

## **Regulation #6**

Adopted: 5/12/87

Effective: 5/12/87

### SOUTH PORTLAND PLANNING BOARD

### RESOURCE PROTECTION DISTRICT REGULATIONS

Pursuant to Section 2-116 of the South Portland Code of Ordinances and after having held a public hearing, the South Portland Planning Board adopts the following interpretive regulations:

1. The Planning Board requires that with the application for Special Exception for Special Exception or other applications submitted pursuant to Article IX. Resource Protection District RP. of the Code of Ordinances, the applicant must submit data for impact analysis relative to the conditions listed in Section 27-67a(b).
2. The data required for impact analysis shall include nine sets of plans drawn to scale of not more than one inch equals forty (40) feet nor less than one inch equals twenty (20) feet, showing:
  - (a) The nature, location, dimensions, and contours of the area in question; size and location of all existing and proposed structures on the site; location and elevations of streets and other access ways, drainage facilities, water, sewer, and other utility lines; elevations of existing and proposed structures, storage of materials, or fill (as permitted in items 3 and 4 below); existing vegetation and proposed landscaping.
  - (b) A topographic plan certified by a registered land surveyor, civil engineer, or other qualified person, which locates thereon the 100-year floodplain, the floodway, and the floodway fringe elevations.
  - (c) A typical valley cross-section showing the channel of the stream, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and the 100-year floodplain, the floodway, and the floodway fringe elevations.
  - (d) Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
  - (e) Elevation in relation to mean sea level to which any structure has been floodproofed;

- (f) Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria in Section 5-151(2) of the Code of Ordinances.
  - (g) Plans for any walls to be used to enclose space below the base flood level.
  - (h) Certification by a registered professional engineer demonstrating that the proposed development shall meet the conditions listed in Section 27-67a(b).
  - (i) A typical cross-section of any proposed driveway requiring fill.
3. For the purpose of Section 27-67a(b)(4), the term “fill” shall be defined to exclude the following:
- (a) Loaming and seeding (up to a maximum depth of 4” of loam).
  - (b) Backfilling of foundation, utility, and other similar ditches and trenches to the existing grade at the time of adoption of this regulation
  - (c) Grading around foundations necessary to facilitate drainage (up to 12’ away from the foundation and with a maximum slope of ½” per foot.
  - (d) Filling essential in the construction of access drives built to the existing grade at the time of adoption of this regulation, and for access to public ways, as provided under item 4, below.
4. If, in a particular case, the access drive must be constructed at an elevation above the existing grade in order to connect with an existing street, the Planning Board may permit the applicant to use gravel or other fill in the minimum amount necessary to achieve the elevation required for safe access to the property.
5. Any fill proposed to be deposited in the Resource Protection District, as specifically allowed above, must be shown to have some beneficial and necessary purpose and the amount placed shall not be greater than necessary to achieve the purpose demonstrated on the plan (s) submitted by the applicant.
6. Any fill deposited in the Resource Protection District, as specifically allowed above, shall be protected against erosion by vegetation cover, rip-rap, or pavement.
7. Under no circumstances shall filling in the Resource Protection District be permitted to create a buildable lot that would otherwise be undevelopable.