

**TOWN OF FALMOUTH
SHORELAND ZONING PERMIT APPLICATION**

GENERAL INFORMATION

1. APPLICANT	2. APPLICANT'S ADDRESS	3. APPLICANT'S TEL. #
4. PROPERTY OWNER	5. OWNER'S ADDRESS	6. OWNER'S TEL. #
7. CONTRACTOR	8. CONTRACTOR'S ADDRESS	9. CONTRACTOR'S TEL. #
10. LOCATION/ADDRESS OF PROPERTY	11. TAX MAP/PAGE & LOT # AND DATE LOT WAS CREATED	12. ZONING DISTRICT
13. DESCRIPTION OF PROPERTY INCLUDING A DESCRIPTION OF ALL PROPOSED CONSTRUCTION, (E.G. LAND CLEARING, ROAD BUILDING, SEPTIC SYSTEMS, AND WELLS - PLEASE NOTE THAT SITE & BUILDING PLANS ARE REQUIRED.		
14. PROPOSED USE OF PROJECT	15. ESTIMATED COST OF CONSTRUCTION	
16. LOT AREA (SQ. FT.)	17. FRONTAGE ON ROAD (FT.)	
18. SQ. FT. OF LOT TO BE COVERED BY NON-VEGETATED SURFACES	19. ELEVATION ABOVE 100 YR. FLOOD	
20. FRONTAGE ON WATERBODY (FT.)	21. HEIGHT OF PROPOSED STRUCTURE	
22. EXISTING USE OF PROPERTY	23. PROPOSED USE OF PROPERTY	

Rev: 6.25.2009

SHORELAND AND PROPERTY INFORMATION

Note: Questions 24 & 25 apply only to expansions of portions of existing structures which are less than the required setback.

<p>24. A) TOTAL FLOOR AREA OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89:</p> <p>_____ SQ. FT.</p> <p>B) FLOOR AREA OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/1/89 TO PRESENT:</p> <p>_____ SQ. FT.</p> <p>C) FLOOR AREA OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK:</p> <p>_____ SQ. FT.</p> <p>D) % INCREASE OF FLOOR AREA OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/1/89:</p> <p>(% INCREASE = $\frac{B+C}{A} \times 100$)</p> <p>_____ %</p>	<p>25. A) TOTAL VOLUME OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK AS OF 1/1/89:</p> <p>_____ CUBIC FT.</p> <p>B) VOLUME OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK FROM 1/1/89 TO PRESENT:</p> <p>_____ CUBIC FT.</p> <p>C) VOLUME OF PROPOSED EXPANSION OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK:</p> <p>_____ CUBIC FT.</p> <p>D) % INCREASE OF VOLUME OF ACTUAL AND PROPOSED EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK SINCE 1/1/89:</p> <p>(% INCREASE = $\frac{B+C}{A} \times 100$)</p> <p>_____ %</p>
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NOTE: IT IS IMPERATIVE THAT EACH MUNICIPALITY DEFINE WHAT CONSTITUTES A STRUCTURE, FLOOR AREA, AND VOLUME AND APPLY THOSE DEFINITIONS UNIFORMLY WHEN CALCULATING EXISTING AND PROPOSED SO. FT. AND CU. FT.

PLANS

PLEASE INCLUDE A PLAN SHOWING:

LOT LINES; AREA TO BE CLEARED OF TREES AND OTHER VEGETATION; THE EXACT POSITION OF PROPOSED STRUCTURES, INCLUDING DECKS, PORCHES, AND OUT BUILDINGS WITH ACCURATE SETBACK DISTANCES FROM THE SHORELINE, SIDE AND REAR PROPERTY LINES; THE LOCATION OF PROPOSED WELLS, SEPTIC SYSTEMS, AND DRIVEWAYS; AND AREAS AND AMOUNTS TO BE FILLED OR GRADED. SHOW SCALE: _____ = _____ FT.

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| <ul style="list-style-type: none"> • IF THE PROPOSAL IS FOR THE EXPANSION OF AN EXISTING STRUCTURE, PLEASE DISTINGUISH BETWEEN THE EXISTING STRUCTURE AND THE PROPOSED EXPANSION. • PROVIDE FLOOR PLANS AND ELEVATION PLANS OF ALL SIDES, ON SEPARATE 8-1/2 x 11 SHEETS. |
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NOTE: FOR ALL PROJECTS INVOLVING FILLING, GRADING, OR OTHER SOIL DISTURBANCE YOU MUST PROVIDE A SOIL EROSION CONTROL PLAN DESCRIBING THE MEASURES TO BE TAKEN TO STABILIZE DISTURBED AREAS BEFORE, DURING AND AFTER CONSTRUCTION (See attached guidelines)

ADDITIONAL PERMITS, APPROVALS, AND/OR REVIEWS REQUIRED

CHECK IF REQUIRED:

- ☐ PLANNINGBOARD REVIEWAPPROVAL
(e.g. Subdivision, Site Plan Review)
 - ☐ BOARD OF ZONING APPEALS REVIEW
APPROVAL
 - ☐ FLOOD HAZARD DEVELOPMENT
PERMIT
 - ☐ EXTERIOR PLUMBING PERMIT
(Approved HHE 200 Application Form)
 - ☐ DEP PERMIT (Site Location,
Natural Resources Protection Act)
 - ☐ ARMY CORPS OF ENGINEERS PERMIT
(e.g. Sec. 404 of Clean Waters Act)
 - ☐ INTERIOR PLUMBING PERMIT

NOTE: APPLICANT IS ADVISED TO CONSULT WITH THE CODE ENFORCEMENT OFFICER AND APPROPRIATE STATE AND FEDERAL AGENCIES TO DETERMINE WHETHER ADDITIONAL PERMITS, APPROVALS, AND REVIEWS ARE REQUIRED

NOTE: THIS INSPECTION SCHEDULE DOES NOT ENSURE COMPLIANCE WITH BUILDING CODES, BUT IS DESIGNED TO ENSURE COMPLIANCE WITH THE LAND USE LAWS OF THE TOWN OF FALMOUTH MAINE.

SITE INSPECTION SCHEDULE

PRIOR TO CLEARING AND EXCAVATION DATE _____ CEO _____

PRIOR TO FOUNDATION POUR	DATE	CEO
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PRIOR TO FINAL LANDSCAPING DATE _____ CEO _____

PRIOR TO OCCUPANCY DATE _____ CEO _____

SHORELAND ZONING PERMIT

I CERTIFY THAT ALL INFORMATION GIVEN IN THIS APPLICATION IS ACCURATE. ALL PROPOSED USES SHALL BE IN CONFORMANCE WITH THIS APPLICATION AND THE TOWN OF FALMOUTH MAINE SHORELAND ZONING ORDINANCE. I AGREE TO FUTURE INSPECTIONS BY THE CODE ENFORCEMENT OFFICER AT REASONABLE HOURS.

APPLICANT'S SIGNATURE

DATE

AGENT'S SIGNATURE (if applicable)

DATE

APPROVAL OR DENIAL OF APPLICATION

MAP _____ LOT _____ #

(For Office Use Only)

THIS APPLICATION IS: ___APPROVED ___DENIED PERMIT #_____

IF DENIED, REASON FOR DENIAL:

IF APPROVED, THE FOLLOWING CONDITIONS ARE PRESCRIBED:

NOTE: IN APPROVING A SHORELAND ZONING PERMIT, THE PROPOSED USE SHALL COMPLY WITH THE PURPOSES AND REQUIREMENTS OF THE SHORELAND ZONING ORDINANCE FOR THE TOWN OF FALMOUTH MAINE.

CODE ENFORCEMENT OFFICER

DATE

PERMIT NO.

DATE OF ISSUE:

RECIPIENT:

MAP & LOT #

FEE AMOUNT \$

SHORELAND ZONING PERMIT CHECKLIST

CHECKOFF FOR ALL STRUCTURES:

- ☐ COMPLETE SHORELAND ZONING PERMIT APPLICATION
- ☐ PAY APPROPRIATE FEE
- ☐ LOT AREA
- ☐ % OF LOT COVERED BY NON-VEGETATED SURFACES
- ☐ HEIGHT OF STRUCTURE
- ☐ SETBACK FROM HIGH WATER LINE
- ☐ ELEVATION SETBACK FROM SIDE AND REAR LOT LINES
- ☐ % INCREASE OF EXPANSIONS OF PORTION OF STRUCTURE WHICH IS LESS THAN REQUIRED SETBACK
- ☐ COPY OF INTERIOR AND EXTERIOR PLUMBING PERMITS
- ☐ COPY OF DEED
- ☐ ELEVATION OF LOWEST FLOOR TO 100 YEAR FLOOD ELEVATION
- ☐ COPY OF ADDITIONAL PERMIT(S) AS REQUIRED
(See Page 5 of Application Form)
- ☐ SOIL EROSION CONTROL PLAN PROVIDED

CHECKOFF FOR FURTHER REVIEW:

- ☐ COPY OF FILE TO BOARD OF APPEALS IF VARIANCE OR SPECIAL EXCEPTION IS REQUIRED
- ☐ COPY OF FILE TO PLANNING BOARD IF PLANNING BOARD REVIEW IS REQUIRED

CHECK OFF FOR SITE VISITS BY CEO:

- ☐ PRIOR TO CLEARING AND EXCAVATION
- ☐ PRIOR TO FOUNDATION POUR
- ☐ PRIOR TO FINAL LANDSCAPING
- ☐ PRIOR TO OCCUPANCY

SHORELAND ZONING SPECIAL PERMIT

NOTE: WHERE THE SHORELAND ZONING ORDINANCE REQUIRES A VARIANCE, A CONDITIONAL USE, OR SPECIAL EXCEPTION BY THE BOARD OF APPEALS OR THE PLANNING BOARD, THEN THIS SPECIAL PERMIT SHALL BE COMPLETED BY THE APPROPRIATE BOARD AND ATTACHED TO THE SHORELAND PERMIT APPLICATION.

PROPERTY OWNER	ADDRESS OF PROPERTY

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

BOARD OF ZONING APPEALS _____
PLANNING BOARD _____

CONDITIONS: See standard conditions (attached)

NOTE:

The Findings of Fact and the Conditions of Approval should include the reasons why the special permit was granted and specific conditions which clearly define the scope of the use. In reviewing a request for a variance, Boards of Appeal shall apply the "Undue Hardship" criteria printed on the back of this page. In reviewing a request for a conditional use or a special exception, Planning boards shall apply the standards of review provided in the local ordinance.

APPROVED BY: _____ DATE _____

NOTICE TO APPLICANT:

I HAVE READ AND ACCEPT THE CONDITIONS OF THIS SPECIAL PERMIT.

APPLICANT _____ DATE _____

"Undue Hardship" Criteria for Granting Variances

Under Title 30-A, M.R.S.A. Section 4353(4), a Board of Appeals may grant a variance only when strict application of the ordinance to the petitioner and the petitioner's property would cause "undue hardship." The term "undue hardship" is defined as:

- ☐ A. The land in question cannot yield a reasonable return unless a variance is granted;
- ☐ B. The need for a variance is due to the unique circumstances of the property and not the general condition in the neighborhood;
- ☐ C. The granting of a variance will not alter the essential character of the locality; and
- ☐ D. The hardship is not the result of action taken by the applicant or a prior owner.

STANDARD CONDITIONS OF APPROVAL FOR ALL PROJECTS

1. A copy of this permit must be posted in a visible location on your property during development of the site, including construction of the structures approved by this permit.
2. This permit is limited to the proposal as set forth in the application and supporting documents, except as modified by specific conditions adopted by the Planning Board or Code Enforcement Officer in granting this permit. Any variations from the application or conditions of approval are subject to prior review and approval by the Planning Board or Code Enforcement Officer. Failure to obtain prior approval for variations shall constitute a violation of the ordinance.
3. A substantial start (30% of project based on estimated cost) of construction activities approved by this permit must be completed within one (1) year of the date of issue. If not, this permit shall lapse, and no activities shall occur unless and until a new permit is issued.
4. The water body and wetland setbacks for all principal and accessory structures, driveways, and parking areas must be as specified in the application, or as modified by the conditions of approval.
5. In the event the permittee should sell or lease this property, the buyer or lessee shall be provided with a copy of the approved permit and advised of the conditions of approval.
6. Once construction is complete, the permittee shall notify the Code Enforcement Officer that all requirements and conditions of approval have been met. Following notification, the Code Enforcement Officer may arrange and conduct a compliance inspection.

STANDARD CLEARING CONDITIONS

The following shall apply to vegetation clearing for all activities within the shoreland zone.

1. A vegetative buffer strip shall be retained within 100 feet of a great pond or river flowing to a great pond, and within 75 feet of other water bodies, wetlands, and tributary streams.
2. Within the buffer strip(s) there shall be no cleared opening greater than 250 square feet in the forest canopy as measured from the outer limits of the tree crown. A winding footpath is permitted, provided it does not exceed ten (10) feet in width as measured between tree trunks, and does not provide a cleared line of sight to the water. Adjacent to great ponds and rivers flowing to great ponds, the width of the footpath is limited to six (6) feet.
3. Selective cutting of trees within the buffer strip(s) is permitted provided that a well-distributed stand of trees and other vegetation is maintained. Not more than 40% of the total volume of trees four (4) inches or more in diameter, measured at 4 1/2 feet above ground level, may be removed in any ten (10) year period.
4. Within the buffer strip(s) adjacent to great ponds, and rivers and streams flowing to great ponds, existing vegetation under three (3) feet in height and other ground cover shall not be removed, and the soil shall not be disturbed, except to provide for a footpath or other permitted use.
5. Within the buffer strip(s) pruning of tree branches is prohibited, except on the bottom 1/3 of the tree provided that tree vitality will not be adversely affected.
6. Within the buffer strip(s), in order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings in excess of 250 square feet, these openings shall be replanted with native tree species. When removal of such trees appears necessary, the permittee is advised to consult with the Code Enforcement Officer prior to tree removal.
7. Within the shoreland zone, but outside the 75 feet or 100 foot buffer strip(s) described in Standard #1 above, not more than 40% of the total volume of trees four (4) inches or more in diameter, measured 4 1/2 feet above ground level, may be removed in any ten (10) year period. In no instance shall cleared openings exceed, in the aggregate, 10,000 square feet or 25% of the lot area, whichever is greater, including land previously cleared.
8. Legally existing cleared openings which exceed the above standards may be maintained, but shall not be enlarged except as permitted by the ordinance.
9. Where natural vegetation is removed it shall be replaced by other vegetation (except for areas to be built upon) that is effective in preventing erosion and retaining natural beauty.