

Article __. Shall an ordinance entitled “Chapter 14 LAND USE ORDINANCE” be amended by adding the underlined language and deleting the language in strikeover type as shown below to Article 11: SUBDIVISIONS?

R. Cluster Development

(3) Requirements:

(B) The proposed development meets all relevant zoning district standards under Article 3, general provisions under Article 5, townwide performance standards under Article 7, and the provisions of Article 11, with the exceptions of:

- (1) Minimum lot size,
- ~~(2) Minimum side setbacks,~~
- ~~(3) (2) Maximum lot coverage,~~
- ~~(4) (3) Minimum lot width,~~
- ~~(5) (4) Street frontage, and~~
- ~~(6) (5) Minimum number of lots in a proposed subdivision;~~

~~(3) (5) Water Supply:~~

Dwelling units in a cluster/planned development may have individual water supplies or may be connected to a common water supply and distribution system, at no expense to the public. ~~The subdivider or applicant shall provide documentation certifying that the water supply will be protected from contamination and able to provide adequate supply for the intended uses. The subdivider or applicant shall provide the written opinion of a State of Maine Licensed Civil Engineer, Hydrologist or Geologist that the water supply will be adequate for the intended use.~~ The subdivider or applicant shall provide the written opinion of a State of Maine Licensed Civil Engineer, Hydrologist or Geologist that the water supply will be adequate for the intended use.

~~(4) (6) Subsurface Wastewater Disposal System~~

~~(5) (7) Common Open Space~~

Discussion

The proposed amendment would:

1. Remove the exemption from side setback requirements so that the setbacks within the development match the setback requirements in the zoning district. This change is being proposed in response to the discussion at Town Meeting and after consultation with the Fire Chief.
2. Remove the requirement that the subdivider or applicant provide documentation certifying that the water supply will be protected from contamination and able to provide adequate supply for the intended uses. That language would be replaced with a requirement for the subdivider or

applicant to provide a written opinion from a State of Maine Licensed Civil Engineer, Hydrologist or Geologist that the water supply will be adequate for the intended use.

3. Correctly re-number the last three subsections.