	1.29
RETAIL			
812	Building Materials and Lumber Store	1,000 SF	4.49
813	Free-Standing Discount Superstore	1,000 SF	4.86
814	Specialty Retail Center	1,000 SF	2.71
815	Free Standing Discount Store	1,000 SF	5.59
816	Hardware / Paint Store	1,000 SF	4.84
817	Nursery (Garden Center)	1,000 SF	3.80
818	Nursery (Wholesale)	1,000 SF	2.17
820	Shopping Center	1,000 SF	3.75
823	Factory Outlet Center	1,000 SF	2.29
841	New Car Sales	1,000 SF	2.59
843	Automobile Parts Sales	1,000 SF	5.98
848	Tire Store	1,000 SF	4.15
850	Supermarket	1,000 SF	10.45
851	Convenience Market (Open 24 Hours)	1,000 SF	52.41
852	Convenience Market (Open 15-16 Hours)	1,000 SF	34.37
853	Convenience Market with Gasoline Pumps	1,000 SF	49.80
854	Discount Supermarket	1,000 SF	8.45
857	Discount Club	1,000 SF	4.24
860	Wholesale Market	1,000 SF	0.88
861	Sporting Goods Superstore	1,000 SF	3.10
862	Home Improvement Superstore	1,000 SF	2.35
863	Electronics Superstore	1,000 SF	4.50
864	Toy / Children's Superstore	1,000 SF	4.99
866	Pet Supply Superstore	1,000 SF	3.34
867	Office Supply Superstore	1,000 SF	3.40
875	Department Store	1,000 SF	1.73

Code	Description	Unit of Measure	Trips Per Unit
876	Apparel Store	1,000 SF	3.83
879	Arts and Craft Store	1,000 SF	6.21
880	Pharmacy / Drugstore without Drive-Through Window	1,000 SF	8.42
881	Pharmacy / Drugstore with Drive-Through Window	1,000 SF	10.35
890	Furniture Store	1,000 SF	0.45
896	Video Rental Store	1,000 SF	13.00
BANK			
911	Walk-In Bank	1,000 SF	12.13
912	Drive-In Bank	1,000 SF	25.82
925	Drinking Place	1,000 SF	11.34
931	Quality Restaurant	1,000 SF	7.49
932	High-Turnover (Sit-Down) Restaurant	1,000 SF	11.15
934	Fast Food Restaurant without Drive-Through Window	1,000 SF	33.18
935	Fast Food Restaurant with Drive-Through Window	1,000 SF	32.84
936	Fast Food Restaurant with Drive-Through Window and No Indoor Seating	1,000 SF	153.86
938	Coffee / Donut Shop without Drive-Through Window	1,000 SF	40.75
939	Coffee / Donut Shop with Drive-Through Window	1,000 SF	42.93
940	Coffee / Donut Shop with Drive-Through Window and No Indoor Seating	1,000 SF	75
941	Bread / Donut / Bagel Shop with Drive-Through Window	1,000 SF	19.60
942	Quick Lubrication Vehicle Shop	Service Bays	5.13
943	Automobile Care Center	1,000 SF	3.38
944	Automobile Parts and Service Center	1,000 SF	4.48
945	Gasoline / Service Station	Fueling Positions	13.87
946	Gasoline / Service Station with Convenience Market	Fueling Positions	13.38
947	Gasoline / Service Station with Convenience Market and Car Wash	Fueling Positions	13.94
948	Self Service Car Wash	Stalls	5.54
949	Automated Car Wash	1,000 SF	14.12

Note: All land uses in the 600 and 900 series are entitled to a "passby" trip reduction of 60% if less than 50,000 ft² or a reduction of 40% if equal to or greater than 50,000 ft².

* Approximated by 10% of Weekday average rate.