

**TOWN OF MADAWASKA PUBLIC HEARING MINUTES  
PROPOSED LAND USE AND SHORELAND ORDINANCE AMENDMENTS  
JUNE 22, 2015 AT 5:00 PM**

**MEMBERS PRESENT:** Vincent Sirois; Chairperson, Vince Vanier, Gary Dufour, Adam Kavanagh

**OTHERS PRESENT:** Vince Frallicciardi, Richard and Ann Cayer, Don Dechaine, Dan Fortin

**RECORDING SECRETARY:** Sarah Pelletier

**ARTICLE 1: Call the Meeting to Order.**

The Planning Board Hearing was called to order at 5:00p.m..

**ARTICLE 2: Establish a Quorum of Members.**

A quorum was established with Vincent Sirois; Chairperson, Vince Vanier, Gary Dufour, and Adam Kavanagh.

**ARTICLE 3: Determine any Conflict of Interest or Bias**

None of the Planning Board members had Conflict of Interest or Bias to the following Articles.

**ARTICLE 4:**

Amend Section XI , Commercial-C, Subsection, D. STANDARDS. (page 27a) Shall the Town vote to amend the Town of Madawaska Land Use and Development Code by deleting what is crossed out and inserting new dimensions as shown. This amendment shall not apply to any property regulated by Madawaska Shoreland Ordinance.

**D.**

**STANDARD**

1. **The general standards of performance of Chapter II shall be observed.**
2. **The following space standards shall apply:**

<b>Minimum lot size</b>	<b>40,000 sq. ft.</b>
<b>Minimum street frontage</b>	<b>75 ft.</b>
<b>Minimum front yard</b>	<b><del>30 ft.</del> 10 ft.</b>
<b>Minimum side and rear</b>	<b><del>30 ft.</del> 10 ft.</b>

**except as may otherwise be required by the buffer provision of this code and except where the side and/or rear yards abut a residential district in which case a minimum of ~~40 ft.~~ 20 ft. shall be required.**

<b>Maximum building height</b>	<b>40 ft.</b>
<b>Minimum setback from streams, water bodies and wetlands</b>	<b>75 ft.</b>

<b>Maximum building or outdoor stored material coverage</b>	<b>None, except that side rear, and front yards shall be maintained.</b>
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**and insert the following:**

3. For new construction, the standards for the rear, side and front set back will be 10 ft. For existing structures, the standards for the rear, side and front set back will be 10 ft. or no less than the closest point of the building to the property line.

Discussion took place that these proposed setbacks do not pertain to any property regulated by Madawaska Shoreland Ordinance. The Board will address setbacks in the Shoreland Zone at a later date.

#### **ARTICLE 5:**

**Amend Section IV, Administration, subsection, D. Building Permit. (page 12 and 13) Shall the Town vote to amend the Town of Madawaska Land Use and Development Ordinance by making the following changes:**

**By deleting the following:**

~~No building or other structure shall be erected, moved, added to, or externally altered without a permit therefore, issued by the Code Enforcement Officer. No building permit shall be issued except in conformity with the provisions of this Code, except after written order from the Board of Appeals. The Code Enforcement Officer shall maintain a public record of all building permits. A permit for which no substantial work has been commenced within six months shall expire. If the building permit shall not be required if market value of the work is \$500.00 or less.~~

**and insert the following:**

**No building or other structure shall be erected, moved, added to, or externally enlarged without a permit therefor, issued by the Code Enforcement Officer. No building permit shall be issued except in conformity with the provision of this Code, except after written order from the Board of Appeals. The Code Enforcement Officer shall maintain a public record of all building permits. A permit for which work has not commenced within one year shall expire. If the building or part is not substantially completed within two years of the issuing of the permit, the permit shall lapse. It may be renewed upon application.**

#### **ARTICLE 6:**

**Amend Section IV, Administration, subsection, E. Application #1, Shall the Town vote to amend the Town of Madawaska Land Use and Development Ordinance by making the following changes:**

**by deleting the following:**

- ~~1. All applications for building permits shall be accompanied by plans showing the actual dimensions and shape of the lot to be built upon; the exact sizes, locations and dimensions of the proposed structure(s) or alteration of any existing structures and the location and type of the proposed sewage disposal system as certified by a professional engineer registered in accordance with Maine laws, or a plumbing inspector appointed by the Town. The application shall include such other information as lawfully may be required by the Code Enforcement Officer to determine conformance with and provide for the enforcement of this Code.~~

**and insert the following:**

1. Any increase in external square footage, an application and building permit will be required. No building permit or application is needed for renovations, upkeep, maintenance, and repairs of existing structures not to exceed a fair market value of \$15,000; this will include materials and labor. All egress and ingress entries (doors, windows) will have to be in accordance with the Maine Uniform Building and Energy Code (MUBEC) and the National Fire Protection Association (NFPA 101). If information is needed on the Maine Uniform Building and Energy Code (MUBEC) and NFPA Code 101, contact the Code Enforcement Officer. It is the homeowner's responsibility to be in compliance with all MUBEC and NFPA rules and regulations.

## ARTICLE 7:

Amend Section III, Definitions. Shall the Town vote to amend the Town of Madawaska Land Use by adding the following definitions:

**Project Cost:** Project cost will be materials and labor necessary to complete the project. Local cost for materials and labor shall be used regardless of the source of material and labor.

**Renovations:** Repairs and upkeep that do not change the existing external square footage.

Amend Section 12 Non-Conformance, B. General , #2 Repair and Maintenance. (page 4) Shall the Town vote to amend the Town of Madawaska Shoreland Zoning Ordinance by making the following changes:

~~**Repair and Maintenance.** This Ordinance allows, with a completed land use application and permit fee for all normal upkeep, maintenance, construction, expansion, alternation, renovations, improvements and relocations and such other changes in a non-conforming use or structure as federal, state, or local building and safety codes may require. A permit fee is not required for land use application with a construction material cost of less than \$500.00~~

and add the following:

### (2) Building Permits.

No building or other structure shall be erected, moved, added to, or externally enlarged without a permit therefor, issued by the Code Enforcement Officer. No building permit shall be issued except in conformity with the provision of this Code, except after written order from the Board of Appeals. The Code Enforcement Officer shall maintain a public record of all building permits. A permit for which work has not commenced within one year shall expire. If the building or part is not substantially completed within two years of the issuing of the permit, the permit shall lapse. It may be renewed upon application.

### (3) Application.

No building permit or application is needed for renovations, upkeep, maintenance, and repairs of existing structures not to exceed a fair market value of \$15,000; this will include materials and labor. Any increase in external square footage an application and building permit will be required. All egress and ingress entries (doors, windows) will have to be in accordance with the Maine Uniform Building and Energy Code (MUBEC) and the National Fire Protection

**Association NFPA Code 101. If information is needed on the Maine Uniform Building and Energy Code (MUBEC) and NFPA Code 101, contact the Code Enforcement Officer. It is the homeowner's responsibility to be in compliance with all MUBEC and NFPA rules and regulations.**

**ARTICLE 8:**

**Amend Section 17, Definitions. Shall the Town vote to amend the Town of Madawaska Shoreland Zoning Ordinance by adding the following word definitions:**

**Project Cost: Project cost will be materials and labor necessary to complete the project. Local cost for materials and labor shall be used regardless of the source of material and labor.**

**Renovations: Repairs and upkeep that do not change the existing footprint.**

Discussion took place on the adoption of MUBEC and adhering to the regulations. Discussion also took place on whether we are currently a population of over 4000. Chairperson Vincent Sirois states that eventually the whole State of Maine will have to adopt MUBEC. He also stated that DEP has accepted the proposal being brought to the public tonight.

A public meeting was set for July 6, for the Planning Board to approve these changes.

**ARTICLE 8:**

**Review and Approve Minutes**

The minutes will be reviewed at another time.

**ARTICLE 9:**

**Adam Kavanagh motioned to adjourn the hearing at 5:50 p.m.; Vince Vanier seconds the motion. All members are in favor. The motion is carried.**