

ARTICLE 6. SITE PLAN REVIEW

6.1 Purpose

Large scale development or major land use change can have a profound effect upon the cost and efficiency of municipal services and upon the environment of the Town of Wilton. The regulations and standards contained within the provisions of this Ordinance are sufficient to advance those objectives and to protect the health, safety, convenience and general welfare of the citizens of the Town of Wilton where development involves only the construction of single and two-family dwellings and agricultural buildings; but those regulations need to be supplemented when development involves commercial, retail, industrial, institutional uses or multiple family residential developments.

6.2 Applicability

- A. This Article shall apply to, and site plan review and approval shall be required for, all development proposals for new construction, alterations or change in use to existing commercial, retail, industrial, institutional, recreational uses and structures, multi-family dwellings, topsoil removal and mining activities, their accessory uses and structures and all structures, uses and activities requiring Planning Board review under Table A.
- B. This Article does not apply to detached single or two-family dwelling units, the normal and customary practices involved with forestry and timber management and traditional agricultural operations.
- C. All proposed residential and commercial subdivisions shall be reviewed under the standards and criteria of the Town of Wilton Subdivision Ordinance.

6.3 Administration

A. The following procedures and requirements shall apply to all applications for site plan review:

- 1. All applications for site plan review shall be made in writing to the Code Enforcement Officer on the forms provided for this purpose. The application shall be made by the owner of the property or business or his agent as designated in writing by the owner, and shall be accompanied by the payment of an application fee pursuant to Section 7.3.A.

Any new occupancy of a business into a building location that has been previously approved for a site plan review by the Planning Board is required to apply for an occupancy permit to be reviewed by the Planning Board accompanied by the payment of an application fee pursuant to Section 7.3.A.

The completed application for site plan review, together with the documentation required in these regulations, shall be placed on the Planning Board's agenda for consideration within thirty (30) days of its receipt. However, any application which is determined by the Code Enforcement Officer to be incomplete shall not be placed on the agenda but shall be returned to the applicant by the Code Enforcement Officer with an indication of the additional information required. Within sixty (60) days of the receipt of a completed application, the Board shall act to approve, approve with conditions or disapprove the site plan as submitted or amended. Prior to taking final action on any site plan review application, the Planning Board may hold a hearing to afford the public the opportunity to comment on the application.

2. Abutting property owners shall be notified by mail of a pending application for site plan review. This notice shall indicate the time, date, and place of Planning Board consideration of the application. Failure of an abutter to receive notice does not invalidate Planning Board action on an application.
 3. One copy of the approved site plan shall be included in the application for a Building Permit.
 4. Prior to formal application, an owner or his authorized agent may request an informal review of the site plan by the Planning Board to determine its compliance with Town regulations.
- B. The Planning Board may require the posting, prior to final approval of any plan, of a bond, irrevocable letter of credit or escrow deposit in such amount as is approved by the Planning Board as being reasonably necessary to ensure completion of all improvements described in the site plan or required as conditions of approval of such plan.
- C. The Planning Board may require the owner or his authorized agent to deposit in escrow with the Town an amount of money sufficient to cover the costs for any professional review of the site plan documents which the Board may feel is reasonably necessary to protect the general welfare of the Town. This escrow payment shall be made before the Board engages any outside party to undertake this review and to make recommendations to the Board. Any part of this escrow payment in excess of the final costs for the review shall be returned to the owner or his agent.

6.4 Submission Requirements

- A. When the owner of the property or his authorized agent makes formal application for site plan review, the application shall contain at least the following exhibits and information:
1. A fully executed and signed copy of the application for site plan review.
 2. Two (2) copies of a site plan drawn at a scale sufficient to allow review of the items listed under the preceding general standards, but at not more than 50 feet to

- the inch for that portion of the total tract of land being proposed for development, and showing the following:
- a. Owner's name, address and signature.
 - b. Names and addresses of all abutting property owners.
 - c. Sketch map showing general location of the site within the Town.
 - d. Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.
 - e. The bearings and distances of all property lines and the source of this information. The Board may waive the requirement of a formal boundary survey when sufficient information is available to establish, on the ground, all property boundaries.
 - f. Zoning classification(s) of the property and the location of zoning district boundaries if the property is located in two or more zoning districts.
 - g. Soil types and location of soil boundaries as certified by a registered engineer or soil scientist.
 - h. The location of all building setbacks required by the Zoning Ordinance.
 - i. The location, size, and character of all signs and exterior lighting.
 - j. The lot area of the parcel, street frontage and the zoning requirements for minimum lot size and frontage.
 - k. The location of all existing and proposed buildings (including size and height), driveways, sidewalks, parking spaces, loading areas, open spaces, large trees, open drainage courses, signs, exterior lighting, service areas, easements, and landscaping.
 - l. The location of all buildings within 50 feet of the parcel to be developed and the location of intersecting roads or driveways within 200 feet of the parcel.
 - m. Existing and proposed topography of the site at two foot contour intervals if major changes to the existing topography are being proposed.
 - n. A storm water drainage plan showing:
 - 1) The existing and proposed method of handling storm water runoff.
 - 2) The direction of flow of the run-off through the use of arrows.
 - 3) The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.
 - 4) Engineering calculations used to determine drainage requirements based upon a 10-year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.
 - o. A utility plan showing provisions for water supply and waste water disposal including the size and location of all piping, holding tanks, leach fields, etc.
 - p. Where the plan was prepared by an architect, engineer, surveyor, geologist, soil scientist or other professional licensed or certified and issued a seal by the State of Maine, the preparer's seal shall be affixed to the plan.
3. A planting schedule keyed to the site plan and indicating the varieties and sizes of trees, shrubs, and other plants to be planted on the site.
 4. Building plans showing, as a minimum, the first floor plan and all elevations, together with a schedule detailing the type, color, and texture of all exterior surfacing materials of all proposed principal buildings and structures and all

- accessory buildings and structures.
5. Copies of any proposed or existing easements, covenants, deed restrictions, etc.
 6. Copies of all applicable State approvals and permits, provided, however, that the Board may approve site plans subject to the issuance of special State licenses and permits in cases where it determines that it is not feasible for the applicant to obtain them at the time of site plan review.
- B. The Planning Board may waive any of these requirements when the Board determines that the scale of the project is of such magnitude as to make the information unnecessary.

6.5 Criteria and Standards

- A. The following criteria and standards shall be utilized by the Planning Board in reviewing applications for site plan review. These standards are intended to provide a guide for the applicant in the development of site, use, and building plans as well as a method of review for the Board. These standards are not intended to discourage creativity, invention and innovation.
1. Preservation of Landscape: The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas. No unreasonable adverse effects on wildlife habitat shall be created.
 2. Relation of Proposed Buildings to the Environment: Proposed structures shall be related harmoniously to the terrain and to existing building in the vicinity which have a visual relationship to the proposed buildings. Special attention shall be paid to the scale of the proposed building(s), massing of the structure(s), and such natural features as slope, orientation, soil type, and drainage courses.
 3. Vehicular Access: The proposed site layout shall give special consideration to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization.
 - a. The proposed development shall provide safe vehicular access to and from public and private streets. The applicant for a development to be located on a parcel of land of ten (10) acres or greater or five hundred (500) feet or more of frontage on a public street shall file a conceptual Access Master Plan with the Planning Board. The conceptual Access Master Plan shall address the overall use of the parcel, the overall vehicular circulation system within the parcel and the coordination of access into and out of the site. The conceptual Access Master Plan shall demonstrate how the requirements for access as contained in this section will be met.

After the Conceptual Access Master Plan has been filed with the Planning Board, any application for approval shall be consistent with the plan unless a revised plan is filed.

- 1) Vehicular access to the site shall be on roads which have adequate capacity to accommodate the additional traffic generated by the development. The Planning Board may approve a development not meeting this requirement if the applicant demonstrates that:
 - a) A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard, or
 - b) The applicant shall assume financial responsibility for the improvements necessary and will guarantee the completion of the improvements within one (1) year of approval of the project.
- 2) Any exit driveway or driveway land shall be so designed in profile and grading and so located as to provide the following minimum sight distance measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the exit driveway from distances of between 10 and 15 feet behind the curb line or edge of the shoulder with the height of the eye 3.5 feet to the top of an object 4.25 feet above the pavement.

MINIMUM SIGHT DISTANCE

Posted Speed Limit	
25 mph	250'
30 mph	300'
35 mph	350'
40 mph	400'
45 mph	450'
50 mph	500'
55 mph	550'

- 3) Where more than one business or structure is located on a single parcel, all vehicular access to and from a public or private road shall be via a common access or entrance way(s) serving all business and structures except as provided for herein. When a common access or entrance is provided, a 15 percent reduction in lot area and lot frontage may be granted by the Planning Board.
- 4) The grade of any exit driveway or proposed street for a distance of fifty (50) feet from its intersection with any existing street will be a maximum of three (3) percent.
- 5) The intersection of any access drive or proposed street will function at a Level of Service of C, following development if the project will generate 400 or more vehicle trips per 24-hour period or a level which will allow safe access into and out of the project if less than 400 trips are generated.
- 6) Projects generating 400 or more vehicle trips per 24-hour period will provide two or more separate points of vehicular access into and out of the site.
- 7) The Planning Board may require the applicant to conduct a traffic impact study. In making the determination as to the need for a traffic impact study, the Planning Board shall consider the following:

- a) The proposed development will generate 100 or more peak hour site trips in the peak direction of flow (inbound or outbound).
 - b) The existence of a current safety problem in the area: high accident location, confusing intersection, etc.
 - c) Current or projected capacity deficiencies near the development.
 - d) Sensitive neighborhood areas adjacent to the development.
 - e) The proximity of site drives to other drives or intersections.
- b. Vehicular access to Route 2 & 4 shall comply with the following provisions in addition to the above. Where conflicts exist between this subsection and above, this subsection shall apply.
- 1) Where a proposed development is to be located at the intersection of 2 or 4 and a minor or collector road, entrance(s) to and exit(s) from the site shall be located only on the minor or collector road, provided that this requirement may be waived where the applicant demonstrates that existing site conditions preclude the location of a driveway on the minor or collector road, or that the location of a driveway on the minor or Collector road would conflict with residential areas. When entrance(s) are provided on the minor or collector road, a 15 percent reduction in lot area and lot size may be granted by the Planning Board.
 - 2) Curb cuts or access points shall be limited to one per lot for all lots with less than the required road frontage as of the effective date of this ordinance. For lots with greater than 150 feet of frontage, a maximum of one curb cut per 150 feet of frontage shall be permitted to a maximum of two, provided the Planning Board makes a finding that (a) the driveway design relative to the site characteristics and site design provides safe entrance and exit to the site and (b) no other practical alternative exists.
 - 3) The maximum number of curb cuts to a particular site shall be governed by the following:
 - a) No low volume traffic generator shall have more than one two-way access onto a single roadway.
 - b) No medium or high volume traffic generator shall have more than two two-way accesses in total onto Routes 2 or 4.
 - 4) Curb cut widths and design shall conform to the following standards:
 - a) Low volume driveways: Defined as driveways with less than 50 vehicle trips/day based on the latest edition of the Institute of Traffic Engineers' Trip Generation Report, as the same may be amended from time to time shall:
 - (1) have two-way operation;
 - (2) intersect the road at an angle as close to 90 degrees as site conditions permit, but at no less than 60 degrees;
 - (3) not require a median;
 - (4) slope from the gutter line on a straight slope of 3 percent or less for at least 50 feet, with a slope no greater than 8 percent except where unique site conditions permit a waiving of the slope standard to 10 percent; and
 - (5) comply with the following geometric standards:

NOTE: The Planning Board may vary these standards due to unique factors such as a significant level of truck traffic.

Item	Desired Value (ft.)	Minimum Value (ft.)	Maximum Value (ft.)
R	15-25*	10	15-25*
W	20-30*	20	24-30*

*Upper values apply where major street speed and/or volume is high.

- b) Medium volume driveways with more than 50 vehicle trips/day but fewer than 200 peak hour vehicle trips, based on the latest edition of the Institute of Traffic Engineers' Trip Generation Report, as the same may be amended from time to time, and generally including all land uses not in the low or high volume groups shall:
- (1) have either two-way or one-way operation and be a minimum of 50 feet in length;
 - (2) intersect the road at an angle as close to 90 degrees as site conditions permit, but at no less than 60 degrees;
 - (3) not require a median;
 - (4) slope upward from the gutter line on a straight slope of 3 percent or less for at least 50 feet and a slope of no more than 6 percent thereafter, with the preferred grade being a 4 ½ percent, depending on the site; and
 - (5) comply with the following geometric standards;

NOTE: The Planning Board may vary these standards due to unique factors such as a significant level of truck traffic.

Item	Desired Value (ft.)	Minimum Value (ft.)	Maximum Value (ft.)
ONE WAY			
R1 (radius)	30	25	40
R2 (radius)	5	5	10
W (drive width)	20-24	20	24
TWO WAY			
R	30	25	40
WS	26-36*	24	30-40*

*Where separate left and right exit lanes are desirable.

- c) High volume driveway defined as driveways with more than 200 peak hour vehicle trips and generally 25,000 sq. ft. or more of retail space, or 75,000 sq. ft. or more of office space, or 150,000 sq. ft. or more of industrial space, shall:
- (1) have two-way operations separated by a raised median of 6 to 10 feet in width and be a minimum of 50 feet in length.
 - (2) intersect with the road at an angle as close to 90 degrees as possible but at no less than 60 degrees;
 - (3) be striped for 2 to 4 lanes, with each lane 12 feet wide;
 - (4) slope upward from the gutter line on a straight slope of 3 percent or less for at least 75 feet and a slope of no more than 5 percent thereafter;
 - (5) have a "STOP" sign control and appropriate "Keep Right" and "Yield" sign controls for channelization; signalization may be required. Level of service and traffic signal warrants
 - (6) should be conducted for all high volume drive-ways; and

(7) comply with the following geometric standards;

NOTE: The Planning Board may vary these standards due to unique factors such as a significant level of truck traffic.

Item	Desired Value (ft.)	Minimum Value (ft.)	Maximum Value (ft.)
W/O CHANNELIZATION			
R	50	30	50
R	24	20	26
W	6	6	10
W/CHANNELIZATION			
R	100	75	100
WD	24	20	26
M	6	6	10
WR	20	16	20

*For industrial developments with a high percentage of truck traffic maximum values are desired.

5) Distance from edge of driveway corner (point of tangency) to edge of intersection corner (point of tangency) shall be as follows:

Driveway	Minimum Corner Clearance (feet)	
	Intersection Signalization	Intersection Unsignalization
Low Volume <50-100 trips/day	150	50
Medium Volume >50-100 trips/day <200 trips/hour	150	50
High Volume >200 trips/hour	500	250

6) The minimum distance between driveways shall be measured from the center of the driveways and shall be a function of highway need according to the following table. Where these standards would prohibit access to a lot, the Planning Board shall have the authority to waive the minimum spacing standards.

MINIMUM DISTANCE BETWEEN DRIVEWAYS

Highway Speed	Minimum Spacing
20 mph	85 feet
25 mph	105 feet
30 mph	125 feet
35 mph	150 feet
40 mph	185 feet

45 mph	230 feet
50 mph	275 feet

- 7) Minimum distance between driveways serving the same parcel, measured from point of tangency to point of tangency by type of driveway, shall be as follows:

Driveway Type	Minimum Spacing to Adjacent Driveway by Driveway Type		
	Medium feet	High w/o RT feet	High w/RT feet
Medium Volume	75		
High Volume W/O RT (without right-turn channelization)	75	150	
High Volume W/RT (with right-turn channelization)	75	250	500

- 8) The minimum distance between driveway to property line, as measured from point of tangency shall be:

Driveway Type	Minimum Spacing to Property Line (ft.)
Low Volume	10
Medium Volume	20
High Volume (without right-turn channelization)	75
High Volume (with right-turn channelization)	75

The minimum spacing to property line may be varied if (1) the safest point of access to the site is closer to the property line and (2) there are at least 20 feet of separation between low volume driveways serving adjacent parcels, 40 feet of separation between medium volume driveways, and 150 feet of separation between high volume driveways.

- 9) When the proposed development is to be located on the opposite side of an existing development, the driveway shall be directly opposite of the existing driveway or separated from the opposite driveway by a minimum of seventy-five (75) feet whenever possible.
- 10) When a conversion or expansion of an existing use occurs, access shall be upgraded to comply with these standards. This requirement may be waived upon a written finding that (a) the need to demolish or relocate an existing building on the site or (b) denial of full access to Route 4 where full access presently exists and cannot be provided by Route 4 and/or adjacent side street.
4. Parking and Circulation: The layout and design of all means of vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall consider general interior circulation, separation of pedestrian and vehicular traffic, service, traffic, loading areas, and the arrangement and use of parking areas. These facilities shall be safe and convenient and, insofar as practicable, shall not detract from the proposed buildings and neighboring properties.

- a. Parking areas associated with developments which abut or are accessed by Routes 2 and 4 shall comply with the following provisions.
 - 1) No parking stall shall be directly accessible for Routes 2 and 4.
 - 2) No parking lot or area shall be located closer than 35 feet from the edge of the pavement.
 - 3) A buffer comprised of natural vegetation or landscaping which does not interfere with site distances from driveways shall be maintained from the edge of a road shoulder to the parking area.
 - 4) Where the development will abut an existing or potential parking area, provisions shall be made for internal vehicular connections between parking areas. The vehicular connector shall be a minimum of 20 feet in width and set back a minimum of 60 feet measured from the edge of the pavement to the center line of connector. If internal connections between parking areas are provided, the Planning Board may allow a ten (10) percent reduction in required lot size and street frontage requirements.
 - 5) No loading dock or receiving area shall be located such that it faces Routes 2 or 4 unless the loading dock or receiving area is set back a minimum of 100 feet from the edge of the pavement.
5. Surface Water Drainage: Adequate provisions shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream conditions, or the public storm drainage system. On-site retention and/or absorption shall be utilized to minimize discharges whenever possible. All drainage calculations shall be based on a ten-year storm frequency.

The Project must be designed in conformance with the following, if they apply:

Maine Stormwater Management Law and Maine Stormwater regulations (Title 38 M.R.S.A. 420-D AND 060960 CMR 500 AND 502.

Maine DEP allocations for allowable levels of phosphorus on lake/pond watersheds in the Shoreland Zones.

Maine Pollution Discharge Elimination System Stormwater Program requirements.

6. Utilities: The site plan shall show what facilities are proposed for water supply and waste water disposal. Whenever feasible, electric, telephone, and other utility lines shall be installed underground. Any utility installations above ground shall be located so as to have a harmonious relationship with neighboring properties and the site. Adequate water supply shall be available to meet the demands of the proposed development, including fire protection.
7. Advertising Features: The size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.
8. Special Features: Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas,

and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

9. Exterior Lighting: All exterior lighting shall be designed to minimize adverse impact on neighboring properties and public ways. All lighting shall be directed towards the property and shall be down shielded in a manner to prevent light from shining off the owner's property and/or above the horizontal plane. External lights for signs must be positioned above the sign shining downward and towards the sign or the sign shall be internally lit. Parking lot lighting shall be turned off or minimized one hour after close of business to one hour before opening. (*Amended June 6, 2011*)
10. Emergency Vehicle Access: The development shall provide and maintain convenient and safe emergency vehicle access to all buildings and structures at all times.
11. Landscaping: Landscaping shall be designed and installed to define, soften, or screen the appearance of off-street parking areas from the public right-of-way and abutting properties, to enhance the physical design of the building(s) and site, and to minimize the encroachment of the proposed use on neighboring land uses. Particular attention should be paid to the use of planting to break up parking areas.
12. Fire Protection: The site layout and design shall provide adequate fire protection features.
13. Solid Waste: Adequate provisions shall be made for the removal and disposal of all solid waste and the development must not cause an unreasonable burden on municipal solid waste disposal. Adequate provision shall be made for the lawful transportation, storage and disposal of any hazardous materials as defined by State law.
14. Community Impact: The Planning Board may require the applicant to obtain, at the applicant's expense, a professional review of the impact of the development on off-site public improvements including any new public improvements that may be required to accommodate the development. A one-time "impact fee" may be charged to a new development, by the Town, to accommodate the new development, as determined by the Planning Board through professional review.
15. Water Supply. The development will not have unreasonable adverse effects on the quality or quantity of groundwater.
16. Erosion Control. The development will not cause undue sedimentation or erosion. A soil and water conservation plan reviewed by the Franklin County Soil and Water Conservation District may be required.
17. Pollution Control. The development will not cause undue air or water pollution.
18. Health and Safety. Safe and healthful conditions will be maintained at all times within and about the proposed development.
19. Shore land Protection. The proposed development will conserve visual, as well as actual, points of public access to inland waters.
20. Floodplain Protection. The proposed development will avoid problems associated with floodplain development and use.
21. Performance Standards. All performance standards of this Ordinance which are applicable to the proposed development shall be met. In determining whether a proposed development meets the foregoing standards, the Planning Board shall consider the following factors:
 - a. The need of a particular location for the proposed development;

- b. Access to the site from existing or proposed roads;
- c. The location of the site with respect to floodplains and floodways of rivers or streams;
- d. The amount and type of wastes to be generated by the proposed development and adequacy of the proposed disposal systems;
- e. The impact of the proposed development on the land and adjacent water bodies and the capability of the land and water to sustain such development without degradation;
- f. Existing topographic and drainage features and vegetative cover on the site;
- g. The erosion potential of the site based upon degree and direction of slope, soil type, and vegetation cover;
- h. The impact of the proposed development on transportation facilities;
- i. The impact of the proposed development on local population and community facilities;
- j. The impact of the proposed development on local water supplies; and
- k. The amount of dust, noise, smoke or odors detectable at the lot line.

B. Waivers

Where the Planning Board makes written findings that the applicant will incur an unreasonable economic or other hardship if certain of the criteria or standards of Section 6.4A are strictly applied, the Board may waive the necessity of strict compliance in order to permit a more practical and economical development, provided that the public health, safety and welfare will not be compromised and provided no other standards of this Ordinance are waived. A waiver under this subsection shall not require and shall not be deemed a variance under Section 7.8

6.6 Conditions of Approval

The Planning Board may impose conditions on any site plan approval where the Board finds such conditions are necessary to insure that the development will comply with the criteria and standards of Section 6.4 of this Ordinance. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear 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 submitted to and approved by the Planning Board.

