

## ARTICLE 8 - REVISIONS TO APPROVED PLANS

### 8.1 Procedure.

An applicant for a revision to a previously approved plan shall, at least \_\_\_\_\_ days prior to a scheduled meeting of the Board, request to be placed on the Board's agenda. If the revision involves the creation of additional lots or dwelling units, the procedures for preliminary plan approval shall be followed. If the revision involves only modifications of the approved plan, without the creation of additional lots or dwelling units, the procedures for final plan approval shall be followed.

### 8.2 Submissions.

The applicant shall submit a copy of the approved plan as well as \_\_\_\_\_ copies of the proposed revisions. The application shall also include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of these regulations and the criteria of the statute. The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the title of the subdivision and the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.

### 8.3 Scope of Review.

The Board's scope of review shall be limited to those portions of the plan which are proposed to be changed.

This article provides guidance on how a review authority should handle revisions to previously approved plans. If any lot on an approved plan is divided, or if any lot line is proposed to be changed within an approved plan, the review authority must review and approve the change. It is a violation of the statute to construct or develop a subdivision, or to transfer any lot in a manner other than depicted on an approved plan (Title 30-A M.R.S.A. §4406, sub-§1.E).

The *Model* suggests that revisions which create new lots or dwelling units be reviewed as preliminary plans initially, and those which merely involve moving lot lines, streets or other features, without creating additional lots or dwelling units may be reviewed as final plans.

Whereas the amount and type of information required will vary with the extent of the revisions being proposed, the *Model* does not prescribe any information to be submitted. For instance, if the revision consists of a proposed vertical realignment of a road and appurtenant drainage structures, only a street profile (and possibly new erosion and sedimentation control plans) may be necessary. On the other hand if the revision consists of dividing a large lot in two, creating an additional lot, evidence of adequate water supply and sewage disposal are necessary. It may also be necessary to provide information regarding additional traffic impacts and changes in the storm water management plan to reflect modified grading and increased impermeable area. The review authority should discuss with the applicant the extent and type of information it will require to be submitted.

The statute, in Title 30-A M.R.S.A., §4407, sub-§1 requires the book and page or cabinet and sheet of the original plan to appear on the revised plan when it is recorded at the registry.

Submission of an application for a revision to a previously approved plan is not an opportunity for the review authority to open the book on the whole subdivision. The review authority has the legal authority to consider only the proposed revisions.