



Lamoine Planning Board

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Fee Amendments – March 2011

The following ordinances are to be amended as indicated below

Key: ***Bold, Italic*** = new language
~~Strikethrough~~ = deleted language

Building and Land Use Ordinance

Section 7 D 1 (Building Permits)

D. Fees

- ~~1. Permit application Fees: Applicants for building permits shall submit a fee together with a completed application to the Code Enforcement Officer or Planning Board, as applicable. The fee shall be payable to the Town of Lamoine and shall accrue to the Code Enforcement Fund which shall be used for the administration and enforcement of this ordinance.~~

~~Permit Application fees shall be as follows:~~

- ~~a. Structures designed for human habitation shall pay a permit fee of \$0.10 (10-cents) per square foot of the structure's ground coverage (footprint).~~
- ~~b. Structures not designed for human habitation (i.e. garages, decks) shall pay a permit fee of \$0.05 (5-cents) per square foot of the structure's ground coverage (footprint).~~
- ~~c. Fees for commercial, industrial or multi-family dwelling units shall be twice the schedule above. See Section 14.~~
- ~~d. Fees for subdivisions and cluster housing: \$ 50.00 for the application plus \$50.00 per lot created. See Section 12 and 13.~~
- ~~e. No fee shall be charged for additions or accessory structures less than 100 square feet.~~

D. Fees.

An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.

Section 12 D 5 Subdivisions

- ~~5. **Fees** – There shall be an application fee of \$50.00 for the application plus \$50.00 per lot created by the subdivision, accruing to the Code Enforcement Fund of the Town of Lamoine.~~

5. Fees. An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.

Section 14 C Home Occupations

A. General Requirements:

1. Home Occupations conducted only by family members do not require a permit
2. Home Occupations employing no more than one full time equivalent employee at any one time, other than residents of the home, are required to complete an application and secure a permit from the Code Enforcement Officer.
3. All Home Occupations, whether requiring a permit or not, are subject to the review criteria (see D below).
4. If more than one full time equivalent employee other than residents of the home are employed at any one time, a Commercial or Industrial use permit must be obtained
5. All licensed Day Care Centers must apply for a permit
6. **Fees. An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.**

Section 15D (Commercial Structures Permits)

15. Commercial Structures Administration and Application Procedures.

Structures designed principally for any business, excluding home occupations, housed in a permanent structure, engaged primarily in the sale of goods or services and/or use and/or resale shall be subject to all provisions of this Building and Land Use Code and to the following standards. Where the standards of this section conflict with those in the previous sections, those in this section shall apply.

1. Application and Permits:

- a. Before the construction, reconstruction, conversion to a different use, substantial addition, relocation, or replacement of any structure or significant segment thereof that is designed for commercial or industrial use, the owner or lessee, or the architect, contractor, or builder employed by such owner or lessee, shall obtain from the Board a permit covering such proposed work. In considering an application for such use, the Board shall investigate the potential impacts of the proposed structure and use on the residential character of the town and customary uses of the land and neighborhood. (see 14c)
- b. Before any permit is approved, applicants must submit a preapplication form for the structure followed by a complete application as required. A complete application is one that includes all the information required by this ordinance.
- c. ***Fees. An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.***
- d. Application procedures for commercial groundwater extraction
 - i. Applicants seeking a permit for a commercial use which will require the extraction of groundwater may be required, at the discretion of the Planning Board, to install a water meter and to record on a monthly basis the amount of water extracted and provide a written record of the same annually to the Code Enforcement Officer.
 - ii. Applicants seeking a permit for a commercial use which will require the extraction of groundwater in excess of 122,000 gallons in any month of a year must provide a written hydrogeological study conducted by a certified professional hydrogeologist or registered professional engineer. Such a hydrogeological study shall include the following information:
 1. A map of the aquifer contributing to the spring(s), well(s) or excavations(s) from which water is to be

extracted in sufficient detail to support a calculation of sustained yield during a drought of three consecutive months with a probability of occurrence of once in ten years, as well as an estimate of any potential interaction between this aquifer and adjacent aquifers.

2. The aquifer characteristics, the rates of drawdown and recovery, the sustainable yearly and monthly (by month) extraction rates and the cone of depression which may develop about the proposed facility.
3. Any other impacts on the water table in the contributing aquifer and any other private or public wells within 1,000 feet of the proposed extraction facilities.
4. A monitoring plan appropriate to the proposed project in sufficient detail to permit establishment of existing groundwater quality conditions (baseline) and continued assessment of threats to the quality and quantity of potable water available in the affected aquifer and any aquifer adjacent to the proposed project.

15 E. 2. (Industrial Structures Permits)

2. Application and permits:

- a. Building permits issued for industrial structures shall be issued by the Board. Before any permit is approved, applicants must submit a preapplication form for the structure, followed by a complete application. The Board shall issue a permit upon finding that the proposed structure and use as described in a complete pre-application and application, submitted according to the regulations of this ordinance, will meet the Review Criteria in Sections 15E and 15F.
- b. ***Fees. An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.***
- c. Applicants seeking a permit for an industrial use which will require the extraction of groundwater may be required, at the discretion of the Planning Board, to install a water meter and to record on a monthly basis the amount of water extracted and provide a written record of the same annually to the Code Enforcement Officer.
 - i. Applicants seeking a permit for an industrial use which will require the extraction of groundwater in excess of 122,000 gallons

in any month of a year must provide a written hydrogeological study conducted by a certified professional hydrogeologist or registered professional engineer. Such a hydrogeological study shall include the following information:

- ii. A map of the aquifer contributing to the spring(s), well(s) or excavations(s) from which water is to be extracted in sufficient detail to support a calculation of sustained yield during a drought of three consecutive months with a probability of occurrence of once in ten years, as well as an estimate of any potential interaction between this aquifer and adjacent aquifers.
 - iii. The aquifer characteristics, the rates of drawdown and recovery, the sustainable yearly and monthly (by month) extraction rates and the cone of depression which may develop about the proposed facility.
 - iv. Any other impacts on the water table in the contributing aquifer and any other private or public wells within 1,000 feet of the proposed extraction facilities.
- i. A monitoring plan appropriate to the proposed project in sufficient detail to permit establishment of existing groundwater quality conditions (baseline) and continued assessment of threats to the quality and quantity of potable water available in the affected aquifer and any aquifer adjacent to the proposed project.

See Section F 10 for Review Criteria for Water Extraction.

Section 16 (Automobile Graveyards and Junkyards)

1. GENERAL

No automobile graveyard or junkyard as defined in this ordinance shall be established or operated without first obtaining site plan approval from the Planning Board and a non-transferable permit issued by the Selectmen in accordance with State licensing and local requirements complying with provisions in Section 16B and 16C.

Fees. *An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.*

Travel Trailer, Motorized Home Park and Campground Ordinance

Section 6 A.

~~**Fees** — Fees for construction permits shall accompany the application and shall be \$100.00 for each permit and \$10.00 for each site proposed.~~

Fees. *An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.*

Gravel Ordinance

Section 7 B Procedure

Procedure

~~— The application for a permit shall be filed with the Planning Board and accompanied by the required application fee. The application fee shall be commensurate with the size of the proposed or existing gravel pit. The fee shall be \$100 for 4 acres or less, \$200 for over 4 acres to 8 acres, and \$300 for more than 8 acres.~~

Procedure

- A. ***Fees.*** *An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.*
- B. ***Timetables and Hearings***
 - a. Within forty-five (45) days of receipt of a complete application for renewal of a permit not yet expired, the Board shall hold a site visit and may additionally hold a public hearing.
 - b. Within forty-five (45) days of receipt of a complete application for renewal of a permit which has expired, the Board shall hold both a site visit and a public hearing.
 - c. Within forty-five (45) days of receipt of a complete application for a new pit, the Board shall hold a site visit and a public hearing.

- d. Within forty-five (45) days of a public hearing, or within seventy-five (75) days of the receipt of a complete application, or unless an agreement is made between the applicant and the Planning Board to extend the time, the Planning Board shall, in writing, either approve, approve with conditions or disapprove the application.

Mobile Home Park Ordinance

Section II 2 Administration

2. **Administration**

- A. The planning board of the town of Lamoine shall administer this ordinance.
- B. No person shall construct, develop, establish, expand or operate a mobile home park without having first obtained a permit from the planning board. A permit shall be granted for a period of one (1) year. If construction is not initiated within the one (1) year period, the permit expires and the applicant must reapply to the planning board for another permit. Each permit shall be issued only for the site designated in the plans accompanying the application and shall not be transferable or assignable to any other site.
- C. ***Fees. An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.***

Shoreland Zoning Ordinance

Section 16 G. Fees

G. Fee Schedule

~~Applicants for Shoreland Zoning permits shall pay a fee to the CEO or Planning Board at the time of submission of the application. In addition to any fees required by other Town Ordinances, Shoreland Permit fees shall be:~~

- ~~1. Structures designed for human habitation shall pay a permit fee of \$0.10 (ten cents) per square foot of the structure's ground coverage (footprint). If Planning Board approval is required, the fee shall be doubled.~~
- ~~2. Structures not designed for human habitation (i.e. garages, decks, etc.) shall pay a permit fee of \$0.05 (five cents) per square foot of the structure's ground coverage (footprint). If Planning Board approval is required, the fee shall be doubled.~~
- ~~3. Fees for commercial, industrial or multi family dwelling units shall be twice the schedule above.~~
- ~~4. Fees for subdivisions and cluster housing shall be \$50.00 for the application plus \$50.00 for each lot created in the Shoreland zone.~~
- ~~5. A fee of five dollars (\$5.00) shall be charged for additions or accessory structures less than 100 square feet.~~

~~All fees shall accrue to the Code Enforcement Fund for the administration and enforcement of this Ordinance.~~

- G. ***Fees.*** ***An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.***

Site Plan Review Ordinance

Section H. 2. b.

- ~~b. **Fees.** An application for site plan review permits shall be accompanied by a fee as established by the select board who shall have the authority to revise the fee schedule after public hearing. This application fee shall be made by check payable to the town and shall not be refundable. The planning board shall not consider an application for site plan review until the fees have been received by the town.~~
- b. ***Fees.*** ***An application for any permit required by this ordinance shall be accompanied by fee(s) as established by the Lamoine Board of Selectmen. No action shall be taken on any application until the fee(s) have been***

received by the Town. The application fee(s) shall not be refundable. The fee(s) shall be paid to the Town of Lamoine and shall accrue to the Code Enforcement Fund to be used for the administration and enforcement of town ordinances. A Schedule of Fees is located at the Town Office.

Section P.

P. — Fees

~~The fee for all applications shall be a minimum of \$200. For all projects greater than 4,000 square feet, the fee shall be 5 cents (\$.05) per square foot. For applications proposing buildings greater than 4,000 square feet ground coverage, the fee shall include an additional 5 cents (\$.05) per square foot of building ground coverage. For applications involving alteration of the ground surface, the application fee shall be an additional \$50 per acre beyond the first acre of surficial alteration. Fees for projects submitted by the municipal government of the Town of Lamoine may be waived at the discretion of the Planning Board. All fees shall accumulate to the Code Enforcement Fund. Fees must be paid to the Treasurer of Lamoine in full in order for any application to be found complete. Withdrawal of the project after completeness review but prior to any public hearing may result in a refund of all but \$200 of the fee submission at the discretion of the Planning Board.~~

P. Construction of Language

In the interpretation and enforcement of this code, all words other than those specifically defined in the various ordinances shall have the meaning implied by their context in the ordinance or their ordinarily accepted meaning. In the case of any difference of meaning or implication between the text of this ordinance and any map, illustration or table, the text shall control.

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual or any other legal entity.

The present tense includes the future tense, the singular number includes the plural, and the plural numbers include the singular.

The word "shall" and "will" are mandatory, the word "may" is permissive.

The word "lot" includes the words "plot" and "parcel."

The word "structure" includes the word "building."

The word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged, or designed to be used or occupied."