SMPDC
SOUTHERN MAINE PLANNING & DEVELOPMENT COMMISSION

To: Ogunquit Planning Board

From: Lee Jay Feldman

Date: 2/17/20

Re: **Subdivision draft changes**

In order to layout the changes proposed in an orderly fashion, I have drafted this memo which will try to explain a majority of the changes in a manor not as confusing as trying to interpret all of the strikethroughs and underlines in the document.

- There have been several terminology changes in order to make the document consistent with current terminology used today. Those change include:
    - Selectmen changed to Select Board
    - Planning board changed to Planning Board
    - Code Enforcement Officer changed to Director of Codes and Planning
    - Professional Civil Engineer changed to Licensed Engineer
- Change documents sited in the regulations from a date the document was originally published to wording which says " The Most recent Version" This change is proposed due to the fact that those documents noted in the regulation do get updated from time to time and it is easier to have this as a rolling citation rather than needing to amend this document to update cited documents.
- We have also proposed to do the same for the State Subdivision law itself. Rather than including the document verbatim to the state law, the most effective way to note the subdivision law is to use MRS title 30-A 4401. This is because the state law changes almost on a yearly basis based on the Legislative agenda and the need to always tweak the law this way the town will not need to again amend this document every time there is a change.
- There is a proposal to eliminate a number of the definitions found in this document which are either not consistent with the definition found in the zoning ordinance or not relevant to a subdivision review. If the later is the

case, the ordinance indicates that the definition found in the zoning ordinance is the ruling definition.

- Bring Article 1 Purpose and Statutory Review Criteria up to minimum state standards which have not been part of the town's review previously
- In Article 6 the Preliminary Plan Submission it is proposed to eliminate 6.2.13 Estimated Traffic Generated as part of the submission but now require a full Traffic Impact Study be done for all subdivisions which will include Trip Generation information as part of the submittal.
- We are suggesting but not requiring that Low Impact Development (LID) standards be used for stormwater design which has not been a true consideration in the past. This change will now signal to the developers that we want to see better alternatives for stormwater rather than the typical TR-20 design.
- A proposal has also been included that will move the decision making process to 45 days rather than 30 days so that the Planning Board does not feel a need to make a decision that may need an additional meeting to make the 15 days pushes the ability to make determinations out one additional meeting.
- Other additional changes include:
    - Fines going from $1,000 to $2,500 in line with State law in accordance with MRSA 30-A Section 4452
    - Including the Historic Preservation Commission by requirement to now be involved in the project review.
    - Changing the need for Mylar to be recorded in the York County Registry of Deeds to 20# White paper which is a new state law.
    - There are several other minor changes as well but nothing that has the impact as those changes above.

The professional consulting team responsible for the recodification underway in town has been reviewing these changes and has made previous comment on them.