

Subdivision Regulations

As Approved 6/27/2010

Application for subdivision approval shall be made on a form approved by the Planning Board as the Municipal Reviewing Authority under Title 30-A Maine Revised Statutes Annotated (M.R.S.A.) §4403. A check made out to Bustins Island Village Corporation in the amount of \$200.00, or other reasonable fee established by the Planning Board in writing after notice and public hearing, shall accompany a subdivision plan application. Plans for subdivisions must be drawn and certified or stamped by a State of Maine registered professional engineer or a State of Maine registered land surveyor and submitted to the Planning Board for approval. All lots created within a subdivision must be at least 20,000 square feet unless another area is specified by the dimensional requirements of Section 4 of the Bustins Island Zoning Ordinance for the zoning district within which they are located. The plan shall show lot dimensions, areas, and such other information as the Planning Board may require to enable it to determine whether the plan meets the review criteria of Title 30-A, M.R.S.A. §4404. The plan shall also show how drainage and waste disposal, if any, are to be provided and indicate the location of water bodies, Wetlands and the Normal High Water Line. The Planning Board may require that the applicant for subdivision approval post a bond to assure that conditions of approval are met.

Lots in subdivisions, which are approved solely for the division of land without any specific proposal for the construction of roads or buildings, may not be developed on any lot without a new subdivision plan application and approval, including a complete review of the original approved subdivision plan. Based on that review and the new application, the applicant proposing further development shall be completely responsible for costs of further requirements for approval including drainage, roads, waste disposal, and other § 4404 approval standards implicated by the proposed plan.

Applications may be submitted to the Planning Board only during the months of May and June.

To the extent permitted by law, except as may otherwise be provided by any applicable BIVC subdivision regulations or subdivision ordinance, the Planning Board and the applicant shall follow the same administrative procedures as in Section 6.8.3 of the Bustins Island Village Corporation Zoning Ordinance for Conditional Use Permits, including the holding of a public hearing with the same notice requirements. In accordance with Section 6.8.3, the Planning Board may attach conditions to its approval of the subdivision plan as long as any such conditions relate to the § 4404 approval standards.

The final plan shall include identification of all terms and conditions of approval adopted by the Planning Board and include the following notation: “The property shown on this plan may be developed and/or used only as depicted on this approved plan. All elements and features of the plan and all representations made by the applicant in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first approved by the Planning Board.”

The applicant shall within 90 days of the Planning Board’s signing of the approved plan with all terms and conditions of approval submit the signed subdivision plan to the Cumberland County Registry of Deeds for recording. The applicant shall then report the book and page number to the Code Enforcement Officer within 60 days of official notification by the Cumberland County Registry of deeds. Failure to record the plan and report the book and page number within the required time shall render approval null and void unless otherwise determined by vote of the planning Board.