

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: February 27, 2012  
SUBJECT: Subdivision Ordinance Overhaul

### 2007 Comprehensive Plan

The Comprehensive Plan includes 81 recommendations and approximately 1/3rd of those are high priority. The high priority land use recommendations were packaged into 5 groups. Three of these packages have been completed and adopted by the Town Council. The next package for the Planning Board to prepare follows:

87. Overhaul the Subdivision Ordinance to align state and local subdivision standards of review.

The bulk of the Subdivision Ordinance is largely untouched from its adoption in 1968 and should be updated.

### Town Council referral

As part of its 2012 goals, the Town Council has referred to the Planning Board an overhaul of the Subdivision Ordinance at the December 2011 meeting.

### Areas of Focus

One of the main goals of overhauling the Subdivision Ordinance is to review it for consistency with the State Subdivision rules, which have been amended numerous times since 1968. In particular, the following items are recommended for review:

- Make definition of subdivision consistent with state law (Sec. 16-1-4);
- Merge state and town subdivision standards into 1 section (Sec. 16-1-1 and 16-3-1);
- Review road and other technical standards for update as needed (This section has benefited from the most updates and I do not expect it to need much attention);
- Coordination of submission list with standards;
- More appropriately locate some of the final subdivision procedures.

- Make Performance guarantee procedure consistent with practice/ delegation to town staff; and
- Replace “dated receipt” with “written notification” (Sec. 16-2-4);