

## Section 10: Site Plan/Conditional Use Review

### 10.1 CLASSIFICATION OF PROJECTS

Projects subject to Site Plan/Conditional Use Review shall be classified into two categories, those subject to *Administrative Site Plan/Conditional Use Review* and those subject to *Plenary Site Plan/Conditional Use Review*.

#### 10.1.1 ADMINISTRATIVE SITE PLAN/CONDITIONAL USE REVIEW: Administrative Site Plan/Conditional Use Review is required for the following activities:

1. A one-time construction or expansion of a non-residential parking and driveway area in excess of 810 square feet or three (3) parking spaces.
2. One time construction or expansion of a non-residential or multi-family building or use to a maximum of 2,500 square feet.
3. Excavation or deposition of earth material between 101 and 500 cubic yards per calendar year not associated with construction of a proposed building, and not requiring a Natural Resources Protection Act Permit from the Maine Department of Environmental Protection.
4. Establishment or expansion of a Home Occupation.
5. Installation of new signage or modification of existing signs in excess of thirty (30) square feet in area.

#### 10.1.2 PLENARY SITE PLAN/CONDITIONAL USE REVIEW:

*Plenary Site Plan/Conditional Use Review* is required for all activities subject to Site Plan/Conditional Use review which are not enumerated in Section 10.3.1 above. In addition, the Town Planner may refer an application for a Section 10.3.1 activity to the Planning Board for *Plenary Site Plan/Conditional Use Review* if it is determined that the proposed activity poses significant potential impacts due to highly constrained lot dimensions, off-site traffic, noise, drainage, or lighting.

#### 10.1.3 AMENDMENTS TO APPROVED PLANS:

*Amendments to Approved Plans* are required for any variation from the plans, proposal, supporting documents, and representations, except minor changes described below. Amendments to approved plans are, is subject to review and approval by the Planning Board or Staff Review Committee, as appropriate, and the scope of review shall be limited to the changes proposed. The Town Planner shall be responsible for determining whether a site plan qualifies as an amended site plan. Amendments to approved plans shall follow the same review process as Plenary Site Plan/Conditional Use Review or Administrative/Staff Review where applicable.

#### 10.1.4 MINOR CHANGES TO APPROVED PLANS:

*Minor Changes to Approved Plans* necessary to address field conditions may be approved by either the Town Planner or Code Enforcement Officer provided that any such change does not affect compliance with the performance standards for Site Plan Review criteria outlined in Section 10.6.4 or alter the nature of the proposal. Any such change shall be approved in writing to the Town.

### 10.6.3. PLENARY SITE PLAN/CONDITIONAL USE REVIEW PROCEDURE

1. Sketch Plan Review: Prior to submitting a formal Plenary Site Plan/Conditional Use Application, all applicants are encouraged to present the Planning Board with a preliminary sketch plan of the proposed activity. This informal consultation will assist the applicant in determining the submission requirements necessary to provide a complete application and can identify site issues and constraints that the applicant should resolve prior to submission of the application. No binding decisions shall be made by the Planning Board at this meeting
2. Determination of a Complete Application: Applications will be reviewed for their classification and completeness at the next regularly-scheduled meeting of the Planning Board. The Planning Board shall designate the application as a Complete Application if it includes submission receipts of all relevant State and Federal permits, complete plan submissions as required by this Ordinance, and contains all relevant information necessary to make a reasonable and informed decision. Conversely, if the application is lacking

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data required by the Planning Board, the applicant shall provide the requested information before the application is designated as being Complete. Applications failing to be designated as a Complete

Application within six (6) months from the date of submission to the Planning Board shall be denied by the Board.

3. Public Hearing: Within thirty (30) days of designating a Plenary Site Plan/Conditional Use Review application as a Complete Application, the Planning Board shall conduct a Public Hearing, during which abutters to the proposed project and any other members of the public shall have an opportunity to express their opposition or support for the proposed project. A Public Hearing for an Amended Site Plan/Conditional Use application shall be optional, depending upon the scope of the review. Notification of this Public Hearing shall be sent to all Arundel property owners within a two-hundred (200) foot radius of the applicant's property line, a minimum of seven (7) days prior to the hearing. (Amended June 13, 2018)