

ARTICLE VI - RECORDING OF PLATS AND PLANS

A. Signing and Recording of Plats and Plans

1. Endorsement

All approved final plans and plats for subdivisions and land development projects shall be endorsed (signed) by the appropriate Planning Board or Town official as an indication of final approval. Plats and plans for major land developments and major subdivisions shall be signed by the Planning Board chairperson, or in the absence of the chairperson, by the secretary of the Planning Board. Plats and plans for administrative subdivisions and for minor land developments and minor subdivisions shall be signed by the Administrative Officer or his/her designee. All endorsements shall include the date of such endorsement.

No endorsement of plans and plats shall be made until (a) the Administrative Officer has certified in writing that all of the required improvements have been made, or (b) the Finance Director has certified in writing that acceptable improvement guarantees have been received in accordance with the provisions of Article VII.

2. Recording

Upon endorsement, all plans and plats shall be submitted to the Administrative Officer prior to recording and filing in the land evidence records of the Town. The material to be recorded shall include all plat drawings and other pertinent information as indicated on the appropriate Final Plat Checklist in Article XV. A copy of the written decision of the Board, signed by the appropriate Planning Board or Town official, including all conditions of approval, shall also be recorded. No plans, plats or supporting materials shall be recorded until the Administrative Officer has certified, in writing, that all required fees have been paid.

Other parts of the applications record for subdivisions and land development projects, including all meeting records, approved master plan and preliminary plans, site analyses, impact analyses, environmental impact statements, all legal agreements, records of the public hearing and the entire final approval set of drawings shall be kept permanently by the Town departments responsible for implementation and enforcement. One copy shall be kept on file by the Planning Department.

Construction drawings need not be recorded. However, a complete blueline or photocopy set of construction drawings, including street plans and profiles, cross sections, grading plans, drainage plans, landscaping plans, soil erosion and sediment control plans, utility plans and any other construction plans, details and specifications required as a condition of approval shall be filed with the Administrative Officer prior to recording of the plat. One copy of all construction drawings shall be kept by the Department of Public Services.

The Administrative Officer shall notify the statewide "911" emergency authority and the local police and fire authorities servicing the new plat with the information required by each of the authorities.

B. Changes to Recorded Plats and Plans

1. General

For all changes to the approved plans of land development projects or subdivisions subject to these Regulations, an amendment of the final development plans shall be required prior to the issuance of any building permits for construction upon the subject property. Any changes approved to the final plan shall be recorded as amendments to the final plan in accordance with the procedure established for recording of plats and plans as provided in Section A. of this Article, above.

Any changes to approved Institutional Master Plans shall conform to Section C. below.

2. Minor Changes

Minor changes to a land development or subdivision plan shall be approved administratively by the Administrative Officer. The Administrative Officer may, at his/her discretion, authorize such changes without review and approval of the Planning Board and without a public hearing thereon. All such changes shall be made a part of the permanent record of the project application. This provision shall not prohibit the administrative Officer from requesting a recommendation from either the Technical Review Committee or the Planning Board. Denial of the proposed change(s) by the Administrative Officer shall be referred to the Planning Board for review as a major change according to the procedure provided in Section VI(B)(3), below. Upon written authorization of the approval of a minor change by the Administrative Officer, the Zoning Enforcement Officer may issue a building permit for any proposed construction upon the subject property.

For the purpose of these Regulations, the term "minor changes" shall mean any change which, in the opinion of the Administrative Officer, is consistent with the intent of the original approval. Such minor changes shall include, but are not necessarily limited to the following:

- a. Amendments to utility plans which are acceptable to the Town's Public Services Director or to the appropriate utility company;
- b. Lot line revisions which can be reviewed and approved as an administrative subdivision according to the provisions of Article V., Section C.2.;
- c. Amendments to grading plans or drainage plans which are acceptable to the Director of Public Services and which do not require approval of any state or federal reviewing authorities:

- d. Amendments to construction plans which are required because of unforeseen physical conditions on the parcel being subdivided;
- e. Modifications to any construction plans for off-site improvements which are acceptable to the Director of Public Services; or,
- f. Modifications which are required by outside permitting agencies such as, but not limited to the Department of Environmental Management, the Coastal Resources Management Council, and the Department of Transportation.

3. Major Changes

Major changes to a land development or subdivision plan may be approved only by the Planning Board. The procedure for approval of any such major changes shall follow the same review and public hearing process as required for preliminary approval to a major land development and major subdivision as provided in Article V., Section C.4.(j. through m.).

For the purpose of these Regulations, the term "major changes" shall mean changes which, in the opinion of the Administrative Officer, are clearly contrary to the intent of the original approval. Such major changes shall include, but are not necessarily limited to the following:

- a. Changes which would have the effect of creating additional lots or dwelling units for development;
- b. Changes which would be contrary to any applicable provision of the Zoning Ordinance or which require a variance or special use permit from the Zoning Board of Review; or,
- c. Changes which may have significant negative impacts on abutting property or property in the vicinity of the proposed subdivision or land development project.

C. Changes to Approved Institutional Master Plan

1. General

Any proposed changes to the approved Institutional Master Plans pursuant to Section 603 of the Zoning Ordinance, shall be subject to the provisions of this section, prior to the issuance of any building permits for construction upon the subject property.

2. Minor Changes

Minor changes to an approved Institutional Master Plan shall be approved administratively by the Administrative Officer. The Administrative Officer may, at his/her discretion, authorize such changes without review and approval of the Planning Board and without a public hearing thereon. All such changes shall be made a part of the permanent record of the plan. This provision shall not prohibit the Administrative Officer from requesting a recommendation from either the Technical

Review Committee or the Planning Board. Denial of the proposed change(s) by the Administrative Officer shall be referred to the Planning Board for review as a major change according to the procedure provided in Section VI (C)(3) below. Upon written authorization of the approval of a minor change by the Administrative Officer, the Building Official may issue a building permit for any proposed construction upon the subject property.

For the purpose of these Regulations, the term "minor changes" shall mean any change which, in the opinion of the Administrative Officer, is consistent with the intent of the approved Master Plan and which:

- a. Does not result in an increase in building floor area of more than 500 sq. ft.;
- b. Does not result in the net loss of required parking or off-street loading area;
- c. Does not result in a change of use to a use not identified and approved in the Master Plan;
- d. Does not result in a significant increase in intensity of use; and,
- e. Does not result in significant negative impacts on abutting property or property in the vicinity of the institution.

The Administrative Officer shall make all such changes in writing, which shall be made a part of the permanent record of the project application.

3. Major Changes

Major changes to an approved Institutional Master Plan may be approved only by the Planning Board. The procedure for approval of any such major changes shall follow the same review process as required for the Master Plan approval.

For the purpose of these Regulations, the term "major changes" shall mean changes which, in the opinion of the Administrative Officer, are clearly contrary to the intent of the original approval. Such major changes shall include, but are not necessarily limited to, the following:

- a. Changes which would result in new construction on the institution's campus;
- b. Changes in land holdings by the institution;
- c. Changes which would be contrary to any applicable provision of the Zoning Ordinance or which require a variance or Special Use Permit from the Zoning Board of Review; or,
- d. Changes which may have significant negative impacts on abutting property or property in the vicinity of the institution.