TOWN OF FALMOUTH
PRIVATE WAY CHECKLIST
for lots exempt from Section 19-18 of the Zoning Ordinance

NAME ______________________ Map–Lot ______ DATE _____________

Under Section 19-60 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 19-119 and 19-123.

In order to qualify, the lots must be exempt from subdivision review and qualify under Section 19-18.8 Exempt Lots. Submittals shall comply with Section 19-60 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 19-64.1 of the Zoning Ordinance.
____F Documentation that the proposed lots meet the minimum suitable building area under Section 19-64.2 of the Zoning Ordinance.
____G The delineation of wetlands, with appropriate buffers and setbacks in accordance with Section 19-71 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 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.
___O. DEP Maine Construction General Permit required if total soil disturbance exceeds 1 acre.

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 19-60.e of the Zoning Ordinance.

If the private way is to provide access to two or more lots (Section 19-60.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 & grading).
___ C. a cross-section plan.
___ D. a drainage plan.
___ E. an erosion & sedimentation control plan meeting the requirements of Section 19-72 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 19-60.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 (19-60.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 $300 for a one lot private way, or a fee equal to 3% of the estimated cost of improvements for a multiple lot private way (19-60.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.