

ARTICLE 5 - SKETCH PLAN MEETING AND SITE INSPECTION

5.1 Purpose.

The purpose of the sketch plan meeting and on-site inspection is for the applicant to present general information regarding the proposed subdivision to the Board and receive the Board's comments prior to the expenditure of substantial sums of money on surveying, soils identification, and engineering by the applicant.

5.2 Sketch Plan Meeting Procedure.

- A. The applicant shall present the Preapplication Sketch Plan and make a verbal presentation regarding the site and the proposed subdivision.
- B. Following the applicant's presentation, the Board may ask questions, point out potential problems or issues for future discussions, and make suggestions to be incorporated by the applicant into the subsequent application. Substantive, lengthy discussions about compliance with review standards or the consideration of waiver requests shall be postponed until the subsequent review of the full application.
- C. The date of the on-site inspection is selected.

5.3 Sketch Plan Submissions.

___ copies of the sketch plan and all supporting materials must be submitted ___ days prior to a regularly scheduled Planning Board meeting, in order to be placed on the Board's agenda. The sketch plan shall show, in simple sketch form, the proposed layout of streets, lots, buildings

The preapplication meeting and on-site inspection allow the applicant and the review authority to exchange information and concerns prior to the applicant's expenditure of large sums of money on consultants. This is the time for the review authority to express general concerns such as traffic or wetlands impacts, or to point out that the applicant is proposing half acre lots in the one acre zone, etc. However, the review authority should not conduct an exhaustive review of whether standards can be met, since it only has sketch information at this stage. The applicant also can not rely upon acceptance of the sketch plan by the Board as any firm indication that all standards can be met by the proposed project.

There is no decision regarding the preapplication meeting and sketch plan. It is an informal meeting prior to the submission of an application. Some Planning Boards have been drawn into situations where they have several preapplication sketch plan meetings where they try to explore and resolve all known issues before allowing the applicant to proceed to the preliminary plan step. This should be avoided, so that substantive review does not begin until an actual preliminary plan application is filed.

The sketch plan need not be an elaborately engineered plan. The best approach is to draw the sketch plan on the assessor's maps, scale permitting. The sketch plan should show the concepts of development, indicating generally the location of lots, roads and other improvements. The sketch plan should also give some information about the site itself such as the general location of wetlands, steep slopes, good views, and type of existing vegetation.

and other features in relation to existing conditions. The sketch plan, which does not have to be engineered and may be a freehand penciled sketch, shall show site conditions such as steep slopes, wet areas and vegetative cover in a general manner. The sketch plan shall be supplemented with a written project narrative, with general information to describe or outline the existing conditions of the site and a full description of the proposed development. The narrative should include general proposals for how any common areas and infrastructure will be managed and maintained. It is recommended that the sketch plan be superimposed on or accompanied by a copy of the Assessor's Map(s) on which the land is located. The sketch plan shall be accompanied by:

- A. A sketch plan application form, and a sketch plan application fee of \$___;
- B. A copy of a portion of the U.S.G.S. topographic map of the area showing the outline of the proposed subdivision; unless the proposed subdivision is less than 10 acres in size.
- C. A copy of that portion of the York County Soil Survey covering the proposed subdivision, showing the outline of the proposed subdivision development, and
- D. A written project narrative as described

5.4 Contour Interval and On-Site Inspection.

Within thirty days of the sketch plan meeting, the Board shall hold an on-site inspection of the property and inform the applicant in writing of the required contour interval on the Preliminary Plan. The applicant shall place flags at the centerline of any proposed streets, and at the

The U.S.G.S. map is helpful in locating the proposed subdivision within the town and providing some information on the topography of the site.

The county soil survey is useful to provide information regarding the general nature of the soils and to alert the review authority and the applicant as to the potential presence of wetlands.

The on-site inspection provides an excellent opportunity for members of the board to become familiar with the site in a manner that can not be matched by reading even the most detailed plans. During the on-site inspection the board should walk over those portions of the property which are proposed for development. While on the inspection, the board should pay close attention to drainage, slope, and indications of soils types; look at the sight distances at proposed intersections or driveways; notice particular views from the property

approximate intersections of the street centerlines and lot corners, prior to the on-site inspection. If the proposed project includes buildings, the approximate corners of building footprints shall be flagged. The Board may choose not to conduct on-site inspections when there is inclement weather or snow on the ground. On-site inspections shall be noticed as required by 1 M.R.S.A. §§401-410, and the public shall be allowed to accompany the Board. Minutes shall be taken in the same manner as for regular meetings.

5.5 Rights not Vested.

The sketch plan meeting, the submittal or review of the sketch plan or the on-site inspection shall not be considered the initiation of the review process for the purposes of bringing the plan under the protection of Title 1 M.R.S.A., §302.

and other amenities (stone walls, old orchards, stands of old trees, etc.) that should be taken advantage of by the applicant; and look for neighboring land uses or conditions which should be taken into account by the design of the subdivision. If there is deep snow on the ground, many of the features which members need to see will not be visible, particularly wetlands and minor drainage areas. Therefore it is recommended that on-site inspections not be held when the ground is covered with snow. Some boards have said that on-site inspections will not be held during December, January, February and March regardless of the snow conditions. When scheduling on-site inspections, keep in mind hunting season, and the safety of the participants.

The board should also remember that the Right to Know Law provisions of Title 1 M.R.S.A., §§401-410 apply to on-site inspections. Therefore notice must be given as required by §406, the public must be allowed to accompany the board and minutes should be taken in the same manner as for regular meetings.

At its next meeting following the on-site inspection, the board should discuss the inspection and note various conditions or features found. The board should then write a letter to the applicant highlighting its findings from the inspection and informing the applicant of the contour interval to be required for the application.

The *Model* does not specify a contour interval that needs to be shown on the plans, leaving it to the discretion of the board to make its decision. Requiring a contour interval of five feet in the mountainous sections of the state can result in an unnecessary burden to the applicant and a plan with contour lines so close together they can not be read. Likewise, requiring a contour interval of ten feet on a flat parcel will result in little useful information. For a subdivision with fairly large lots (greater than two acres) it may not be necessary to have detailed topographic information over the entire development. Perhaps, in that case, two different contour intervals could be specified: one along the areas where development activity will be taking place and another away from those areas.

Title 1 M.R.S.A., §302 is the statute that protects pending applications from changes in the law. Title 1 M.R.S.A., §302 reads, in part,

Actions and proceedings pending at the time of the passage, amendment or repeal of an Act or ordinance are not affected thereby. For the purposes of this section and regardless of any other action taken by the reviewing authority, an application for a license or permit required by law at the time of its filing shall be considered to be a pending proceeding when the reviewing authority has conducted at least one substantive review of the application and not before. For the purposes of this section, a substantive review of an application for a license or permit required by law at the time of application shall consist of a review of that application to determine whether it complies with the review criteria and other applicable requirements of law.

By including Section 5.5 the municipality is indicating that no application has been received, nor reviewed, and that merely having a preapplication meeting does not vest the rights of the applicant from possible subsequent changes in the zoning ordinance or subdivision regulations. It is for this purpose that the *Model* suggests that the requirements for the preapplication meeting and the sketch plan be very simple and not require substantial expenditures by the prospective applicant.

5.6 Establishment of File.

Following the sketch plan meeting the Board shall establish a file for the proposed subdivision. All correspondence and submissions regarding the sketch plan meeting and application shall be maintained in the file.

Title 30-A M.R.S.A., §4403, sub-§1 requires the review authority to maintain a permanent record of all its meetings, proceedings and correspondence.