

SECTION 10. PLANNING BOARD REVIEW OF CONDITIONAL USES AND SUBDIVISIONS.

A. Applicability. Land use activities listed as Conditional Uses in Table V-1, Land Uses by District, and subdivisions shall be reviewed by the Planning Board under this Section and Sections 11, 12, and 13, and other Articles and ordinances, as applicable. The Planning Board shall approve a conditional use or subdivision application if the proposal complies with the applicable provisions of this Ordinance. Subdivisions, including mobile home parks and most cluster developments, shall be reviewed as a minor subdivision or a major subdivision according to the following:

- 1. A minor subdivision** contains not more than four (4) lots or dwelling units, and in which no street is proposed to be constructed.
- 2. A major subdivision** contains more than four (4) lots or dwelling units, and/or contains a proposed street, regardless of whether the street is to be dedicated to municipal or private ownership.

B. Administration.

- 1.** The Planning Board shall administer this section and shall review all applications according to the applicable procedures and review criteria.
- 2.** The CEO shall make a preliminary determination of whether the application is complete before the application is placed on the Planning Board's agenda. The Planning Board is responsible for making the final decision concerning whether or not the application is complete.
- 3. The Planning Board may request the applicant to pay into a special account the cost to the Town of hiring independent consulting services for assistance in reviewing the application and to provide project inspection as needed. The fee shall be determined after the Planning Board has secured an estimate of the cost of the services and the applicant has seen the estimate. If the balance in the special account established for the purpose is drawn down by 75%, the Board shall notify the applicant and may require an additional payment to the account. Any balance in the account remaining after a final decision on the application shall be returned to the applicant within 30 days.**