ORDINANCE
STANDISH TOWN COUNCIL

TITLE: November 14, 2023
ORDER NUMBER: 96-23 SUBMITTED BY: Deakin

TITLE: AMENDMENTS TO STANDISH TOWN CODE, CHAPTER 181, LAND USE, PART 3: SUBDIVISION REGULATIONS, ARTICLE XVII ENFORCEMENT AND PART 4: ASSESSMENT OF CAPITAL IMPACT FEES, ARTICLE XXIII APPLICABILITY

The Town of Standish hereby ordains the following amendments to Chapter 181, Land Use, Part 3: Subdivision Regulations, Article XVII Enforcement and Part 4: Assessment of Capital Impact Fees, Article XXIII (Additions are underlined and deletions are struck out):

CHAPTER 181 – LAND USE
PART 3: SUBDIVISION REGULATIONS
ARTICLE XVII ENFORCEMENT

§ 181-88. General Provisions.

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F. No building permits shall be issued for any lot in a subdivision until a substantial portion of the improvements, facilities, and services necessary to provide safe and convenient vehicular access, adequate storm drainage, and similar essential improvements, facilities, services as specified in the Planning Board approved plans have been completed for the phase containing the lot, as determined by the Code Enforcement Officer in consultation with the Public Works Director. This shall include, but is not limited to, base course of pavement for new roads, stormwater management infrastructure, and fire protection infrastructure, as applicable. As used herein, the term "substantial" means the stage in the progress of the improvements, facilities, and services when they are sufficiently complete in accordance with the approved plans so that the owner can occupy or utilize the improvements, facilities, and services for their intended use.

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PART 4: ASSESSMENT OF CAPITAL IMPACT FEES
ARTICLE XXIII APPLICABILITY

§ 181-123. Applicability.

A. Residential and nonresidential impact on existing road inventory. If the Planning Board determines that proposed residential or nonresidential development will have a capital expenditure impact on any existing road within Standish, the Planning Board shall assess an impact fee, prior to granting final approval of a given application, for the related improvement of that road. Such Planning Board determination shall be supported by factual findings and testimony from Town department heads, the applicant and any other relevant source in assessing these fees and/or requiring related capital improvements. Any applicable fees required under Part 4 shall be paid to the Town prior to the issuance of any building permit or performance of any work on site for the approved work, whichever comes first. In phased subdivisions, the Planning Board may approve separate impact fees for each phase. All impact fees required for a phase shall be paid, in full, prior to the issuance of any building permit or performance of any approved work within that phase. Any development to occur on roads classified as "D" or "E" as described in Appendix A (existing road inventory) of this Part 4,[1] shall be improved to standards as described in Article XIX, Design Standards, of Part 3 of this chapter.

APPROVED 1/9/24 DISAPPROVED _____

ROLL CALL	YEA	NAY	ABSTAIN
DEAKIN	✓		
GABA	✓		
GARDNER	✓		
LECLERC	✓		
MACRI	Excused		
POMERLEAU	✓		
WATSON	✓		

CLERK/SECRETARY Mary Clem

COUNCIL CHAIR Robert J. Deale

Proposed Timeline:
Introduction: 11/14/2023
First reading: 12/12/2023
Planning Board Public Hearing – TBD
Public Hearing: 1/9/2024