

TOWN OF DURHAM
630 Hallowell Road
Durham, Maine 04222

PRELIMINARY SUBDIVISION PLAN REVIEW CHECKLIST
§250-6.7 - MANDATORY SUBMISSIONS FOR PRELIMINARY PLAN
§§250-6.14 THROUGH 250-6.35 - SUBDIVISION STANDARDS, §250-6.35 - WAIVERS

SUBDIVISION NAME _____ **DATE** _____

Use this checklist with Article 6 of the Durham Land Use Code. It is a guide and does not replace the Code. The applicant should complete the shaded columns by marking each applicable submission as provided or by identifying a written waiver request. The Planning Board will use the checklist for completeness review and substantive review of the applicable subdivision performance and design standards.

Submission timing. Initial preliminary plan applications are due at least 21 days before a regularly scheduled Planning Board meeting; updated or supplemental materials are due at least 14 days before a regularly scheduled meeting (§ 250-6.7).

Copies. Submit five printed copies and one digital PDF of the preliminary plan application and all required materials (§ 250-6.7).

PRELIMINARY SUBDIVISION PLAN REQUIREMENTS		Submitted by Applicant	Waiver Requested (with request form)	Reviewed by Town Planner	Waiver Granted
§ 250-6.6 - PROCEDURAL SUBMISSIONS					
6.6A	Preliminary plan application filed within six months of sketch plan review; preliminary layout approximates the sketch plan		NOT WAIVABLE		NOT WAIVABLE
6.6B	Application fee paid per current Select Board fee schedule		NOT WAIVABLE		NOT WAIVABLE
6.6C	Technical peer review escrow paid per current Select Board fee schedule		NOT WAIVABLE		NOT WAIVABLE
6.6E	Required notice to abutters; certified return receipts or signed evidence of hand delivery provided		NOT WAIVABLE		NOT WAIVABLE
6.6F	Applicant or applicant representative will attend Planning Board meeting at which the preliminary plan is reviewed		NOT WAIVABLE		NOT WAIVABLE
§ 250-6.7 - MANDATORY SUBMISSIONS FOR COMPLETENESS REVIEW					
6.7A	Completed preliminary plan application form and accompanying information				
6.7B	Location map adequate to show the subdivision in relation to adjacent properties & within Durham, including nearby subdivisions, existing/proposed roads, zoning districts, subdivision outline, and any remaining contiguous ownership				

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6.7C	Preliminary plan with dimensions in feet or decimals; scale not more than 1 inch = 100 feet (or 1 inch = 200 feet for subdivisions over 100 acres where detail remains readable)				
C.1	Proposed subdivision name; Town of Durham; Assessor's Map & Lot No.				
C.2	Verification of right, title, or interest by deed, purchase and sale agreement, option to purchase, or other proof				
C.3	Proof that all Town real and personal property taxes are paid on the subject property and any other Durham property owned by the applicant		NOT WAIVABLE		NOT WAIVABLE
C.4	Standard boundary survey certified by a professional land surveyor, with bearings/distances, monumented parcel corners, and all contiguous land in common ownership within the last five years				
C.5	Most recently recorded deed and all deed restrictions, easements, rights-of-way, and other encumbrances affecting the property				
C.6	Any deed restrictions intended to cover all or part of the lots or dwellings in the subdivision				
C.7	Type of sewage disposal; for subsurface systems, test pit analyses by a licensed site evaluator or soil scientist and map of all test pits correlated to proposed lots				
C.8	Type of water supply system(s) for domestic use and fire protection				
C.9	Well exclusion zones based on Maine Subsurface Wastewater Disposal Rules and/or hydrogeologic evaluation of groundwater flows				
C.10	Names and addresses of record owner, applicant, plan preparer, and adjoining property owners				
C.11	Wetland areas delineated on the survey, regardless of size				
C.12	Topo: 5-ft contours for areas left natural & 2-ft contours for areas altered by roads, drainage, & building envelopes; elevations tied to mean sea level				
C.13	Farmland in active agricultural production of 5+ acres and areas of 5+ acres with prime farmland soils or soils of statewide/local importance				

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C.14	Subdivision acreage, property lines, existing buildings, vegetative cover type, and other essential existing physical features				
C.15	All rivers, streams, and brooks within or adjacent to the subdivision; identify any direct great pond watershed				
C.16	Zoning district and any zoning boundaries affecting the subdivision				
C.17	Location and size of existing and proposed culverts and drainageways on or adjacent to the property				
C.18	Location, names, and present widths of existing roads, highways, easements, building lines, parks, & other open spaces on or adjacent to the subdivision				
C.19	Entering & exiting sight distances on existing and proposed roads for each new intersection, calculated per Appendix 1, § 1.4				
C.20	Width and location of existing and proposed roads within the subdivision				
C.21	Proposed lot lines with approximate dimensions and lot areas				
C.22	Land proposed for dedication to public use or common use by subdivision occupants & conditions of dedication				
C.23	Open space or common areas to be created, with general description of proposed ownership, improvement, & management				
C.24	Proposed building envelopes: areas where forest cover may be removed/converted & any proposed restrictions on clearing vegetation				
C.25	If flood-prone: flood hazard boundaries and 100-year flood elevation from the municipal Flood Insurance Rate Map				
C.26	Significant wildlife habitat identified by MDIFW and unique natural areas identified by the Maine Natural Areas Program within or adjacent to the subdivision				
C.27	Historic/archaeological areas within or adjacent to the subdivision that are listed or eligible for the National Register or identified by the Comprehensive Plan or Maine Historic Preservation Commission				
C.28	Proposed means and facilities for collection of solid waste and recycling materials				

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§ 250-6.7D-E - ADDITIONAL STUDIES / INFORMATION (Not Typically Required)					
D.1	High-intensity soil survey by a licensed soil scientist, if required due to project size, site characteristics, proposal characteristics, or issues raised during preliminary review		NOT APPLICABLE		
D.2	Hydrogeologic assessment by a licensed geologist or qualified professional engineer addressing domestic supply, fire-protection supply, groundwater withdrawal/wastewater impacts, and needed well exclusion zones, if required		NOT APPLICABLE		
D.3	Daily and peak-hour traffic trip generation estimate using the most recent ITE Trip Generation Manual or another demonstrated appropriate source, if required		NOT APPLICABLE		
D.4	Traffic impact analysis by a qualified licensed professional engineer for subdivisions projected to generate more than 140 vehicle trips per day		NOT APPLICABLE		
E	Additional information not listed above may be required only when the need is clearly indicated by objective factual analysis and approved by majority vote of the Planning Board		NOT APPLICABLE		
§§ 250-6.14-6.31 - PERFORMANCE AND DESIGN STANDARDS - SUBSTANTIVE REVIEW					
6.15	Pollution: elevation/floodplain, soils and wastewater, slope/effluents, and health-rule concerns addressed through §§ 250-6.16, 6.17, 6.19, 6.24, 6.25, and 6.28				
6.16A-B	Water supply: individual wells protected from contamination; dug wells prohibited; lots designed to accommodate compliant wells and subsurface wastewater disposal areas				
6.16C	Fire-protection water supply: required fire pond/dry hydrant capacity, design, municipal access easement, Fire Department specifications, performance guarantee, or approved NFPA 13D sprinkler substitution				
6.17	Erosion/sedimentation and water bodies: prevent erosion and sedimentation impacts; implement approved controls; protect shoreline vegetation; retain topsoil except permitted surplus				

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6.18A	Transportation: safe and convenient vehicle/bicycle/pedestrian circulation; avoid congestion; roads designed for expected traffic/use/density and to conform to natural topography to the maximum extent practicable				
6.18B	External access: applicable MaineDOT access/traffic permits; affected roads/intersections have adequate capacity or are suitably improved; applicable level-of-service requirements met				
6.18C-D	Internal subdivision roads: coordinate with existing/planned roads; provide appropriate road stubs/connections; road names/signs and right-of-way clearing/cleanup comply; roads meet Appendix 1 design standards				
6.19	Sewage disposal: licensed site evaluator demonstrates compliant disposal area on each lot; no New System Variance; no wastewater disposal easement on another lot				
6.20	Solid waste/recycling: collection occurs within the subdivision; where needed, centralized facility is appropriately located, screened, sized, maintained/owned, and compliant with applicable regulations				
6.21A	Natural beauty/aesthetics: clearing limited by plan/deed restrictions; 50-foot wooded buffer maintained along existing roads for forested sites; additional buffer may be required along adjacent residential property				
6.21B	Open space/natural/historic resources: appropriate protection of unique natural areas and historic/prehistoric resources; reserved open space suitable for intended use				
6.21C	Significant wildlife habitat: where applicable, no adverse impacts; vegetation protection, MDIFW consultation, and any required qualified wildlife-biologist report/mitigation				
6.21D	Shoreland access/protection: existing public shoreline access maintained; applicable shoreland vegetation-clearing limits met				
6.22	Compliance with other provisions: conventional lots meet zoning dimensional requirements; subdivision meets all applicable criteria and design/performance standards in Chapter 250				

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6.23A	Financial capacity: adequate resources to construct proposed improvements and, where applicable, buildings within the proposed construction timeframe				
6.23B	Technical ability: qualified contractors and consultants retained; relevant experience/training and history of compliance support ability to complete required improvements				
6.24A	Groundwater quality: where applicable, hydrogeologic assessment and protective measures demonstrate compliance with primary/secondary drinking-water standards and protect wells/wastewater systems				
6.24B	Groundwater quantity: withdrawals and development do not lower the water table beyond subdivision boundaries; additional drilled-well requirement may apply in documented limited-supply areas				
6.25	Floodplain management: utilities minimize flood damage; adequate drainage; no structures in floodplain; road/drive crossings pass 100-year flows without damage and maintain emergency access; Article 15 compliance				
6.26	Freshwater wetlands, rivers, streams, and brooks identified using required wetland delineation standards and shown on subdivision plans				
6.27	Farmland: active farmland and qualifying prime/unique/state/local-importance farmland soils of 5+ acres identified on application maps				
6.28A-B	Where applicable, stormwater management plan complies with DEP Site Location of Development Act and/or Stormwater Law/Chapter 500 requirements				
6.28C	Where applicable outside a great pond watershed and not subject to SLDA/Stormwater Law permits, erosion and sedimentation control plan meets the 2016 Maine DEP BMP Manual				
6.28D	Runaround Pond watershed: for 800+ linear feet of new road/driveways, phosphorus management plan meets applicable DEP methodology; sub-threshold limitations are shown and enforceable				

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6.28E	Where required due to existing/potential downstream flooding, hydrologic analysis applies the 10% rule and provides retention where flow/velocity or downstream-structure thresholds are exceeded				
6.29	Spaghetti lots prohibited: for lots with shore frontage, lot depth-to-shore-frontage ratio does not exceed 5:1				
6.30	For subdivisions crossing municipal boundaries, no unreasonable traffic congestion or unsafe conditions on public ways in adjoining municipalities				
6.31	Timber harvesting: prior harvesting complies with Maine Forest Service rules; where a liquidation-harvest violation occurred, applicable five-year rule is satisfied				
§ 250-6.32 - OPEN SPACE AND COMMON LAND, FACILITIES AND SERVICES (IF APPLICABLE)					
6.32A-C	Common/open-space ownership and use restrictions comply; final plan identifies land not available for future building lots and any land proposed for municipal dedication				
6.32D-E	Final-plan HOA documents provide required covenants, articles, bylaws, maintenance/assessment/lien authority, developer transition/funding, road maintenance agreement, and Town-enforceable provisions in Town Attorney-approved form				
§ 250-6.33 - CLUSTER DEVELOPMENT ALTERNATIVE (IF APPLICABLE)					
6.33B.1	Overall site plan identifies specific home sites and their relationship to open space, pedestrian paths, and roads; open space is integral to the design rather than leftover land				
6.33B.2	Any reduction in lot size/road frontage does not exceed 50% and is exchanged for common open space without exceeding maximum dwelling-unit count				
6.33B.3-4	Maximum lots and net residential acreage calculated as required, including deductions for roads/easements, flood areas, and unsuitable land				
6.33B.5	Required common open space provided: at least 50% of entire parcel/tract; excludes road rights-of-way; no more than 50% wetlands				
6.33B.6-7	Required shore frontage maintained; where subdivision abuts water, usable shoreline and reasonable access included in common land				

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6.33B.8	Suitable building sites: no building site on slopes >20% within 100 ft of water body or 50 ft of wetland, or on very poorly drained soil				
6.33B.9	Common open space owned and managed in accordance with § 250-6.32				
§ 250-6.35 - WAIVERS					
6.35A	Submission waiver: written findings of special tract circumstances or simple/minor application; applicant demonstrates standards/statutory criteria will be met; public health/safety/welfare protected; waiver does not nullify applicable plans or regulations				
6.35B	Procedural waiver to combine preliminary and final plan review: no new roads; no specified DEP approvals beyond permit-by-rule; stormwater and erosion-control plan waivers granted; all other applicable preliminary/final submissions provided or waived				
6.35C	Performance-standard waiver: special circumstances show improvement is not requisite for public health/safety/welfare or alternative design is equal/better; factual engineering/environmental basis; regulations not nullified; standards/statutory criteria substantially met; waiver noted on recorded plan				