



## TOWN OF STANDISH PLANNING DEPARTMENT

175 Northeast Road

Standish, Maine 04084

Phone: (207) 642-3461

Fax (207) 642-5181

This Standish **Shoreland Zoning Application** form must be completed and accompany the application material at time of submission to the Standish Planning Board. Incomplete/inaccurate applications will not be accepted.

1) Name of Applicant: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Name of Applicant's Authorized Agent: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Name and Registration # of Land Surveyor, Engineer, Architect or Others Preparing Plan:

\_\_\_\_\_

Address: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Person and Address to Which all Correspondence Regarding this Application Should be Sent:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail: \_\_\_\_\_

2) What Legal Interest does Applicant Have in This Property? Submit Copy of Right Title or Interest.

☐ Ownership ☐ Option ☐ Purchase and Sales Contract ☐ Other \_\_\_\_\_

### **LAND INFORMATION**

3) Location of Property (Street Location) \_\_\_\_\_

(From County Registry of Deeds): Book \_\_\_\_\_ Page \_\_\_\_\_ (from Tax Maps): Map \_\_\_\_\_ Lot(s) \_\_\_\_\_

Has This Land Been Part of a Prior Approved Shoreland Zone Application? ☐ Yes ☐ No

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I certify that the information submitted for this application is true and correct. All proposed uses will be in conformance with the application and the Standish Zoning Ordinance.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**The application fee is non-refundable.** The time limit on this application is 90 days from the first meeting. Non extensions will be given unless the delay is caused by a governmental agency.

Standish Shoreland Zoning Code § 237-16. Administration. F. *Expiration of shoreland zoning approval. (1) Following the issuance of shoreland zoning approval by the Code Enforcement Officer or the Planning Board, the owner of the approval shall apply, within 180 calendar days of the date of approval, for the necessary permits to start the approved project or the shoreland zoning approval shall lapse and become void. (2) Following the issuance of a permit, if no substantial start, as defined in § 237-17, is made in construction or in the use of the property within one year of the date of issuance of the permit, the permit shall lapse and become void.*

#### APPLICATION GUIDELINES

To expedite your application through the Planning Board process, please read all pages of the application and complete the form using these guidelines. Return **12 copies** of the completed application, plans and all information requested to the Planning Department at least **21 days prior** to the meeting at which you wish to be reviewed. If you need assistance or have any questions, please contact us at 642-3461.

A Complete application package should include the following forms: Application form, 2 checklists, Standish fee schedule, and Meeting & submission schedule.

There are several pages with this application. **Elements checklist**, deals with information that needs to appear on the site plan that you submit with your application. It is best to make the site plan as clear and complete as possible so the Planning Board has an accurate depiction of your property. The **Standard Condition of Approval Checklist** is information on how your proposal will affect the surrounding area. These standards, should be addressed in a brief letter to the Planning Board. This letter should explain how each standard will occur as a result of your proposal. The above information must be provided before the application will be accepted.

Anyone submitting an application to the Planning Board should be aware that the following language is a “standard condition of approval” and will be read and become part of the Board’s final approval.

*“This approval is dependant upon, and limited to, the proposals and plans contained in the application and supporting documents submitted and affirmed by the applicant, (either orally or in writing), and that any variation from the plans, proposals is subject to review and approval by the Planning Board, except for minor changes which the Code Enforcement Officer may approve.”*

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### Shoreland Zoning Plan Elements Checklist

§ 181-71. Elements. [Amended 10-14-2003 by Order No. 138-03]

The final site plan shall be drawn to a scale of not less than one inch equals 50 feet and shall contain the following:

- \_\_\_ The name and address of owner and applicant.
- \_\_\_ The scale and North arrow.
- \_\_\_ The exact dimensions and acreage of parcel to be built upon. Please include a copy of the deed.
- \_\_\_ Contours at intervals of not less than two feet.
- \_\_\_ The building envelopes / setbacks per zoning regulations including side and rear lot lines.
- \_\_\_ The size, shape and location of existing and proposed buildings. Architectural drawings of proposed buildings shall be attached to the site plan.
- \_\_\_ The location and dimensions of parking areas, driveways, walks, patios and decks.
- \_\_\_ The Distance to the high-water mark from the closest point of all existing and proposed structures plus setbacks from side and rear lot lines.
- \_\_\_ The location of all existing and proposed easements and rights-of-way.
- \_\_\_ The location and size of existing and proposed septic systems, culverts and storm drains.
- \_\_\_ Location of natural features such as watercourses, marshes, rock outcroppings and trees.
- \_\_\_ The landscape plan showing the location and types of plantings adequate to determine the percent of lot covered by non-vegetated surfaces.
- \_\_\_ Elevation of lower floor to 100 year flood elevation

Waiver or modification of elements.

The Planning Board may waive or modify the elements to be shown on the final site plan if in its judgment such waiver or modification will not defeat the purposes of this review

## Shoreland Zone **Standard Conditions of Approval** checklist

Conditions for approval are listed in §237-16 D. (3) items “a” through “h”.

### § 237-16. Administration.

#### C. Permit application.

- (1) Every applicant applying for approval under this chapter shall submit 12 copies of the site plan of the proposed development to the Planning Board Administrator. Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the appropriate official as indicated in § 237-14.
- (2) All applications shall be signed by the owner or owners of the property or other person authorizing the work, certifying that the information in the application is complete and correct. If the person signing the application is not the owner or lessee of the property, then that person shall submit a letter of authorization from the owner or lessee.
- (3) All applications shall be dated, and the Code Enforcement Officer or Planning Board, as appropriate, shall note upon each application the date of its receipt.
- (4) If the property is not served by a public sewer, a valid plumbing permit or a completed application for a plumbing permit, including the site evaluation approved by the Plumbing Inspector, shall be submitted whenever the nature of the proposed structure would require the installation of a subsurface sewage disposal system.

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#### D. Procedure for administering permits.

- (1) Within 35 days of the date of receiving written application, the Planning Board or Code Enforcement Officer, as indicated in § 237-14, shall notify the applicant in writing either that the application is a complete application, or, if the application is incomplete, that specified additional material is needed to make the application complete. The Planning Board or the Code Enforcement Officer, as appropriate, shall approve, approve with conditions, or deny all permit applications in writing within 35 days of receiving a completed application. However, if the Planning Board has a waiting list of applications, a decision on the application shall occur within 35 days after the first available date on the Planning Board's agenda following receipt of the completed application, or within 35 days of the public hearing, if the proposed use or structure is found to be in conformance with the purposes and provisions of this chapter.
- (2) The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of this chapter.
- (3) **After the submission of a complete application to the Planning Board, the Board shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:**
  - (a) Will maintain safe and healthful conditions;
  - (b) Will not result in water pollution, erosion, or sedimentation to surface waters;
  - (c) Will adequately provide for the disposal of all wastewater;
  - (d) Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
  - (e) Will conserve shore cover and visual, as well as actual, points of access to inland waters;
  - (f) Will protect archaeological and historic resources as designated in the Comprehensive Plan;
  - (g) Will avoid problems associated with floodplain development and use; and
  - (h) Is in conformance with the provisions of § 237-15, Land use standards.
- (4) If a permit is either denied or approved with conditions, the reasons as well as conditions shall be stated in writing. No approval shall be granted for an application involving a structure if the structure would be located in an unapproved subdivision or would violate any other local ordinance or regulation or any state law which the municipality is responsible for enforcing.

Below are portions of the Standish Shoreland Zoning code relevant to permitting of a foundation.

§ 237-12. Nonconformance.

C. Nonconforming structures.

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(1) *Expansions. A nonconforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the nonconformity of the structure and is in accordance with Subsection C(1)(a) and (b) below.*

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(a) *After January 1, 1989, if any portion of a structure is less than the required setback from the normal high-water line of a water body or upland edge of a wetland, that portion of the structure shall not be expanded, as measured in floor area or volume, by more than 30% during the lifetime of the structure.*

(b) *Construction or enlargement of a foundation beneath the existing structure shall not be considered an expansion of the structure, provided:*

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**[1] The structure and new foundation are placed such that the setback requirement is met to the greatest practical extent as determined by the Planning Board or its designee, basing its decision on the criteria specified in Subsection C(2), Relocation, below;**

**[2] The completed foundation does not extend beyond the exterior dimensions of the structure; and**

**[3] The foundation does not cause the structure to be elevated by more than three additional feet.**

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(2) *Relocation.*

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(a) *A nonconforming structure may be relocated within the boundaries of the parcel on which the structure is located, provided that the site of relocation conforms to all setback requirements to the greatest practical extent as determined by the Planning Board, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of state law and the State of Maine Subsurface Wastewater Disposal Rules (Rules), or that a new system can be installed in compliance with the law and said Rules. In no case shall a structure be relocated in a manner that causes the structure to be more nonconforming.*

(b) ***In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.***

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(3) *Reconstruction or replacement.*

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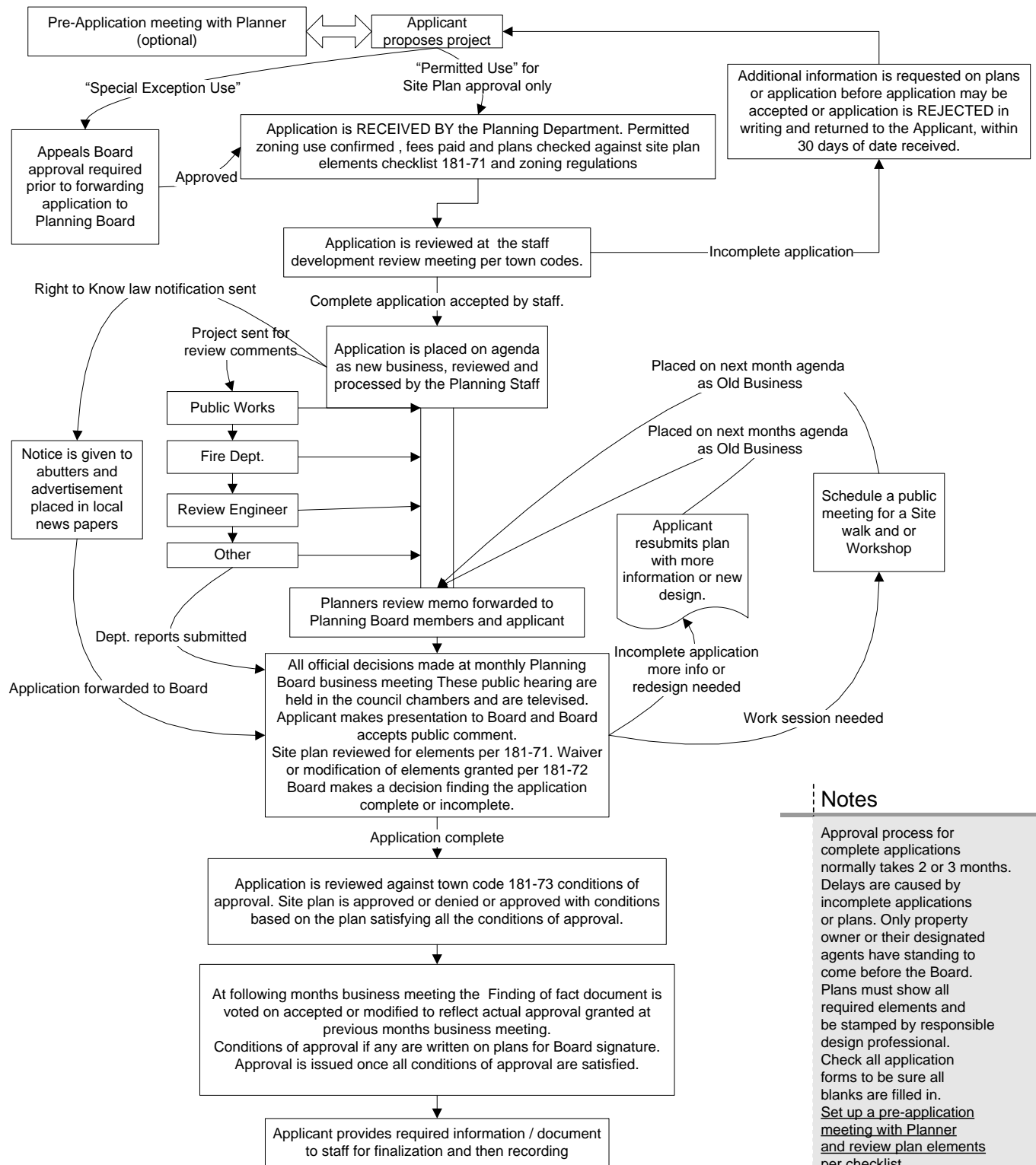
(a) *Any nonconforming structure which is located less than the required setback from the normal high-water line of a water body, tributary stream, or upland edge of a wetland and which is removed, or damaged or destroyed by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced, provided that a permit is obtained within one year of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water setback requirement to the greatest practical extent as determined by the Planning Board in accordance with the purposes of this chapter. In no case shall a structure be reconstructed or replaced so as to increase its nonconformity.*

(b) *Any nonconforming structure which is damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place with a permit, from the Code Enforcement Officer.*

(c) *In determining whether the building reconstruction or replacement meets the water setback to the greatest practical extent, the Planning Board shall consider, in addition to the criteria in Subsection C(2) above, the physical condition and type of foundation present, if any.*

# Site Plan approval process flow chart

Approval process for complete applications takes approximately 3 months so plan your construction project accordingly.



## Notes

Approval process for complete applications normally takes 2 or 3 months. Delays are caused by incomplete applications or plans. Only property owner or their designated agents have standing to come before the Board. Plans must show all required elements and be stamped by responsible design professional. Check all application forms to be sure all blanks are filled in. Set up a pre-application meeting with Planner and review plan elements per checklist. Planning Board fee Schedule is set annually by Town Council. Questions call Planning 642-3461

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## PLANNING BOARD AGENT AUTHORIZATION

If you are the acting agent for the property owner, we need written documentation granting you the authority to do so. Please have the Property Owner fill out the following form.

### PLANNING BOARD AGENT AUTHORIZATION FORM

Dear Standish Planning Board Members:

I / We being the undersigned owners of property described by Standish tax map \_\_\_\_\_ and lot # \_\_\_\_\_ and located at \_\_\_\_\_ do hereby appoint and empower to act \_\_\_\_\_  
(Street address development site) (Firm or Individual)  
as an agent on my / our behalf as the owner(s) of the proposed subdivision / land development plan referred to as \_\_\_\_\_.  
(Name of development / project / plan)  
The agent for the above plan is empowered to make all decisions about the plan, including but not limited to: authorizing incurring costs for professional services as the billing of plan review and inspection fees by the Town or its representative, requesting extensions of time for review, and accepting conditions of approval imposed or requested by the Board of in considering the approval of the plan. Agent's decisions and actions are binding upon the owner(s) or the proposed subdivision / land development plan.

Sincerely,

Property Owner #1: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(Please print name) (Property owners signature) (date)

Property Owner #2: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(Please print name) (Property owners signature) (date)

Property Owner's Address: \_\_\_\_\_  
(Home Street address – City, State, zip)

Property owner's Telephone: \_\_\_\_\_ work: \_\_\_\_\_  
(Home phone number) (Work phone number)

Authorized agent: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(Print name agent) (Signature of authorized agent) (Month, day, and year)

Agent address: \_\_\_\_\_ - Agent Phone #: \_\_\_\_\_  
(Business Street address – City, State, zip) (Work phone number)

Witness printed name: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
(Print name Witness) (Signature of Witness) (Month, day, and year)

Witness information: \_\_\_\_\_ - \_\_\_\_\_  
(Phone # witness) (address witness)