

**TITLE: AMENDMENT TO STANDISH TOWN CODE, CHAPTER 181, LAND USE – PART I (ZONING) AND PART 3 (SUBDIVISION REGULATIONS)**

ORDERED, that the Town of Standish hereby ordains the following amendments to the Land a Use Ordinance, effective immediately upon adoption (additions are underlined; deletions are ~~struck out~~).

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**CHAPTER 181  
PART 1 – Zoning**

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**ARTICLE II  
Definitions**

**§ 181-3. Terms defined.**

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BUILDABLE AREA - Land area of a parcel excluding its Unbuildable Area. This area is used in determining the number of lots permitted in a conservation subdivision.

CONSERVATION EASEMENT - A non-possessory interest of a holder in real property imposing limitations or affirmative obligations, the purposes of which include: retaining or protecting natural, scenic or open space values of real property; assuring its availability for agricultural, forest, recreational or open space use; protecting natural resources; or maintaining or enhancing air or water quality of real property.

CONSERVATION SUBDIVISION - An alternative form of residential development where, instead of subdividing an entire tract into lots of conventional size, the same or a similar number of housing units are arranged on lots of reduced dimensions, with the remaining area of the parcel permanently protected as Designated Open Space.

DESIGNATED OPEN SPACE - Reserved land that is permanently protected from further development and remains in a natural condition or is managed according to an approved management plan for natural resource functions, e.g., habitat protection, wildlife corridors, passive recreation, agriculture, forestry or some combination of these.

HISTORIC SITE - Any parcel of land of special significance in the history of the Town or its inhabitants, or upon which an historic event has occurred, and which has been

designated as such in accordance with this Part 5. The term “historic site” shall also include any improved parcel, or part thereof, on which is situated a historic landmark, and any abutting improved parcel, or part thereof, used as and constituting part of the premises on which the historic landmark is situated as may be designated in accordance with Part 5 of this Chapter.

OPEN SPACE PERCENTAGE - The percentage of Buildable Area that is required to be part of Designated Open Space.

PRIMARY CONSERVATION AREA - Those Unbuildable Areas that include steep slopes (20% or more), FEMA determined flood plains, wetlands, and/or surface waters, including streams.

SECONDARY CONSERVATION AREA - Those areas with significant natural features that may include open fields, high value natural areas, prime USDA agricultural soils, mature woodlands, stone walls, treelines, existing historic structures, scenic views into and out of the property, trails and hilltops.

STREAM, 1ST ORDER STREAM - Free flowing drainage path containing a naturally scoured mineral bottom with banks and generally depicted with a blue line on a USGS topographic map.

STREAM, 2ND ORDER STREAM - Downstream of or below where two 1st order streams merge.

TOTAL CONSERVATION AREA – The combined area of Primary Conservation Area plus Secondary Conservation Area.

UNBUILDABLE AREA - Land area that cannot be counted toward the minimum lot size of a proposed lot within a subdivision as set forth in § 181-92, “Land not suitable for development,” as may be amended from time to time.

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## ARTICLE IV General Standards

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### **§ 181-27.1. Conservation development.**

#### **A. Purpose and Administration.**

(1) The purpose of this section is provide for controlled flexibility of lot sizes in residential developments in order that the number of dwelling units contemplated by the lot size and density requirements of the Zoning Ordinance may be generally maintained while preserving productive farming and forestry uses; maintaining ecological productivity; preserving a sense of rural character and open space; harmonizing new residential development with traditional working land, agricultural fields, woodlots, rural and village landscapes; reducing or avoiding development impacts on sensitive high value habitat and natural resources identified in the Town of Standish Comprehensive Plan; and creating opportunities for new recreational land to be available. This technique is permitted, if approved by the Planning Board, in the Rural (RU), Rural Residential (RR), Residential (R), Village Center (VC) and Standish Corner (SCD) zoning districts, subject to the use limitations contained in the Zoning Ordinance district regulations and subject to the Planning Board making a positive finding that the conservation subdivision will achieve one or more of the following purposes:

- (a) Long term protection and conservation of existing natural and other resources and landscapes as may be identified on the Town of Standish Cultural and Historic Resources, Habitat Analysis, Natural Resources, Scenic and Recreational Resources or Water Resources maps prepared by Bill Duffy of Northern Geomantics of varying dates in 2008-2009 or in the Comprehensive Plan, including, but not limited to:
  - (i) State-defined critical areas, and unique natural features located on the parcel to be subdivided;
  - (ii) Historic land use patterns and historic structures;
  - (iii) Points of visual access to or from water bodies, scenic vistas, and points of access to water bodies;
  - (iv) Contiguous stands of mature trees; or
  - (v) Other significant open space areas.
- (b) Preservation of sustainable jobs and traditional rural land uses such as farming and forestry.
- (c) Provision of adequate buffers from exiting town roads and adjoining properties where needed.
- (d) Contribution to Town-wide open space planning by creating a system of permanently preserved open spaces, both within large parcels of land and among such parcels throughout the Town, and by encouraging the creation of linkages between open space areas.
- (e) Conservation of land suitable or actively used for agriculture and forestry uses, particularly where the conservation subdivision borders active agricultural or forestry land or land suitable for the same.
- (f) Maintenance or establishment of compatibility with surrounding land uses and the overall rural character of the Town.

- (g) Creation of choices in the type of uses and type of housing available that will be a long term asset to the Town of Standish, including home based businesses as may be allowed by this Part 1.
- (h) Provide for recreation facilities, including active and passive recreational space, in the most suitable locations.

- (2) A preapplication conference shall be required as set forth in § 181-77(E), as may be amended from time to time.
- (3) Preliminary and final plan review for conservation developments shall be the same as found in the Town’s subdivision regulations, including §§ 181-74 through 181-87, as may be amended from time to time.
- (4) For purposes of this section, the tract or parcel of land involved must be either in single ownership, or the subject of an application filed jointly by the owners of all of the property involved.

B. Maximum Density and Open Space.

- (1) Number of allowable units.

The maximum number of residential units allowed shall be calculated by the following formula:

Total Dwelling Units (TU) Allowed = Total Parcel (TP) minus 5% for street right-of-way reduction minus Unbuildable Area (UA) divided by Minimum Lot Size (MLS)

TU = [(TP x 0.95) – UA] / MLS

<u>TU</u>	<u>= Total Units Allowed</u>	<u>(dwelling units)</u>
<u>TP</u>	<u>= Total Parcel</u>	<u>(acres)</u>
<u>UA</u>	<u>= Unbuildable Area</u>	<u>(acres)</u>
<u>MLS</u>	<u>= Minimum Lot Size</u>	<u>(acres)</u>

Note: When the cumulative total of all road right-of-way of any proposed subdivision exceeds 5% of the Total Parcel area within the subdivision, then the above calculations shall be modified to reduce the Total Parcel area by the actual percentage of proposed road right-of-way.

Note: When the “Total Units Allowed” contains a fractional unit, then the total units may be rounded to nearest whole number, e.g., 3.55 units may be rounded up to 4 units.

(2) Density bonus.

The Planning Board shall grant a density bonus to a developer who proposes one or more of the following as a component of the conservation subdivision, in accordance with the following criteria:

- (a) Public access to useable open space provided by the developer acceptable to the Town such as, but not limited to, public access trails, recreation areas or water bodies, or dedication of land to the Town to meet a public purpose. This provision shall not be met by offerings or dedication of land for roads, utilities and similar facilities serving the development. This bonus shall also require the construction of a multi-use trail system, that may include biking, jogging, walking, snowmobiling, ATV and cross-country skiing uses, within a thirty (30) foot wide easement that connects to all property abutters. This public trail access easement shall be held by a public entity acceptable to the Planning Board. The density bonus for this component is a 10% increase in the “Total Units Allowed.”
- (b) Preservation of environmental qualities by maintaining a minimum one hundred (100) foot wide vegetative buffer between development and 1st order streams, wetlands, wildlife habitat corridors and vernal pools. The density bonus for this component is a 10% increase in the “Total Units Allowed.”
- (c) Preservation of rural character by creating a Total Conservation Area greater than 65% of the development’s entire parcel land area, imposing a permanent conservation easement on said Total Conservation Area or permanently dedicating said Total Conservation Area as open space. Any such Designated Open Space shall contain: farm fields, historic buildings or sites, road side vistas, and preserve other resources depicted on the Town of Standish Cultural and Historic Resources, Habitat Analysis, Natural Resources, Scenic and Recreational Resources or Water Resources maps prepared by Bill Duffy of Northern Geomatics of varying dates in 2008-2009. The density bonus for this component is a 10% increase in the “Total Units Allowed.”
- (d) Extension of public water supply infrastructure to all building lots to be developed within the proposed subdivision. The density bonus for this component is a 10% increase in the “Total Units Allowed.”

C. Open Space.

- (1) Open space set aside. The minimum amount of Designated Open Space that shall be set aside shall be determined by the following formula:

Minimum Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$\text{TO} = ((\text{TP} - \text{PC}) \times \text{OSP}) + \text{PC}$$

<u>TO</u>	=	<u>Minimum Total Open Space Set Aside</u>	(acres)
<u>TP</u>	=	<u>Total Parcel</u>	(acres)
<u>PC</u>	=	<u>Primary Conservation Areas</u>	(acres)
<u>OSP</u>	=	<u>Open Space Percentage</u>	(% of Buildable Area)

- (2) The Designated Open Space shall include at least 60% of the Buildable Area for projects in the Rural (RU) and Rural Residential (RR) Districts, and at least 10% of the Buildable Area for projects in the Residential (R), Village Center (VC) and Standish Corner (SCD) Districts. Any land not suitable for development that is included within the Designated Open Space shall not be counted toward this 60% or 10% requirement.
- (3) Open space areas shall be contiguous, where possible, to allow linking of open space areas throughout the Town.
- (4) The Planning Board may limit the use of any open space at the time of final plan approval where the Planning Board deems it necessary to protect adjacent properties or uses, or to protect sensitive natural features or resources. A proposed change in use of Designated Open Space, other than that specified at the time of plan approval, shall be reviewed by the Planning Board as an amendment to the approved plan.
- (5) Structures and buildings accessory to agriculture, recreation or conservation uses may be erected in Designated Open Space, subject to prior Planning Board approval of these provisions for conservation developments.

D. Design Standards.

- (1) The following design objectives for location of lots and Designated Open Space shall be achieved to the greatest extent feasible in the following prioritized order:
- (a) Within the Rural (RU) and Rural Residential (RR) Districts:
- (i) Primary Conservation Areas in Designated Open Space.

- (ii) Lots on or with access to suitable soils for subsurface wastewater disposal if no public sewer system.
- (iii) Lots within woodlands or, if that is not possible, along far edges of open fields preferably adjacent to woodlands (to enable new construction to be absorbed by natural landscape features).
- (iv) Lots where scenic views from public roadways, as may be identified on the Town of Standish Scenic and Recreational Resources map prepared by Bill Duffy of Northern Geomatics and dated November 25, 2008, are least likely to be interrupted and, where appropriate, the creation of agricultural fields to clear vistas from public roads.
- (v) Essential habitats of rare, threatened or endangered wildlife and rare or exemplary plants and natural communities, as may be identified on the Town of Standish Habitat Analysis map or Natural Resources map prepared by Bill Duffy of Northern Geomatics and dated November 25, 2008 and May 20, 2009, respectively, in Designated Open Space.
- (vi) Stream corridors and wildlife travel corridors with respective vegetative buffers of one hundred (100) feet and three hundred (300) feet width in Designated Open Space.
- (vii) Preservation of cultural features of the rural landscape, including significant trees, stone walls, treelines, and when feasible, historic farmhouses and outbuildings. Significant trees, treelines, stone walls and important natural features not included within Designated Open Space should be incorporated along the edges of individual lots or along a path or road, rather than transected by lot lines or a roadway.
- (viii) High Value Plant and Animal Habitat areas, as may be identified on the Town of Standish Habitat Analysis map or Natural Resources map prepared by Bill Duffy of Northern Geomatics and dated November 25, 2008 and May 20, 2009, respectively, in Designated Open Space.
- (ix) Contiguous, usable area for agriculture or sustainable wood lot production in Designated Open Space.
- (x) Lots where linkage with nearby open space on other properties is not blocked, and when possible, where continuous corridors of natural vegetation are protected in alignment with any adopted local or regional open space plan.
- (xi) Lots avoid slopes exceeding 20% and tops of ridgelines.
- (xii) Lots avoid natural drainage ways.
- (xiii) Prime farmland soils and agricultural soils of State Wide Importance as defined by USDA in Designated Open Space.

- (xiv) Lots where greatest number of units could take maximum advantage of solar heating opportunities provided there is no or minimal conflict with other objectives.
- (b) Within the Residential (R), Village Center (VC) and Standish Corner (SCD) Districts:

  - (i) Primary Conservation Areas in Designated Open Space.
  - (ii) Preservation of cultural features of the village landscape, including stone walls, treelines, and when feasible, historic items/structures of historic interest/importance as may be identified on the Town of Standish Cultural and Historic Resources map prepared by Bill Duffy of Northern Geomatics and dated November 25, 2008.
  - (iii) Lots where linkage with nearby open space on other properties is not blocked, and when possible, where continuous corridors of natural vegetation are protected in alignment with any adopted local or regional open space plan.
  - (iv) Lots within woodlands contained in the parcel or, if that is not possible, along far edges of open fields preferably adjacent to woodlands (to enable new construction to be absorbed by natural landscape features).
  - (v) Lots where scenic views from public roads, as may be identified on the Town of Standish Scenic and Recreational Resources map prepared by Bill Duffy of Northern Geomatics and dated November 25, 2008, are least likely to be blocked or interrupted
  - (vi) Lots where buildings will not interfere with solar access of other properties.
  - (vii) Lots where greatest number of units could be designed to take maximum advantage of solar heating opportunities.
- (2) The following design objectives for the location of buildings on lots to be developed in a conservation development shall be achieved to the greatest extent feasible in the following prioritized order:

  - (a) On buildable land.
  - (b) In locations that protect cultural/historic sites, structures of historic importance, habitat/high value habitat and other resources as may be identified on the Town of Standish Cultural and Historic Resources, Habitat Analysis, Natural Resources, Scenic and Recreational Resources or Water Resources maps prepared by Bill Duffy of Northern Geomatics of varying dates in 2008-2009 or in the Comprehensive Plan.
  - (c) When protecting agricultural areas; in the least suitable agricultural soils and in a manner that maximizes the useable area remaining for the Designated Open Space use, where agricultural, forestry, or recreational, existing or future uses, are particularly sought to be preserved.



- (d) In locations least likely to block or interrupt scenic, historic, and traditional land use views, as seen from public roadways and great ponds.
  - (e) Within woodlands, or along the edges of open agricultural fields adjacent to any woodland to reduce encroachment upon agricultural soils, to provide shade in the summer, and shelter as well as solar gain in the winter, and to enable new residential development to be visually absorbed by natural landscape features.
  - (f) In such manner that the boundaries between residential or business lots and active agricultural or forestry land are well buffered by vegetation, topography, roads, or other barriers to minimize potential conflict between residential or business and agricultural or forestry uses.
  - (g) In locations where buildings may be oriented with respect to scenic vistas, natural landscape features, topography, and natural drainage areas, in accordance with an overall plan for site development.
  - (h) In locations that provide compatibility in terms of physical size, visual impact, intensity of use, proximity to other structures, and density of development with other permitted uses within the land use district.
  - (i) So that individual lots, buildings, street and parking areas shall be designed and situated to minimize alterations of the natural site, to avoid the adverse effects of shadows, noise and traffic on the residents of the site, to conserve energy and natural resources, and to relate to surrounding properties, to improve the view from and of buildings.
- (3) Developers are encouraged to use new construction that is architecturally compatible with items/structures of historical interest in the community or region, such as those cultural and historic features as may be identified on the Town of Standish Cultural and Historic Resources map prepared by Bill Duffy of Northern Geomantics and dated November 25, 2008.

E. Other Standards.

(1) Minimum Lot Size.

Notwithstanding any other provision of this Part 1 relating to minimum lot size, the Planning Board, in reviewing and approving proposed conservation developments, may modify said provisions related to minimum lot size to permit innovative approaches to housing and environmental design; provided, however, that lots located within the shoreland zone shall comply with the minimum lot size requirements of the Shoreland Zoning Ordinance, as applicable, and lots located outside the shoreland zone shall not have their minimum lot size reduced to less than 20,000 s.f. This subsection shall not be construed as granting variances to relieve hardship or practical difficulties.

(2) Frontage.

(a) Street frontage.

Notwithstanding any other provision of this Part 1 relating to minimum frontage, the Planning Board, in reviewing and approving proposed conservation developments, may modify said provisions related to minimum frontage to permit innovative approaches to housing and environmental design; provided, however, that the minimum frontage shall not be reduced to less than fifty (50) feet and there must be adequate access and turnaround to and from all lots by fire trucks, ambulances, police cars and other emergency vehicles. This subsection shall not be construed as granting variances to relieve hardship or practical difficulties.

(b) Shore frontage.

Shore frontage requirements shall not be reduced below the minimum shore frontage required by the Shoreland Zoning Ordinance.

(3) Minimum Setbacks.

Notwithstanding any other provision of this Part 1 relating to minimum setbacks, the Planning Board, in reviewing and approving proposed conservation developments, may modify said provisions related to minimum setbacks to permit innovative approaches to housing and environmental design; provided, however, that the Planning Board shall not reduce the minimum side and rear setback requirement to less than ten (10) feet and shall not reduce the minimum front setback requirement to less than twenty (20) feet. This subsection shall not be construed as granting variances to relieve hardship or practical difficulties.

Shore setback requirements shall not be reduced below the minimum shore setback required by the Shoreland Zoning Ordinance.

(4) Lot Width.

Notwithstanding any other provision of this Part 1 relating to minimum lot width, the Planning Board, in reviewing and approving proposed conservation developments, may modify said provisions related to minimum lot width to permit innovative approaches to housing and environmental design; provided, however, that the Planning Board shall not reduce the minimum lot width requirement to less than fifty (50) feet. This subsection shall not be construed as granting variances to relieve hardship or practical difficulties.

(5) Buffer Between Existing Roads and Building Lots.

Notwithstanding any other provision of this Part 1, a minimum one hundred (100) foot area of Designated Open Space shall separate proposed building lots and existing roads.

F. Open Space Ownership, Use and Maintenance.

(1) Ownership.

The open space shall be owned, preserved and maintained as required by this subsection by any of the following mechanisms or combinations thereof:

- (a) Dedication of open space to the Town of Standish or a suitable land trust, if either is willing to accept the dedication. Evidence that either the Town or a suitable land trust is willing to accept the dedication must be provided to the Planning Board prior to final plan approval.
- (b) Dedication of development rights of open space to a suitable land trust with ownership by a private individual or homeowners' association.
- (c) Ownership of the open space by a homeowners' association that assumes full responsibility for its maintenance with open space protection deed restrictions enforceable by any landowner in the subdivision, any owner of separate land parcels abutting the open space, or the Town.
- (d) Ownership by a private individual with open space protection deed restrictions enforceable by any land owner within the subdivision, any owner of separate land parcels abutting the open space, or the Town. This option may apply only if open space is part of an existing farm, working or not, if there is a future intent to farm by the owner and no land trust is willing to accept dedication of development rights of the open space.

A draft perpetual conservation easement, deed of conveyance or declaration of covenants and restrictions, permanently restricting development of the Designated Open Space, must be included in the conservation development application. Any such dedication or conveyance shall be reviewed by the Town Attorney for legal sufficiency at the applicant's expense.

The deed or other appropriate legal instrument restricting development of the Designated Open Space shall be recorded in the Cumberland County Registry of Deeds prior to or simultaneously with the filing of the conservation subdivision development final plan in said Registry.

(2) Use.

The use of the Designated Open Space within the subdivision shall be limited to uses for passive recreation, or other passive outdoor activities, agriculture, forest management or individual or group septic systems, and for preserving the natural features of the site except concerning open space contiguity as provided in subsection (C)(3) above. Potential uses (e.g., farming) may be by the subdivider, owners, residents or a lessee. The Designated Open Space shall be accessible to the owners or residents of the development, subject to any necessary limitations in connection with the uses of the land (e.g., farming) that may be permitted. The use of any open space may be further limited or controlled at the time of final subdivision approval as necessary to protect adjacent properties.

(3) Management Plan.

The Designated Open Space shall be managed according to a management plan for the Designated Open Space and facilities approved by the Planning Board, which includes, at a minimum, the following:

- (a) Identifies the entity assuming responsibility for stewardship and management of the Designated Open Space, including regular inspections to confirm continued compliance with the terms of the subdivision approval and conservation easement or deed restrictions.
- (b) Includes detailed standards and schedules for maintenance of the Designated Open Space, including maintenance of vegetation.
- (c) Allows for third party maintenance in the event that the maintenance specified under the agreement is not completed and recovery of costs incurred from the designated management entity or the owners of the Designated Open Space within the subdivision.
- (d) Provides that any amendments to the plan shall be reviewed and approved by the Planning Board.
- (e) Prior to the commencement of any timber harvesting, a forest management plan as defined by 36 M.R.S.A. § 573(3-A), as may be amended from time to time, shall be submitted to the Planning Board. The plan must be prepared by a licensed professional forester or a landowner and be reviewed and certified by a professional forester.

(4) Homeowners' Association.

If a homeowners' association is to own the Designated Open Space, it shall be incorporated by the developer prior to final subdivision approval. Covenants for mandatory membership in the association shall be approved by the

Planning Board and included in the deed for each lot or unit. Draft bylaws of the proposed homeowners' association specifying the responsibilities and authority of the association, the operating procedures of the association and providing for proper capitalization of the association to cover the costs of major repairs, maintenance and replacement of common facilities shall also be subject to Planning Board approval. In addition, homeowners' association documents and draft deeds shall be reviewed by the Town Attorney for legal sufficiency at the applicant's expense.

The association's documents shall specify that:

- (a) The association shall have the responsibility of maintaining the Designated Open Space and other private facilities dedicated to the use in common by the development's resident.
- (b) The association shall levy annual charges against all property owners to defray the expenses, if any, connected with maintenance and replacement of the common open spaces and facilities.
- (c) The association shall have the power to place a lien on the property of members who fail to pay dues or assessments.
- (d) The developer shall maintain control of Designated Open Spaces and facilities and be responsible for their maintenance until at least 51% of the development lots or units have been conveyed, with evidence of such completion and sales submitted to an approved by the Planning Board.

G. Plan Notations/Requirements.

- (1) The preliminary and final subdivision plan shall show total number of allowable lot calculations, any density bonus calculations, and open space set aside calculations.
- (2) The final plan shall bear the following notation: "This subdivision was approved as a conservation subdivision development pursuant to § 181-27.1 of the Zoning Ordinance, as may be amended from time to time. Uses on the lots are limited solely to those single-family residential uses that do not require a site plan review, excepting that home occupations as approved by the Planning Board may be permitted. Any lot to be improved with a dwelling unit shall be deed restricted from further subdivision."
- (3) The Designated Open Space shall be shown on the final plan with the following notation: "Designated Open Space shall not be further subdivided or used for future building lots."

- (4) The following areas shall be shown on the final plan: boundaries of Designated Open Space areas; active recreation areas, if any; agricultural areas; and naturally, undisturbed vegetated areas. If public access is to be allowed, those areas are to be clearly marked in the field with signage approved by the Planning Board so as to distinguish between public access areas and non-public access areas.
  
- (5) The Designated Open Space shall be labeled on the final plan as to its use or uses with respect to the portions of the open space that such use or uses apply, ownership, management, method of preservation, and the rights, if any, of the owners in the subdivision to such land or portions thereof. The final plan shall clearly show that the open space land is permanently reserved for open space purposes, indicating if possible the Registry of Deeds recording citation of any conservation easement or deed restrictions required to be recorded to implement such reservations or restrictions.

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### **PART 3 – Subdivision Regulations**

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#### **ARTICLE XV Preliminary Plan**

##### **§ 181-77. Preapplication conference.**

- A. Prior to formal application for approval, the developer may appear before the Planning Board to discuss the proposed development. No binding commitments shall be made between the Town and the developer at this conference. The preapplication meeting, the submittal or review of any sketch plan or any on-site inspection shall not be considered substantive review for purposes of the state savings statute, 1 M.R.S.A. § 302, as may be amended from time to time.

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- E. For a conservation subdivision, the following additional procedures apply:
  - (1) A preapplication conference with the developer shall be completed before any conservation subdivision application is submitted to the Planning Board. This process shall include the developer and the Planning Board. Prior to the preapplication conference, the developer shall submit a sketch plan that shows, in simple sketch form, the proposed layout of streets, lots, buildings and other features in relationship to existing features, such as wetlands,

treelines, steep slopes and include conceptual maps, renderings, and supportive data describing the project proposed by the applicant for initial review and comment. The sketch plan may be based on mostly existing data, including such items as the floodplain maps, wetland maps, zoning map, tax map, USGS topographical map, USDA soils map, and recent public aerial photographs. It shall include the following minimum design concepts:

- (a) Identify Conservation Areas. All Primary and Secondary Conservation Areas and Unbuildable Areas shall be identified and when applicable shall be delineated.
- (b) Locate House Sites. To the maximum extent feasible, house sites shall be located outside of those areas delineated in subsection (a) above. The location of the house sites shall also reflect the design objectives identified in subsection (D) above.
- (c) Align Streets, Common Driveways and Trails. The minimum length and network of road(s) necessary to access each house lot shall be identified. Common driveways shall also be identified. Roads and common driveways shall be located in such a way that avoids or at least minimizes adverse impacts on both primary and secondary conservation areas, e.g., when possible these access ways shall not be located in open fields unless along part of field perimeter or along a tree line. Proposed trails shall be identified where access to the Designated Open Space is appropriate and/or to provide for pedestrian circulation within the development as well as pedestrian access to areas outside the development.
- (d) Identify Lot Lines and Building Envelopes. Lot lines and building envelopes for each house site, or group of homes on a common lot, shall be identified. The placement of lot lines and building envelopes shall give consideration to those areas identified in Step (a) as well as conform to the natural features of the landscape to the greatest extent possible, e.g., follow stone walls, lines of boundary trees, streams. The delineation of lots shall also consider the privacy provided for individual homeowners.

The developer shall also submit a narrative/feasibility report with general information to describe the existing conditions and a full description of the proposed development, including a general proposal for how any Designated Open Space or infrastructure will be managed and maintained. The applicant shall present the sketch plan and make a verbal presentation regarding the site and the proposed conservation subdivision. Following the applicant's presentation, the Planning Board may ask questions, point out potential issues for future discussion, and/or make suggestions that should be incorporated into the subsequent application.

(2) The Planning Board may hold an on-site inspection of the property before or after any conservation subdivision application is submitted to the Planning Board. If so, the applicant shall place flagging at the center line of any proposed streets, and at the approximate intersections of the street center lines and lot corners, prior to the on-site inspection.

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**§ 181-80. Information to accompany plan.**

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Z. For a conservation subdivision, a conceptual long range development plan showing the potential utilization of the lots and the balance of the parcel. The conceptual long range development plan is a sketch plan with no engineering details, intended to be conceptual in nature, to rely on published data about natural resources relevant to the parcel, and to demonstrate that the current subdivision proposal will not compromise important conservation values or the long term development of the parcel as a conservation design subdivision. This plan shall show the relationship of the proposed developed area to the balance of the parcel and to adjacent land. This plan shall analyze the conservation and development potential of parcel and shall identify and delineate future designated open space area(s), and development area(s) in a manner that demonstrates that both the proposed development and the future development can occur so that it conforms to the requirements for conservation design subdivisions and preserves the significant natural resource and conservation values of the entire parcel.