TOWN OF FALMOUTH
PRIVATE WAY CHECKLIST
for lots exempt from Section 3.13 of the Zoning Ordinance

NAME_____ Map–Lot_____DATE _____

Under Section 5.27 of the Zoning and Site Plan Review Ordinance, the Planning Board may approve the use of a 50' private way to provide street frontage and access to individual "back lots". **The Board, in its approval may impose conditions and restrictions as outlined in Section 8.3 and 8.7.**

In order to qualify, the lots must be exempt from subdivision review and qualify under Section 3.13.8 Exempt Lots. Submittals shall comply with Section 5.27 of the Zoning Ordinance and other applicable sections of the ordinance as referenced. **This checklist should be completed by the surveyor who prepares the plan**.

The plan(s) shall contain the following information:

_____A Certification of preparation by a registered land surveyor.

_____B. Plan is labeled "Plan of Private Way".

_____C. An approval block for signatures of the Planning Board.

_____D. Delineates proposed way and each lot in their entirety to be served by the private way.

_____E. Documentation of the site's net residential area per Section 5.31.1 of the Zoning Ordinance.

_____F. Documentation that the proposed lots meet the minimum suitable building area under Section 5.31.2 of the Zoning Ordinance.

_____G. The delineation of wetlands, with appropriate buffers and setbacks in accordance with Section 5.38 of the Zoning Ordinance. (Adopted 12/18/01)

_____H. Plan bears note that the Town of Falmouth will not be responsible for the maintenance, repair, or plowing of the private way.

_____I. Plan bears note that further lot divisions are prohibited without prior approval of the Falmouth Planning Board.

_____J. Proposed and existing wells. Well locations on adjacent properties that affect the location of proposed septic systems shall also be located.

_____K. Location of proposed and existing septic areas, nitrate plume locations, and well exclusion zones.

_____L. The applicant shall mark on the plan, lines or dots, in the center of the streets every 100 feet so as to aid in the assignment of numbers to structures subsequently constructed. (Street Addressing Ordinance Adopted 2/22/99)

_____M. Title Block in the lower right-hand corner that includes the name of the property owner, the Town's Map-Lot number and property address.

_____N. Plan note indicating fee ownership in the proposed way.

Additional Documentation:

_____A. Documentation of right, title, or interest in the properties being developed

_____B. Documentation of adequate water supply.

_____C. Three different names for the proposed private way.

_____D. Documentation that the proposed way meets the minimum construction standards listed in Section 5.27.e of the Zoning Ordinance.

If the private way is to provide access to two or more lots (Section 5.27 d):

_____ A. a road maintenance agreement shall be required by the Planning Board. The maintenance agreement shall specify the rights and responsibilities of each lot owner with respect to the maintenance, repair, and plowing of the private way.

_____ B. a street plan (road profile).

_____ C. a cross-section plan.

_____ D. a drainage plan.

_____ E. an erosion & sedimentation control plan meeting the requirements of Section 5.39 of the Zoning Ordinance.

If final approval is granted by the Falmouth Planning Board:

_____ A. the plan shall be recorded by the applicant in the Cumberland County Registry of Deeds within ninety (90) days of the date of Planning Board approval. If not recorded within this time period, the approval shall be void (Section 5.27 f)

_____ B. the owner(s) shall convey to the Town an easement, described by metes and bounds, for sewer purposes over the entire right of way and shall record the easement in the Cumberland County Registry of Deeds and provide the Planning Office with a recorded copy.

_____ C. the maintenance agreement for the private way shall be recorded by the applicant in the Cumberland County Registry of Deeds (5.27 d) with a recorded copy provided to the Planning Department.

_____ D. all corners of the private way shall be located on the ground and marked by appropriate monuments.

_____ E. at least 5 days prior to commencing construction the applicant shall pay an inspection fee of $200 for a one lot private way, or a fee equal to 3% of the estimated cost of improvements for a multiple lot private way (5.27.j)

_____F. a street sign shall be installed at the intersection of the private way and the roadway in accordance with the design and specifications set forth by the Public Works Director. All costs, including the cost of the sign and installation, shall be at the applicant's expense. (Municipal Code, Section 14-72, p. 920)