

**Town of Fayette
Code Enforcement Office
2589 Main St.
Fayette, ME 04039
207-685-4373
Fayetteceo@gmail.com**

FAYETTE PLANNING BOARD March 18, 2024 MEETING AGENDA

VIA ZOOM and at the FAYETTE CENTRAL SCHOOL

Topic: Planning Board
Time: Mar 18, 2024 06:30 PM Eastern Time (US
and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/88229091545?pwd=ZmQxbWxXN05SL1pudSt6Mk8yZFZZUT09>

Meeting ID: 882 2909 1545
Passcode: 245559
One tap mobile
+13052241968,,88229091545#,,, *245559# US
+13092053325,,88229091545#,,, *245559# US

Dial by your location
• +1 646 558 8656 US (New York)

CALL TO ORDER

ATTENDANCE

PUBLIC HEARING

Proposed Short Term Rental Licensing Ordinance

OLD BUSINESS

None

NEW BUSINESS

1. Kenneth & Donna Hall – 46 Flagg Way – Map R009-033
Shoreland Zone application to expand porch.
2. Matthew Fletcher – 86 Echo Lake Road – U008-008
Shoreland Zone Application to replace concrete patio with wooden deck
3. David Gow & Nick DelVecchio – 220 South Road – R002-057
Change of Use Application for Commercial Wedding Barn/Event Venue

APPROVAL OF MINUTES

1. October 16, 2024
2. December 21, 2024

OTHER BUSINESS

ADJOURNMENT

Final Draft Prior to 3/18/24 Public Hearing

Short-Term Rental Licensing Ordinance

SECTION I – GENERAL

Title: This Ordinance shall be known and may be cited as the “Short-Term Rental Licensing Ordinance of the Town of Fayette, Maine.”

Authority: This Ordinance is enacted pursuant to the enabling provisions of Article VIII, Part 2, §1 of the Maine Constitution, the provisions of Title 30-A MRS, §3001 (Home Rule), and §4364-C, sub§2 (Municipalities May Regulate Short-Term Rentals)

Purpose: The purpose of this Ordinance is to require the registration and licensing of short-term rentals operating in the Town of Fayette.

Protection of natural resources and wildlife habitat, and preservation of our peaceful environment are key values that guide the town’s development. This ordinance is designed to balance the desire of property owners to engage in short-term rentals with the desire of residents to preserve the peace and unique character of their neighborhoods; to recognize that short-term rental activity may contribute to the local economy; to prevent degradation of natural resources and habitat; to protect the safety of visitors and residents alike, and to support state housing goals designed to increase sustainable and affordable housing opportunities.

Applicability: The provisions of this Ordinance shall apply to all of the following at which overnight accommodations are commercially or publicly advertised to rent for a tenancy of less than thirty (30) consecutive calendar days:

1. Permanent single family, duplex, or multi-family dwelling unit(s), or any portion thereof that is not an Accessory Dwelling Unit (ADU)
2. A single campsite
3. A bunkhouse advertised either separately or together along with an associated dwelling unit

The following are excluded from the provisions of this Ordinance:

1. Short-term rentals that are only advertised by word of mouth (no commercial or public advertisement) to friends and family
2. Multiple campsites, regardless of whether State of Maine licensing requirements need to be met
3. Campgrounds
4. Hotels and motels
5. Bed and Breakfasts, Inns
6. Dormitories
7. Congregate living facilities

NOTE: Although campsites of up to four on one property may not need to meet Maine licensing requirements as a campground, Fayette property owners shall refer to **Section XX:** Site Plan Review, in

the Town of Fayette's Land Use Ordinance.

Effective Date: The effective date of this Ordinance shall be July 1, 2024. All short-term rentals must be in compliance and licensed by January 1, 2025.

Conflicts with Other Ordinances: In the event of a conflict between the provisions of this Ordinance and any applicable State or local law, ordinance, or regulation, the more restrictive provision shall be imposed. The issuance of any license pursuant to this Ordinance shall not relieve the owner of the obligation to comply with all provisions of any other municipal ordinances or any other applicable laws or regulations pertaining to the use and occupancy of the property on which it is located.

Validity and Severability: Should any section of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

Availability: A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at a reasonable cost to be charged to those making the request. A copy of this Ordinance shall also be posted on the Town of Fayette's website.

Amendments: An amendment to this Ordinance may be adopted by a majority vote of the legislative body (Town Meeting).

Administration: The license shall be administered by the Code Enforcement Officer or other persons as designated by the municipal officers (Select Board).

Appeals: Initial denial or revocation of a Short-Term Rental License may be appealed to the municipal officers (Select Board) within 30 days of such determination.

Application Fee: All applications for a Short-Term Rental License shall be accompanied by fees as set by the municipal officers (Select Board).

Fees are nonrefundable and shall be paid to the Town of Fayette. If the application is denied, and no appeal is filed within 30 days, the applicant may request that the fee be refunded.

The town will charge a penalty fee not to exceed double the license fee for properties that are not licensed by February 1 of the calendar year. Penalties will not apply to licenses applied for after February 1 for newly established short-term Rentals.

SECTION II – DEFINITIONS

Accessory Dwelling Unit (ADU): a self-contained dwelling unit located within, attached to, or detached from a single-family unit located on the same parcel, constructed or permitted after July 1, 2024.

Need to fill in what we nail down as final definition. 190-1000 sq. feet. An ADU shall not be allowed as a short-term rental.

Bunkhouse: A detached bedroom having no plumbing which is an accessory to the short-term rental.

Campground: any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles, or other shelters.

Campsite: an area of land which is not associated with a campground, but which is developed for repeated camping, and which may include but not be limited to a parking area, fire pit, or tent platform.

Commercial Lodging Facility: The use of lands, buildings, or structures maintained or advertised as a place where sleeping accommodations are furnished that offers stays that are temporary in nature and the intent and result of which activity is the production of income. A short-term rental of up to one residential dwelling unit on a lot at a time is exempted from this definition.

Dwelling Unit: Any part of a structure which, through sale or lease, is intended for human habitation by a single household, including single-family and multifamily housing, condominiums, apartments, and time-share units. [MAKE SURE THIS WON'T CHANGE IN LUO](#)

Short-Term Rental (STR): A dwelling unit (or portion thereof) or campsite, that is rented to renters/guests for a period of less than 30 consecutive days.

SECTION III – LICENSING CRITERIA

License: As of the effective date of this ordinance no short-term Rental shall be commercially advertised, rented, or operated without first obtaining a Short-Term Rental License, to be renewed on an annual basis.

No more than one short-term rental may be rented at one time on each parcel of land. Applicants may obtain a license for multiple short-term rentals but may not rent them simultaneously under this license agreement. Simultaneous rentals are considered Commercial Lodging Establishments and must go through Site Plan Review as outlined in the Fayette Land Use Ordinance.

An accessory dwelling unit, permitted or constructed after July 1, 2024, may not be utilized as a short-term rental and shall not qualify for a license. If an ADU was advertised for short-term rental before the enactment of this ordinance, it may be considered for licensing if documentation demonstrating this prior use is provided.

Upon receipt of an approved license, a copy of said license, with emergency contact information, shall be provided to all direct property abutters by the short-term rental owner or manager within 15 days of license issuance, with proof of delivery provided to the CEO.

The license to operate shall terminate upon sale of the property.

Application Process: Application materials are available on the town website and in the town office. Forms must be submitted, together with the license fee, by January 2 for the year in which it is due. All licenses expire on December 31st of each year. Licenses and accompanying fees for the next year will be accepted beginning December 1 for the subsequent term.

In addition to the license application, the following attachments must be submitted before the

application can be determined to be complete:

1. A copy of the plot plan showing the location of the short-term rental, location of all parking, and location of the leach field associated with the dwelling unit.
2. Floor plan drawing showing the general layout of the rental. This floor plan must show bedrooms, hallways, emergency exits, and the locations of carbon monoxide detectors, smoke detectors, and required fire extinguishers.
3. Copy of anticipated advertisement for property which shall include maximum occupancy, parking limits, and Performance Standards applicable to guests/renters.
4. Any required septic inspection results, or receipts for biannual pumping, if required.

Performance Standards:

1. Short-Term Rental owners shall be responsible for ensuring that emergency contact information is clearly and conspicuously posted in the rental unit. This shall include:
2.
 - a. The names and 24-hour numbers and email addresses of the property owner(s) and/or manager(s) who can be at the rental within two hours of a complaint or emergency situation, if their presence is required.
 - b. Emergency and non-emergency numbers for police/fire/ambulance. The E-911 address associated with the rental shall be displayed next to this information.

The owner shall also be responsible for ensuring that the Code Enforcement Officer has updated emergency contact information for each short-term rental. This information may be used by neighbors and public authorities in the event of complaints or emergencies.

2. The following life safety measures shall be met:
 - a. Smoke detectors must be installed in every bedroom, in the hallway outside the bedrooms (if the bedrooms are on a second floor), in any basement area in which heating systems may be installed, and in the “living room area,” if applicable.
 - b. At least one carbon monoxide detector must be installed on every floor.
 - c. Fire extinguishers must be provided, of the correct classification, near ovens, stoves, and any potentially flammable heating system.
 - d. A copy of the floor plan showing all exits must be clearly posted in each bedroom and next to the copy of the displayed license.
 - e. Life jackets matching boat occupancy limits shall be provided for any watercraft which are made available for use by the owner(s) or manager(s).
 - f. Physical address will be visibly displayed on the property to direct guests and emergency personnel.
 - g. Safe and responsible use of all appliances and utilities, including but not limited to gas stoves, gas grills, wood stoves, fireplaces, privies, septic systems, potable drinking water, composting systems, and fire pits, must be ensured.
 - h. All applicable fire permits shall be obtained for any outdoor burning.
 - i. Directions on response to a smoke, carbon monoxide, or septic pump alarm sounding must be provided.

3. Dark Sky Compliant Lighting Fixtures

- a. All outside lighting fixtures must be shielded to provide only essential lighting for safety and security.
 - b. No illumination or glare may be directed upward or extend beyond the property boundary.
4. Short-term rental owners shall be responsible for complying with all applicable federal, state, and local statutes, laws, ordinances, rules, and regulations.
5. All short-term rentals shall have access to adequate wastewater facilities, as determined by the designated Local Plumbing Inspector (LPI).
6. In addition to any rules the owner may apply within their rental agreement, the following “Good Neighbor Standards” shall be incorporated to guide the behavior of guests. The standards must be clearly posted in each rental unit. Short-term rental owners operating a campsite must document how they are providing this information to their guests. The owner is responsible for enforcing these standards:
- a. Quiet hours, in which voices, music or other noise must not be audible beyond the property boundary or on water bodies, are in effect:
10PM to 7AM Sunday evening – Friday morning; and 11PM to 8AM Friday night through Sunday morning. Exceptions are made for temporary necessary noises.
 - b. Septic System Education: Septic systems are fragile and cannot handle materials other than human waste and toilet paper. ALL other waste, sanitary or otherwise, must be discarded in the trash.
 - c. Pet Control:
 - i. All pets must be leashed or kept under voice command at all times whenever outside.
 - ii. Barking must be kept under control.
 - iii. All solid pet waste, both on and off the rental property, must be collected and disposed of in trash containers.
 - d. Lake Protection:
 - i. No soaps or other pollutants are allowed directly or indirectly in water bodies.
 - ii. Any watercraft and trailers supplied by tenants (owned or leased):
 - 1) Must be inspected for plant matter with all removed prior to boats being placed in water bodies and again upon removal.
 - 2) If required, boats must be registered.
 - 3) Owners will supply each rental with “The Boater’s Guide to Maine Boating Laws and Responsibilities,” published by the Maine Department of Inland Fisheries and Wildlife.
 - 4) No wake zones must be strictly adhered to.

- e. Wildlife and Habitat Protection:
 - i. Loons, ducks, turtles, beaver, and other inhabitants of water bodies must be enjoyed from a distance and not harassed.
 - ii. No plant life or minerals (including stones) may be removed from a shore or water area.
 - iii. State licenses must be obtained for fishing and/or hunting.
 - f. Lighting: Outdoor lighting should only be turned on as needed to protect dark skies, discourage browntail moths from nesting, and preserve neighborhood serenity.
 - g. No fireworks are allowed.
7. Trash containers must be provided for renters:
- a. Trash must be emptied at least once per week when the unit is occupied.
 - b. Recycling containers must be provided, and contents recycled.
8. Existing Subsurface Wastewater Disposal (Septic Systems):
- a. Each short-term rental unit must:
 - i. Have a septic design (HHE-200) on file at the Town Office; OR
 - ii. If no design can be produced, the applicant must have the system pumped and inspected by an Onsite Sewage Disposal System Inspector¹ before the license will be issued.
 - iii. The results of the inspection shall be provided to the Code Enforcement Office.
 - iv. An inspection identifying a failing system will result in a denial of the license. Applicants may reapply once the system has been brought back into compliance.
 - b. The Code Enforcement Officer may impose limits on how many bedrooms are permitted to be advertised based on the capacity of the existing system.
 - c. Short-term rental owners within a Shoreland Zoning District as indicated on the Town of Fayette's District Land Use Map must have the septic system pumped at least once every two years when the short-term rental or home is occupied for 180 days or more.
9. Parking:
- a. The advertisement for a short-term rental must state how many parking spots the property will accommodate.
 - b. Parking must be off the traveled way and shall not impede the flow of traffic.

UPON SIGNING THE LICENSE APPLICATION, THE APPLICANT IS CERTIFYING THAT THESE REQUIREMENTS HAVE BEEN MET.

¹ certified by the Maine Department of Health and Human Services Division of Environmental and Community Health

SECTION IV: Complaints/Penalties/Revocation

Failure to comply with any requirement of this Ordinance shall result in the issuance of a “Notice of Violation” from the Code Enforcement Officer. If the violation is not addressed within the time period established in the Notice, the Code Enforcement Officer may require that the short-term rental not be rented until the violation is corrected.

Violations discovered by the Local Plumbing Inspector shall be corrected in the most immediate time frame possible.

The license to operate a short-term rental shall be revoked if there are (3) three complaints that are not resolved to the satisfaction of the CEO. The revocation may be reported to the advertising platform, if applicable. The license may be returned to the applicant if resolution is reached but is not guaranteed. Past performance will be considered when an applicant reapplies.

OFFICE USE ONLY:

FEE: \$ 102,000

DATE PAID: 2/22/24

PERMIT #: _____

DATE APPLICATION SUBMITTED: 2/22/24

PROJECT START DATE: _____ DATE APPLICATION DECLARED COMPLETE: _____

DATE APPLICANT NOTIFIED OF PLANNING BOARD HEARING: _____

DATE ABUTTERS NOTIFIED OF PLANNING BOARD MEETING: _____

FAYETTE PROTECTED DISTRICTS PERMIT APPLICATION

1. Applicant(s): MATTHEW FLETCHER
2. Mailing Address: 3 CLYDE ROAD YORK, ME 03909
3. Applicant Tel. #: 603-828-8370 4. Applicant E-mail: MFLETCH3@MAINE.RR.CO
5. Property Owner(s): MATHEW FLETCHER, CAITLIN VAILLANCOURT
6. Owner(s) Address: 3 CLYDE ROAD YORK, ME 03909
7. Owner(s) Tel. #: 603-828-8370 8. Owner's E-mail: MFLETCH3@MAINE.RR.COM
9. Contractor/Agent: _____ 9-a. D.E.P. Certification # _____
10. Contractor/Agent Address: _____
11. Contractor/Agent Phone #: _____ 12. Contractor/Agent E-mail: _____
13. Location/Address of Property: 86 ECHO LAKE RD, FAYETTE, ME 04349
14. Tax Map & Lot: Map U-8 Lot 8 15. Land Use District(s): _____
16. Is the Lot Part of a Subdivision? No X Yes _____ Name: _____
17. Lot Area Sq. Ft. or Acreage: 5000 SQ FT 18. Property Dimensions in Feet:
- 18-a) Front: _____ Ft. 18-b) Sides _____ Ft. 18-c) Front: _____ Ft. or (See Attached Map)
19. Structure Height After Completion: _____ or (N/A)
20. Sq. Ft. of Lot to be covered by Non-vegetative Surfaces: _____
21. Current Use of Property: CAMP/SEASONAL SINGLE FAMILY
22. Proposed Use of Property After Completion: CAMP/SEASONAL SINGLE FAMILY
23. Estimated Cost of Construction (Based on Fair-Market Value): \$1300

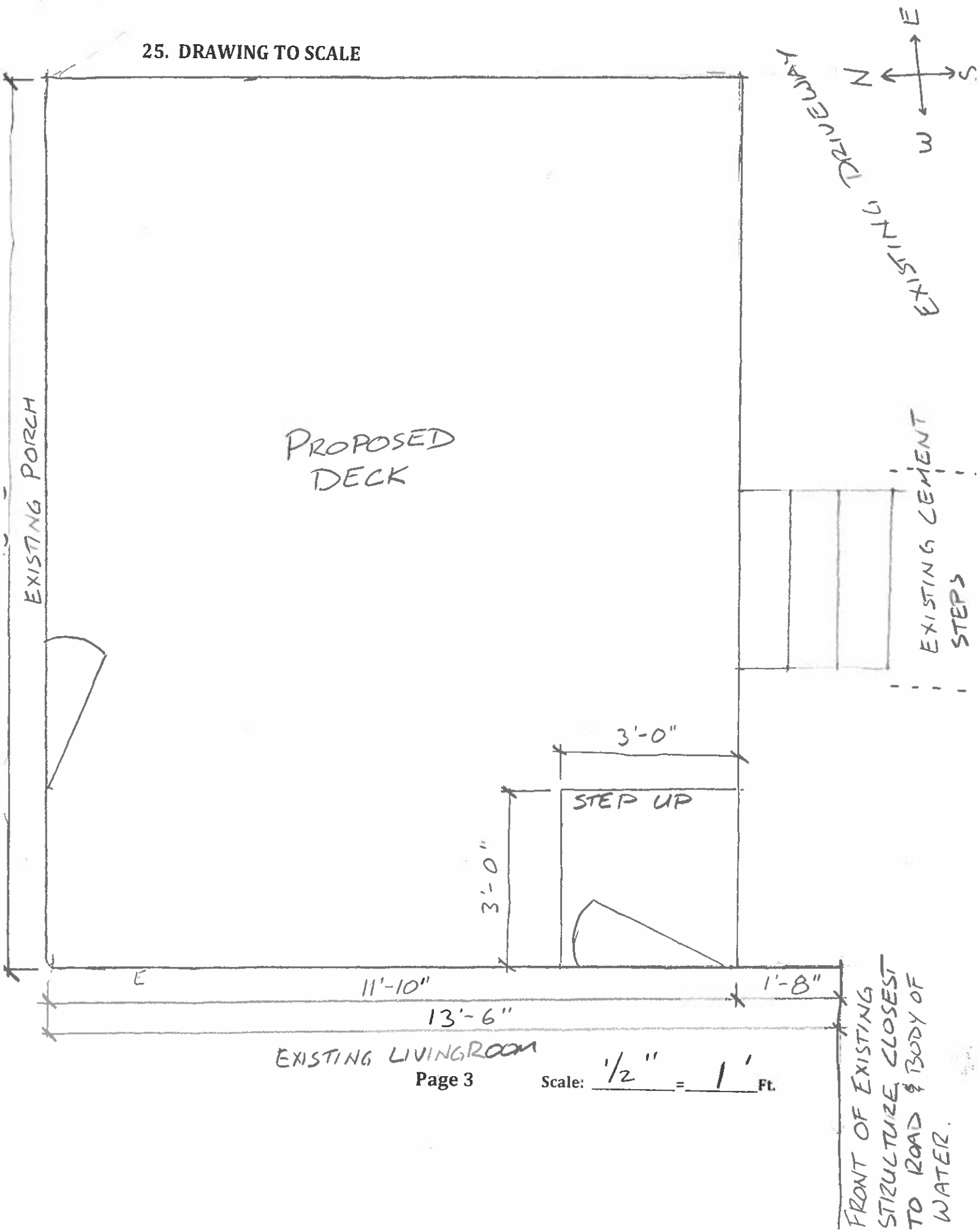
24. Please describe, in detail, the work to be done for your proposed project.

Steps leading into the seasonal single-family dwelling's 2 entry points have become un-safe due to the age of concrete and settling. The proposed deck will be built adjacent to the front of the porch and side of the living room. The intent of the porch is to provide safe entry points for the current doors into the porch and living room.

Deck will run the full length of the front porch, 15' and extend just past the edge of the living room door 11'-10" covering the current patio. There will 1'-8" from the front of the deck to the front of the living room. No trees or vegetation will be affected. Three stair treads will come off the front of the deck and lead down to the current cement steps/path leading to the road. Bottom step may extend past the front most wall of the existing structure due to the current cement steps/pathway dropping away. Any other location for the steps would not lead to safe landing. The height differences in the entry doors will require a 3' x 3' step be added in front of the living room entry door as a safe step up.

Current cement steps will be removed, 12" cement pads will be used to support the deck at the corner and on either side of the deck stairs. Sides adjacent to existing structure will be attached securely to those existing structures. Deck frame will be 2 x 10 pressure treated lumber at 16" OC. Decking will be 1 x 6 pressure treated running perpendicular to deck frame. A railing will be installed with a minimum height of 36" from top of deck.

25. DRAWING TO SCALE



EXISTING LIVING ROOM

Scale: $\frac{1}{2}$ " = 1' Ft.

FRONT OF EXISTING
STRUCTURE CLOSEST
TO ROAD & BODY OF
WATER.

26. PHOTOS – Please see Instruction #26 of Information page

FRONT OR REAR VIEW



SIDE VIEW



27. Standard Conditions of Approval for Resource Protection, Wetland, and Shoreland Districts

- A. **Approval is for only what is proposed in an application dated:** _____
Any change from this application is not allowed without additional approval.
- B. Grandfathered structures may be expanded after obtaining a permit. These expansions cannot be closer to the waterbody than the original structure and must comply with the definition of "increase in non-conformity of a structure" found in the Fayette Land Use Ordinance, Article 2, Sections 1-5, "Non-conforming Conditions." If your project is in this category, please consult #30 on page 7.
- C. Your property is located in the _____ District.
Structure setback distances must be as follows:
High-water mark = 100 Ft. , Side = 15 Ft. Rear = 15 Ft. Road = 50 /75 Ft.
The 50 foot road setback is measured from the road right-of-way line. The 75 foot road setback is measured from the centerline of the road. If the measurement from the right-of-way line is difficult to locate & identify, the setback to be used is the center line distance (75 Ft). The road, side and rear setbacks are measured at a right angle to the right-of-way line, centerline or property line, as appropriate, and not measured as an extension of the walls in question. The setbacks are measured to the drip edge of the eaves or gable end of the structure in question and not to the foundation.
- D. When a lot abuts more than one public street, or when the lot abuts a public street and one or more private streets, then the road setback applies to all roads, as defined.
- E. The Code Enforcement Officer (CEO) may have made notes or additions to your sketch. S(he) will verify the location of your structure and determine that each setback is at least at the minimum distance required.
- F. If any exterior or internal plumbing is proposed, then, in compliance with State Law, the necessary plumbing permit must be acquired from the Town's Licensed Plumbing Inspector,.
- G. Any clearing of vegetation or timber harvest in any of the Protected areas must comply with the guidelines in the Fayette Land Use Ordinance, Article 8, Sections 14 and 15.
- H. One winding path of no more than 6 feet in width is allowed for each lot. A path that winds, rather than a straight path, is required in order to provide opportunities for runoff to disperse into the buffer (i.e., the first 50 ft in width from the waterbody).
- I. No disturbance of groundcover (including the soil cover & leaf layer) and vegetation shall be caused within the buffer. Equipment movement & excavation disturbance must be carefully controlled to avoid any impact on the buffer. For example, it is not permissible to locate a foundation at the buffer limit if that placement will cause any disturbance within the buffer. State & local ordinances require that silt fences must be erected to prevent disturbance within the buffer.

27. Continued

- J. Fill cannot be brought into the buffer area except for path construction or to re-vegetate bare ground as part of an approved re-vegetation plan. Path construction material must consist of washed stone, bark mulch or other material that will not wash into the water
- K. Vegetation less than 3 feet in height in the buffer area cannot be removed or killed or otherwise damaged.
- L. Pruning of branches in the buffer area is permitted only on the bottom 1/3rd of a tree.
- M. Structures are not allowed within the buffer area, except for water-dependent structures. This prohibition includes, but is not limited to: storage buildings, boathouses, patios, decks, tent platforms, temporary structures & other structures.
- N. In the off-season, temporary structures, i.e. docks & shacks should be stacked on the footpath to avoid damage to the buffer vegetation or removed from the buffer entirely.
- O. Openings or view corridors in existence prior to January 1, 1989 can be maintained but not enlarged.
- P. Openings or view corridors that have grown over with woody vegetation cannot be re-opened.
- Q. The creation of cleared openings is prohibited. A well-distributed stand of trees must be maintained. These provisions restrict the harvesting of trees within 75 feet of the shoreline. For complete information, see Land Use Ordinance Article 8, Section 14.
- R. Any fill, topsoil removal or earth-moving must comply with the State's Erosion & Sedimentation Control Law, Title 38, M.R.S.A., Section 420-C. Only fill that is "inert fill," as defined in State Law, is permitted.
- S. For certain projects that exceed 15,000 square feet of impervious area or 5 acres of disturbed area, a storm water permit is required from the State, in compliance with the Storm Water Management Law, Title 38, M.R.S.A., Section 420-D.
- T. The proposed project may require approval from the State of Maine under the provisions of the Permit-by-Rule process. Check with the CEO who will provide you with the necessary form.
- U. If the project is located in, on, over or adjacent to wetlands or any waterbodies, the project may need to comply with DEP, Chap. 310, Wetlands & Waterbody Protection Standards. If this applies, then you must file an individual application form for wetland alteration with the DEP. **Title 38 MRSA SEC. 480-B.** (These standards may apply if the project may adversely affect wetlands or any waterbodies and areas adjacent to them (75 feet, horizontal distance) as a result of any dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials; drain or dewater; or construction, repair or alteration of any permanent structure.)

28. BUILDING PERMITS INVOLVING NON-CONFORMING CONDITIONS

A "non-conforming condition" (grandfathered) is a non-conforming lot, structure or use that is allowed solely because it was in lawful existence at the time the current Ordinance or subsequent amendment took effect. Grandfathered structure(s) may be expanded after obtaining a permit only if the expansion(s) are no closer to the waterbody than the original structure. Expansion(s) may be allowed if they comply with the requirements of "increase in non-conformity of a structure" found in the Fayette Land Use Ordinance. Such expansions of floor area are limited based on the location of the grandfathered structure to the protected waterbody. No expansion is allowed to any portion of a structure within 25 feet of the normal high-water line of a waterbody, tributary stream, or upland edge of a wetland. Silt fences or other erosion control measures must be properly installed at the upland extent of the buffer area below any construction.

The maximum height of any proposed expansion / structure in areas described below is limited to:
1) no more than 20 Ft. within 75 Ft. of waterbody; 2) 25 Ft. if more than 75 Ft. but less than 100 Ft. from waterbody; 3) No restriction beyond 100 Ft. from waterbody.

Directions for questions 31 A-D: You must include the square footage of all structures. If your structure(s) is square or rectangular, measure the length of one side line of the structure, then measure the length of one end of the structure, then multiply the two measurements to get the square footage. If your structure has an irregular shape, add together the length of both sides & divide by 2; then add together the lengths of both ends & divide by 2; then multiply the two answers (dividends) to get the square footage.

A. What is the **current** square footage (floor space) of the existing structure(s) or the portion of your structure(s) that is located between **25 feet and 75 feet**, horizontal distance, from the normal high-water line of a waterbody, tributary stream, or upland edge of a wetland?
_____ Sq. Ft.

B. What is the square footage (floor space) of the **proposed expansion** of your structure(s) or the portion of your structure(s) that is located between **25 feet and 75 feet**, horizontal distance, from the normal high-water line of a waterbody, tributary stream, or upland edge of a wetland? _____ Sq. Ft.

C. What is the **current** square footage (floor space) of the existing structure(s) or the portion of your structure(s) that is located between **75 feet and 100 feet**, horizontal distance, from the normal high-water line of a waterbody, tributary stream, or upland edge of a wetland?
939 Sq. Ft.

D. What is the square footage (floor space) of the **proposed expansion** of your structure(s) or the portion of your structure(s) that is located between **75 feet and 100 feet**, horizontal distance, from the normal high-water line of a waterbody, tributary stream, or upland edge of a wetland? 177.5 Sq. Ft.

See Instructions page 11 #28 for square footage measurement requirements.

29. Expected start date: 4/4/24

30. Expected completion date: 6/8/24

31. Recommendation:


The Applicant is advised to read the Town of Fayette Land Use Ordinance and consult with the Code Enforcement Officer and appropriate agencies to determine if other additional permits, approval and reviews are required before the Application will be declared complete and ready for Planning board consideration.

32. Certification of Information:

I certify that all information given in this Application is accurate and truthful. All proposed uses shall be in conformance with this Application and with the Town of Fayette Land Use Ordinance.

I understand that a building permit will be issued only on the condition that all material representations made by this applicant are true. I also understand that the Planning Board may revoke or amend this permit if, after a hearing, it concludes that a material representation was inaccurate or missing.

I agree to future inspections by the Code Enforcement Officer and / or Planning Board members at reasonable hours.


Applicant signature

2-7-24
Date

Other Applicant signature (if applicable)

Date

Owner signature (if other than Applicant)

Date

Agent signature (if applicable)

Date

Instructions to help you to complete Application correctly
Please complete all areas of Application

1. **Applicant(s):** full names of all applicants.
2. **Mailing address:** The address where all documents are to be mailed.
3. **Applicant's tel. #:** Contact person's telephone number.
4. **Applicant's E-mail address.**
5. **Property owner(s):** Names of all property owners. If same as #1, write Same.
6. **Owner(s) address:** Address(s) of all property owner(s). If same as #2, write Same.
7. **Owner(s) Telephone #:** if same as #5, write Same.
8. **Owner's E-mail Address:** if same as #4, write Same.
9. **Contractor / Agent:** Name of person / agency representing Applicant. If self, write Self.
10. **Contractor / Agent Address:** Address of person / agency representing Applicant. If self, write Self. **Certification number** - needed if earth-moving in Shoreland Zone.
11. **Contractor / Agent Tel. #:** Telephone number of Contractor/Agent. If self, write Self.
12. **Contractor / Agent E-mail address.** If same as #4, write Same.
13. **Location/Address of property:** If no address, give street name(s).
14. **Tax map pages & Lot #:** Consult tax map in Town Office. This information can also be found on your property tax bill.
15. **Land Use District (Resource Protection, Stream Protection, Wetland Protection, and / or Shoreland).** If necessary, consult w/ CEO.
16. **Lot area Sq. Ft. –** If your lot is square or rectangular, measure the length of one side line of the lot, then measure the length of one end of the lot, then multiply the two measurements to get the total square footage.
If your lot has an irregular shape, add together the length of both sides & divide by 2; add together the lengths of both ends & divide by 2; then multiply the two measurements (dividends) to get the square footage.
17. **Measurements of property dimensions in feet:**
 - 17 a): **Dimensions on rear:** Measure the horizontal straight-line distance between the intersections of the side lot lines with the road right-of-way.
 - 17 b): **Dimensions on sides** - Measure the length in a straight line between intersections of the lot lines of the road with the shoreline.
 - 17 c): **Dimensions on front (Waterbody) (Ft.)** - For a lot bordering on a waterbody or wetland, measure the length in a straight line between intersections of the lot lines with the shoreline.
18. **Height of Structure after Completion:** Measure the vertical distance between the average original grade (prior to construction) at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.

20. Sq. Ft. of Lot to be covered by Non-vegetative Surfaces: These are all of the impervious areas that include all buildings, all structures, all roads & driveways and any other non-vegetated areas.

21. Current Use of Property: Some examples include, but are not limited to: single family dwelling, duplex, multi-family dwelling, manufactured housing (modular or trailer), storage facility (shed), office building, store, manufacturing/processing facility. **Indicate whether seasonal or permanent dwelling.**

22. Proposed Use after Completion: Refer to examples in #23 above.

23. Estimated Cost of Construction: Indicate estimated contract price or, if using own labor, indicate the estimated cost of all materials.

24. Please describe, in detail, the work to be done for your proposed project: Indicate if you are converting a residence from a seasonal to year-round use. Describe the exact position of proposed structure(s) and their uses with accurate setback distances from the shoreline and from the side & rear property lines (include decks, porches and all outbuildings). Describe the location of property markers (pins, bars, fences), proposed wells, septic systems, drainage ways, erosion & storm water control measures, road(s), driveways, parking areas. Include the areas & the amounts to be filled and graded. Describe areas to be cleared of trees & other vegetation, including proposed open spaces, landscaping, paths. If the proposal is for expansion of an existing structure please distinguish between the existing structure and the proposed expansion. If some items are difficult to describe in writing, on the graph paper on page 3, supplement your written description with a sketch of the proposed plan. Sketch the lot lines and give the exact measurement, in feet, of each line. Please include all areas requested above.

25. Scaled drawing if required by the CEO: including, but not limited to all of the items required in #26 above. Indicate direction of NORTH.

26. Photos: Please provide photos showing the existing structure (or the vacant lot where the proposed structure is to be built). Then, superimposed on the photograph, using a magic marker, draw the proposed structure(s). On additional paper it would help if you could include additional photos that could aid the Planning Board to gain an accurate sense of your property and proposal.

27. Standard Conditions of Approval for Resource Protection, Wetland, and Shoreland Districts: Please read carefully and plan your project accordingly. Most or all of the conditions may apply to your project. Prior to declaring your application complete, the Code Enforcement Officer will be reviewing this section with you to assure that your proposed project complies with these conditions.

28. Building Permits Involving Non-Conforming Conditions:

Measuring square footage of your structure must include **all** floor space on **all** levels except for the basement.

If your property fails to conform to any of the current requirements of the Land Use Ordinance, it may not be altered so as to increase the non-conformity. E.g. Many of the current requirements are set forth in the Dimensional Table in the Land Use Ordinance (Article 7, Section 6B). Include all structures. If your proposed structure(s) or any part of your proposed structure(s) is located between 25 feet to 75 feet, horizontal distance, from the normal high-water line of a water body, tributary stream or upland edge of a wetland, the maximum total square footage allowed is 1,000 square feet.

If your proposed structure(s) or any part of your proposed structure(s) is located between 75 feet to 100 feet, horizontal distance, from the normal high-water line of a water body, tributary stream or upland edge of a wetland, the maximum total square footage allowed is 1,500 square feet.

No structure within the first 100 feet from the waterline may exceed 1,500 Sq. Ft. of floor space.

29. Expected Start Date; Please give the month and year you expect to begin your project.

30. Expected completion date: Please give the month and year you expect your project to be completed.

31. Recommendations: Please check to determine if other additional permits, approval and reviews are required before the Application will be declared complete and ready for Planning Board consideration.

32. Certification of Information: The applicant and agent and owner(if applicant is not the property owner) must read and sign.

ponus, except to remove safety hazards.

2. Provided that a variance from the *setback* requirement, if required, is obtained from the Board of Appeals.

3. If more than 100 cubic yards of earth moving need CEO approval.

4. Single family residential structures may be allowed by special exception only in accordance with the provisions of Article 6 Section 6 (E); two family residential structures are prohibited.

5. Except when area is zoned for Resource Protection due to floodplain criteria in which case a permit is required from the Planning Board.

6. Licensed Plumbing Inspector permit may be needed.

SECTION 6. DIMENSIONAL REQUIREMENTS

All buildings and structures shall conform to the *dimensional requirements* set forth in this section, which are minimum requirements, unless otherwise noted.

A. Table of Dimensional Requirements

| | Resource Protection | Wetland District | Stream Protection | Shoreland | Rural | Rural Growth |
|--|------------------------|---------------------|----------------------|-----------------|-------------------|-----------------|
| Lot Size (Note# 1) | 1 acre | 2 acres | 1 acre | 1 acre | 2 acres | 1 acre |
| Road Frontage | 150 feet | 200 feet | 150 feet | 150 feet | 200 feet | 200 ft |
| Road Setback (ft.) | | | | | (see B.8., below) | |
| (Note #3) | 75 ¹ | 75 ¹ | 75 ¹ | 75 ¹ | 75 ¹ | 75 ¹ |
| Side Setback | 15 feet | 15 feet | 15 feet | 15 feet | 25 feet | 15 feet |
| Rear | | | | | | |
| Setback feet | 15 feet | 15 feet | 15 feet | 15 feet | 25 feet | 15 feet |
| Maximum Building | | | | | | |
| Height (Note #4) | | | | * | 35 feet | 35 feet |
| | See Note 4 [a – f] | | | | | |
| Shore Frontage (Note# 2) | 200 feet | 200 feet | 200 feet | 200 feet | N/A | N/A |
| Shore Setback (note #5) | 250 feet | 100 feet | 75 feet | 100 feet | N/A | N/A |
| Maximum Impervious Area (Note # 6) | 20% | 20% | 20% | 20% | 35% | 50% |

NOTES

1. The minimum lot size for any Commercial, *Institutional*, or Government structure located in a Shoreland, Stream Protection, Wetland and Resource Protection Districts shall be 60,000square feet.

2. The minimum *shore frontage* of any Commercial, *Institutional* or Government structure located in a Shoreland, Stream Protection, Wetland and Resource Protection Districts shall

¹ Amended 11/08/2022

3. *Road Setback*. The road setback is measured from the center of the traveled way.¹
 4. Please pay particular attention to this note since requirements may affect your property:
 - a. The maximum height of any portion of a structure located from 25 to 75 feet, horizontal distance, of a water body, tributary stream or upland edge of a wetland is 20 feet or the height of the existing structure, whichever is greater.
 - b. The maximum height of any portion of a structure located from 75 to 100 feet, horizontal distance, of a water body, tributary stream or upland edge of a wetland is 25 feet or the height of the existing structure, whichever is greater, except that any portion of those structures located less than 75 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or the upland edge of a wetland must meet the *floor area* and height limits of paragraph Article 2, Section 3 A (1)(c) in the Land Use ordinance.
 - c. The maximum height of any portion of a structure that is from 100 to 250 feet, horizontal distance, of a water body, tributary stream or upland edge of a wetland is 35 feet or the height of the existing structure, whichever is greater, except that any portion of those structures located less than 100 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or the upland edge of a wetland must meet the *floor area* and height limits of Article 2, Section 3 A 1 (c, d) in the Land Use ordinance.
 - d. Height requirements do not apply to chimneys, towers, and agricultural structures.
 - e. In Rural & Rural Growth building height in excess of 35 feet requires Planning Board approval.
 - f. In all Districts, building height is measured from the downhill side of the building to the roof peak.
 5. All water body *setbacks* are measured from the normal high waterline and for wetlands from the upland edge.
 6. Impervious areas include all buildings, structures and all non-vegetated areas. The maximum applies except as otherwise required by the State Stormwater Law.
- B. Other Dimensional Requirements:**
1. Land below the normal high water line of a water body or below the upland edge of a wetland and land beneath *roads* serving more than 2 lots shall not be included toward calculating the minimum *lot area*.
 2. Lots located on opposite sides of a public or private *road* shall be considered each a separate tract or parcel of land unless such *road* was established by the owner of land on both sides thereof after September 22, 1971.
 3. For lots in the Resource Protection, Stream Protection, Wetland Protection and Shoreland Districts, the minimum width of any portion of any lot within one hundred (100) feet,

¹ Amended 11/08/2022

Town of Fayette
Land Use Application
For the following Districts:

RURAL DISTRICT

RURAL GROWTH DISTRICT

OFFICE USE ONLY:

FEE: \$ _____

DATE PAID: _____

PERMIT #: _____

DATE APPLICATION SUBMITTED: _____

PROJECT START DATE: _____ DATE APPLICATION DECLARED COMPLETE: _____

DATE APPLICANT NOTIFIED OF PLANNING BOARD HEARING: _____

DATE ABUTTERS NOTIFIED OF PLANNING BOARD MEETING: _____

FAYETTE RURAL GROWTH & RURAL DISTRICTS PERMIT APPLICATION

1. Applicant(s): David Gow, Nick Del Vecchio
2. Mailing Address: 8 Montgomery Street, Portland, ME 04104
3. Applicant Tel. #: 503-789-4304
4. Applicant E-mail: dgow76@gmail.com
5. Property Owner(s): Same
6. Owner(s) Address: Same
7. Owner(s) Tel. #: Same
8. Owner's E-mail: Same
9. Contractor/Agent: Self
10. Contractor/Agent Address: Same
11. Contractor/Agent Phone #: Same
12. Contractor/Agent E-mail: Same
13. Location/Address of Property: 220 South Road, Fayette, ME 04349
14. Tax Map & Lot: Map R-002 Lot 57
15. Land Use District(s): Rural
16. Is the Lot Part of a Subdivision? No ☒ Yes _____ Name: _____
17. Lot Area Sq. Ft. or Acreage: 66.5 acres
18. Property Dimensions in Feet:
- 18-a) Front: 2,300 Ft. 18-b) Sides N/A N/A Ft. 18-c) Front: N/A Ft. or (See Attached Map)
19. Structure Height After Completion: _____ or **N/A**
20. Sq. Ft. of Lot to be covered by Non-vegetative Surfaces: 33k sq. ft. (parking lot, driveways, paths, buildings)
21. Current Use of Property: Single family residential
22. Proposed Use of Property After Completion: Commercial, event venue
23. Estimated Cost of Construction (Based on Fair-Market Value): Approximately \$200,000

24. Please describe your project, including all of the requirements indicated in Number 24 in the accompanying Instruction Sheet.

Our intent for South Road Farm is to reimagine the property's purpose as an event venue while preserving the historic character of the nearly 200 year old barns, farmhouse and other outbuildings.

The primary event we plan to host is weddings, between the months of May and October. We propose to also use South Road Farm as a space for community events and gatherings through partnership with other local organizations, such as farmers markets, swap meets, and neighborhood barbecues.

In addition to the requested change in use, this application seeks approval for a new 45 space parking lot located on the property, which will sit between mature trees and vegetation, preserving the natural landscape and rural character of the property.

The design and recommended sizing for a new and expanded septic system is described in the accompanying letter from King's Arrow Company, attached to the end of this application.

Drawings and project plans are included in the accompanying packet. Project plans were submitted to the State Fire Marshal's office on October 10, 2023 for construction permit approval in compliance with all required life and safety standards. Approval is currently pending submission and review of final drawings.

25. DRAWING TO SCALE

Please see accompanying drawings.

26. PHOTOS – Please see instruction #25 of Information page

FRONT OR REAR VIEW

Please see accompanying photos.

SIDE VIEW

Please see accompanying photos.

Standard Conditions of Approval

Permit # _____

- a) **Approval is for only what is proposed in an application dated: _____**
Any change from this application is not allowed without additional approval.
- b) If any exterior or internal plumbing is proposed, then the necessary plumbing permit must be acquired from the Town's Licensed Plumbing Inspector, in compliance with State Law.
- c) Your property is located in the Rural Land Use District. Setbacks are as follows: Road: 50 / 75 Ft. Side: 25 Ft. Rear: 25 Ft. The 1st road setback is measured from the road right-of-way line and the 2nd road setback is measured from the centerline of the road and the setback shall be the greater of the two. The road, side and rear setbacks are measured at a right angle to the right-of-way line, centerline or property line, as appropriate, and not measured as an extension of the walls in question. The setbacks are measured to the drip edge of the eaves or gable end of the structure in question and not to the foundation.
- d) When a lot abuts more than one public street, or when the lot abuts a public street and one or more private streets, then the road setback applies to all roads, as defined.
- e) The Code Enforcement Officer (CEO) may have made notes / additions to your sketch and is also available to verify the location of your structure if the setback will be at the minimum required.
- f) Any fill, topsoil removal or earth-moving must comply with the State's Erosion & Sedimentation Control Law, Title 38, M.R.S.A., Section 420-C, and only fill that is "inert fill," as defined in State Law, is allowed to be used.
- g) For certain projects that exceed 20,000 square feet of impervious area or 5 acres of disturbed area, a storm water permit is required from the State, in compliance with the Storm Water Management Law, Title 38, M.R.S.A., Section 420-D.
- h) The proposed project may require approval from the State of Maine under the provisions of the Permit-by-Rule process. The CEO will provide the necessary form.
- i) If the project may adversely affect wetlands or any waterbodies and areas adjacent to them (75 feet, horizontal distance) as a result of any dredging, bulldozing, removing or displacing soil, sand, vegetation or other materials; drain or dewater; or construct, repair or alter any permanent structure, the project may need to comply with DEP, Chap. 310, Wetlands & Waterbody Protection Standards. If this applies, then you must file an individual application form for wetland alteration with the DEP. **Art. 38 MRSA SEC. 480-B.**

28. Building permits Involving Non-Conforming Conditions: If your property fails to conform to any of the current requirements of the Land Use Ordinance, it may not be altered so as to increase the non-conformity. E.g. Many of the current requirements are set forth in the Dimensional Table in the Land Use Ordinance (Article 7, Section 6).

29. Recommendation:

The Applicant is advised to consult with the Town of Fayette Land Use Ordinance, the Code Enforcement Officer and appropriate agencies to determine if other additional permits, approval and reviews are required before the Application will be declared complete and ready for Planning board nsideration.

30. Certification of Information:

I certify that all information given in this Application is accurate and truthful. All proposed uses shall be in conformance with this Application and with the Town of Fayette Land Use Ordinance. I understand that a building permit will be issued only on the condition that all material representations made by this applicant are true. I also understand that the Planning Board may revoke or amend this permit if, after a hearing, it concludes that a material representation was inaccurate or missing. I agree to future inspections by the Code Enforcement Officer and / or Planning Board members at reasonable hours.

David Gow
Applicant signature

3/5/2024
Date

Nicholas Del Vecchio
Other Applicant signature

3/5/2024
Date

Owner (signature if other than Applicant)

Date

Agent signature (if applicable)

Date

Instructions to help you to complete Application correctly

Please complete all areas of Application

1. **Applicant(s):** full names of all applicants.
2. **Mailing address:** The address where all documents are to be mailed.
3. **Applicant's tel. #:** Contact person's telephone number.
4. **Applicant's E-mail address.**
5. **Property owner(s):** Names of all property owners. If same as #1, write Same.
6. **Owner(s) address:** Address(s) of all property owner(s). If same as #2, write Same.
7. **Owner(s) Telephone #:** if same as #5, write Same.
8. **Owner's E-mail Address:** if same as #4, write Same.
9. **Contractor / Agent:** Name of person / agency representing Applicant. If self, write Self.
10. **Contractor / Agent Address:** Address of person / agency representing Applicant. If self, write Self.
11. **Contractor / Agent Tel. #:** Telephone number of Contractor/Agent. If self, write Self.
12. **Contractor / Agent E-mail address.** If same as #4, write Same.
13. **Location/Address of property:** If no address, give street name(s).
14. **Tax map pages & Lot #:** Consult tax map in Town Office. This information can also be found on your property tax bill.
15. **Land Use District (Rural, or Rural Growth.** If necessary, consult w/ CEO.
16. **Subdivision?** If property is NOT in a subdivision, answer NO. If property is in a subdivision, answer Yes, give name of subdivision & include a copy of the subdivision covenants with your completed application. Be sure you are familiar and comply with the covenants of your subdivision.
17. **Lot area Sq. Ft. –** If your lot is square or rectangular, measure the length of one side line of the lot, then measure the length of one end of the lot, then multiply the two measurements (dividends) to get the total square footage.
18. **Measurements of property dimensions in feet:**
 - 18a): **Dimensions on rear:** Measure the horizontal straight-line distance between the intersections of the side lot lines with the road right-of-way.
 - 18 b): **Dimensions on sides -** Measure the length in a straight line between intersections of the lot lines of the road with the shoreline.
 - 18 c): **Dimensions on front (Waterbody) (Ft.) -** For a lot bordering on a waterbody or wetland, measure the length in a straight line between intersections of the lot lines with the shoreline.
19. **Height of Structure after Completion:** Measure the vertical distance between the average original grade (prior to construction) at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.

20. Sq. Ft. of Lot to be covered by Non-vegetative Surfaces: These are all of the impervious areas that include all buildings, all structures, all roads & driveways and any other non-vegetated areas.
21. Current Use of Property: Some examples include, but are not limited to: single family dwelling, duplex, multi-family dwelling, manufactured housing (modular or trailer), storage facility (shed), office building, store, manufacturing/processing facility. Indicate whether seasonal or permanent dwelling.: _____
22. Proposed Use after Completion: Refer to examples in #20 above.
23. Estimated Cost of Construction: Indicate estimated contract price or, if using own labor, indicate the estimated cost of all materials.
24. Please describe, in detail, the work to be done for your proposed project: Indicate if you are building a new structure or converting a residence from a seasonal to year- round use. Describe the exact position of proposed structure(s), and their uses with accurate setback distances from the road and from the side & rear property lines (include decks, porches and all outbuildings). Describe the location of property markers (pins, bars, fences), proposed wells, septic systems, drainage ways, erosion & storm water control measures, road(s), driveways, parking areas. Include the areas & the amounts to be filled and graded. If the proposal is for expansion of an existing structure please distinguish between the existing structure and the proposed expansion. Some of these areas are difficult to describe in writing. On the graph paper on page 3, you may supplement your written description with a sketch of the proposed plan. Sketch the lot lines and give the exact measurement, in feet, of each line. Please include all items requested.
25. Scaled drawing if required by the CEO: including, but not limited to all of the areas required in #23, above. Please indicate location of North.
26. Photos: Please provide photos showing the existing structure (or the vacant lot where the proposed structure is to be built). Then, superimposed on the photograph, using a magic marker, draw the proposed structure(s). Include as many photos as you'd like so the Planning board can get an accurate sense of your property and proposal.
27. Standard Conditions of Approval: Please read carefully and plan your project accordingly. Some or all of the conditions may apply to your project. Prior to declaring your application complete, the Code Enforcement Officer will review this section with you to assure that your proposed project complies with these conditions.
28. Building permits Involving Non-Conforming Conditions: If your property fails to conform to any of the current requirements of the Land Use Ordinance, it may not be altered so as to increase the non-conformity. E.g. Many of the current requirements are set forth in the Dimensional Table in the Land Use Ordinance (Article 7, Section 6).
29. Recommendations: Please read carefully to determine if other additional permits, approval and reviews are required before the Application will be declared complete and ready for Planning Board consideration.
30. Certification of Information: The applicant (s) and / agent must read and sign. If the owner is other than the applicant(s), the owner must also sign

4. Single family residential structures may be allowed by special exception only in accordance with the provisions of Article 6 Section 6 (E), Two family residential structures are prohibited.

5. Except when area is zoned for Resource Protection due to floodplain criteria in which case a permit is required from the Planning Board.

6. Licensed Plumbing Inspector permit may be needed.

7. Forest Management Plan may be required.

SECTION 6. DIMENSIONAL REQUIREMENTS

All buildings and structures shall conform to the *dimensional requirements* set forth in this section, which are minimum requirements, unless otherwise noted.

A. Table of Dimensional Requirements

| | Resource Protection | Wetland District | Stream Protection | Shoreland | Rural | Rural Growth |
|--|------------------------|---------------------|----------------------|-----------|-------------------------------|-----------------|
| Lot Size (Note # 1) | 1 acre | 2 acres | 1 acre | 1 acre | 2 acres | 1 acre |
| Road Frontage | 150 feet | 200 feet | 150 feet | 150 feet | 200 feet (see B.8., below) | 200 ft |
| Road Setback (ft.) (Note #3) | 50/75 | 50/75 | 50/75 | 50/75 | 50/75 | 50/75 |
| Side Setback | 15 feet | 15 feet | 15 feet | 15 feet | 25 feet | 15 feet |
| Rear Setback feet | 15 feet | 15 feet | 15 feet | 15 feet | 25 feet | 15 feet |
| Maximum Building Height (Note #4) | * | * | * | * | 35 feet | 35 feet |
| (See Note 4 [a,b,c,d & f]) | | | | | | |
| Shore Frontage (Note # 2) | 200 feet | 200 feet | 200 feet | 200 feet | N/A | N/A |
| Shore Setback (note #5) | 250 feet | 100 feet | 75 feet | 100 feet | N/A | N/A |
| Maximum Impervious Area (Note # 6) | 20% | 20% | 20% | 20% | 35% | 50% |

NOTES

1. The minimum lot size for any Commercial, *Institutional*, or Government structure located in a Shoreland, Stream Protection, Wetland and Resource Protection



Planning Board Application

South Road Farm

March 2024

David Gow and Nick Del Vecchio

220 South Road



King's Arrow Company, LLC

Joseph F. Stevenson, Owner

190 South Road

Fayette, ME 04349

Fayette Farm, LLC

March 13, 2024

ATTN David Gow

220 South Road

Fayette, ME 04349

Dear Mr. Gow

Based on our discussions regarding the proposed change of use for the farm located at 220 South Road to a commercial event center/wedding venue, the proposed subsurface wastewater design flow calculations, according to the Maine Subsurface Wastewater Rules are as follows:

Utilizing the flow rates for "Dance Hall" as best-fit:

200 guests at 5 Gallons per Day (GPD) each = 1,000 GPD

35 Employees at 12 GPD each = 420 GPD

Increasing the home from a 3 BR to a 4 BR = expansion of 90 GPD

Add commercial prep-kitchen to the house = addition of external grease interceptor and 100 GPD.

Based on the site conditions and the existing 3-bedroom system in place, two design components are proposed; expand the existing 3-BR system to accommodate the additional bedroom (90 GPD) and add an external grease interceptor for the commercial kitchen (100 GPD) as required by the rules. The existing tank at the house may need to be up-sized to 1,500 gallons as well.

The flow from the venue would flow into a new, separate field designed to accommodate 1,420 GPD.

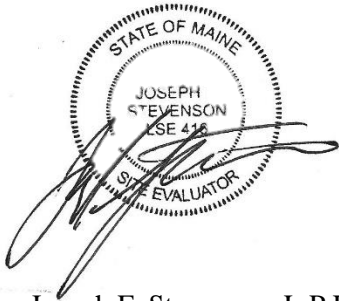
This field would be located in the field below the barn, the soils were found to be a 2 AIII profile, a glacial till over ledge suitable for disposal field location. The disposal field would be comprised of Eljen in-drains with a profile of 19' X 80' stepping down the slope.

Tank capacity of 2,200 gallons would be required at the barn.

Please feel free to reach out to me with any questions about the proposed design.

Respectfully,

King's Arrow Company, LLC

A circular notary seal for the State of Maine. The seal contains the text "STATE OF MAINE" at the top, "JOSEPH STEVENSON" in the center, "LSE 416" below the name, and "NOTARY PUBLIC" at the bottom. A handwritten signature in black ink is written over the seal.

Joseph F. Stevenson, L.P.F, L.S.E

Application summary

South Road Farm event venue

Our intent for South Road Farm is to reimagine the property's purpose as an event venue while preserving the historic character of the nearly 200 year old barns, farmhouse and other outbuildings.

The primary event we plan to host is weddings, between the months of May and October. We propose to also use South Road Farm as a space for community events and gatherings through partnership with other local organizations, such as farmers markets, swap meets, and neighborhood barbecues.

In addition to the requested change in use, this application seeks approval for a new 45 space parking lot located on the property, which will sit between mature trees and vegetation, preserving the natural landscape and rural character of the property.

The design and recommended sizing for a new and expanded septic system is described in the accompanying letter from King's Arrow Company, attached to the Rural Land Use application.

Drawings and project plans are included on subsequent pages of this application packet. Project plans were submitted to the State Fire Marshal's office on October 10, 2023 for construction permit approval in compliance with all required life and safety standards. Approval is currently pending submission and review of final drawings.



Property overview and history

Property and buildings

220 South Road is a 66.5 acre property with approximately 1,000 feet of road frontage along South Road in Fayette's southwest corner, as seen in the map to the right. The property includes a variety of buildings dating back to the early 1800s, including:

- 2,338 square foot farmhouse
- 2,075 square foot barn
- 1,250 square foot barn

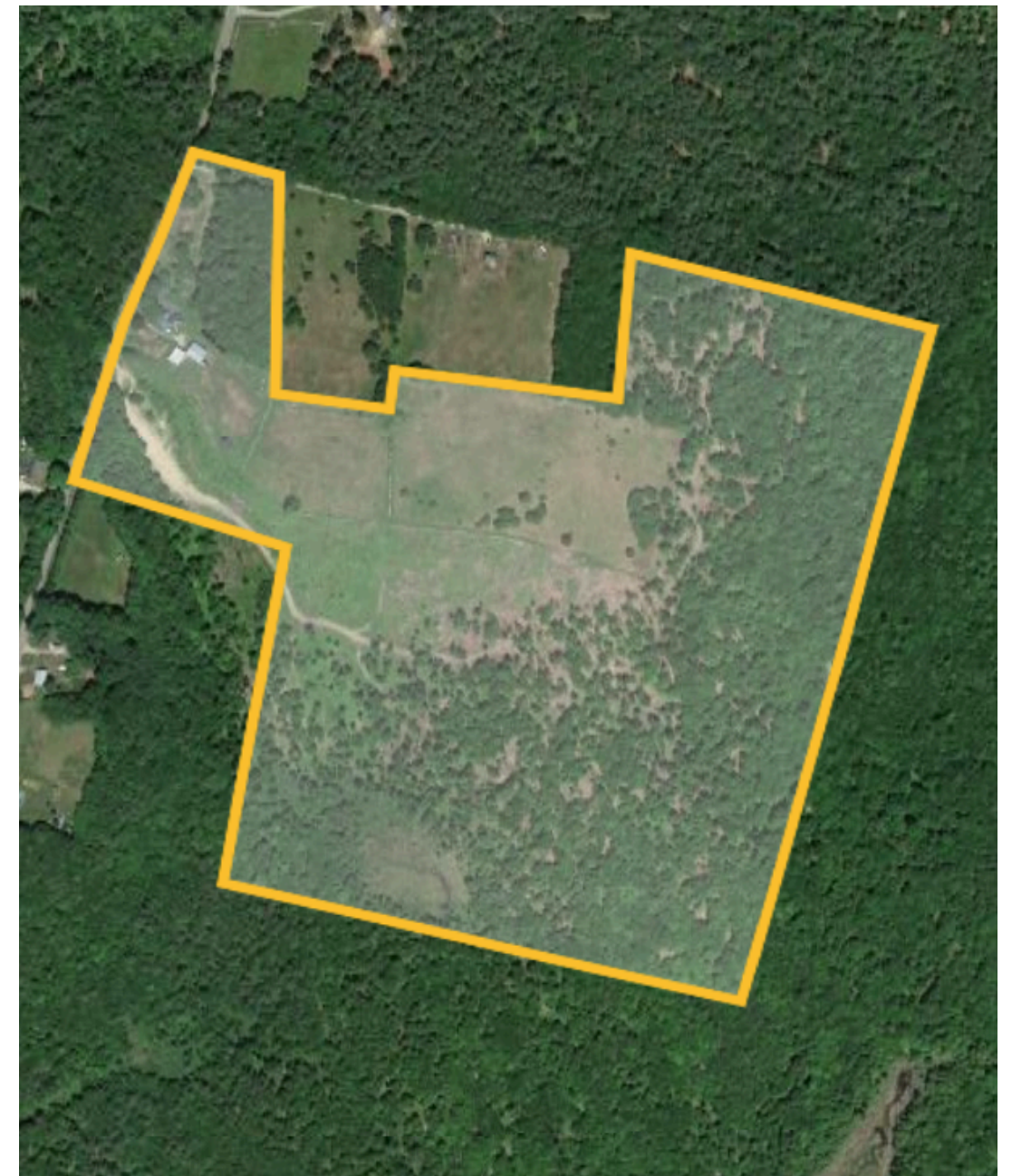
A brief history of South Road Farm

South Road Farm began as the Joseph Watson Homestead, located on County Road in Sterling Plantation in what was then the Commonwealth of Massachusetts. The first home was built by Joseph Cramm in 1793, the foundation for which remains intact at the center of the present, post and beam farmhouse constructed in the early 1800s.

The Harris family purchased the property in 1894, well known in the area for its oxen, cattle, and hard cider production from the farm's apple orchard. They also had a slaughterhouse, which remains today, where animals in Fayette and surrounding towns were taken for slaughter. The family's blacksmith shop is now used as a garage.

The property has since passed through a variety of families: the Black family, Andrews family, Cassidy family, and Brazas family, prior to its current owners, Dave and Nick.

Dave and Nick take great pride in ownership and stewardship of South Road Farm's unique history and landscape. Our aim is to restore the property's buildings and infrastructure in keeping with that history so that they remain for the community to enjoy for years to come.



Proposed event operations

Operating season

Weddings will be hosted between May and October, driven largely by the more temperate weather of non-winter months. Typically, the high season for New England weddings is September and October.

Hours of operation

All events must end by 9 P.M. on weeknights (Monday night – Thursday night) and by 11:59 P.M. on weekend nights (Friday night, Saturday night, Sunday night). Weddings will only occur on weekend nights.

All amplified music outdoors must end by 7 P.M. on weeknights (Monday night – Thursday night) and by 10 P.M. on weekend nights (Friday night, Saturday night, Sunday night).

Weeknight events might include more public, non-wedding events such as farmers markets or swap meets.

Venue capacity

The number of guests attending a wedding or event will not exceed 200. The number of overnight event guests in the farmhouse will not exceed 10. The farmhouse and property will be available to couples during their wedding weekend from midday Friday through midday Sunday (or Monday on a holiday weekend).

Transportation and parking

Parking will be provided for up to 45 vehicles in an onsite lot (the parking lot meets all setback and sightline requirements based on review by the town's DPW and CEO). In addition, clients will be required to provide a transportation shuttle option to their guests, such as school buses or coach buses, when needed to accommodate venue occupancy.

Onsite staff

A member of the staff will be onsite during all wedding events. During the time between check-in and check-out not including the event itself (e.g. Friday set-up, Sunday breakdown), a member of the staff may not be onsite at all times, but will be available to come to South Road Farm upon request. In addition, a wedding or event coordinator will be required to assist with wedding or event planning.

Trash and sanitation

A new and expanded septic system is intended to accommodate the maximum number of guests and proposed use. Until the septic expansion and accompanying restroom facility is complete, luxury portable restrooms will be used during events.

All event trash will be removed at the end of the evening by the catering company and bartending services.

Planning standards

We aim to operate a successful business while also preserving and respecting the rural character of our neighborhood. Our plan is designed not to have an undue effect on the scenic or natural beauty of the area.

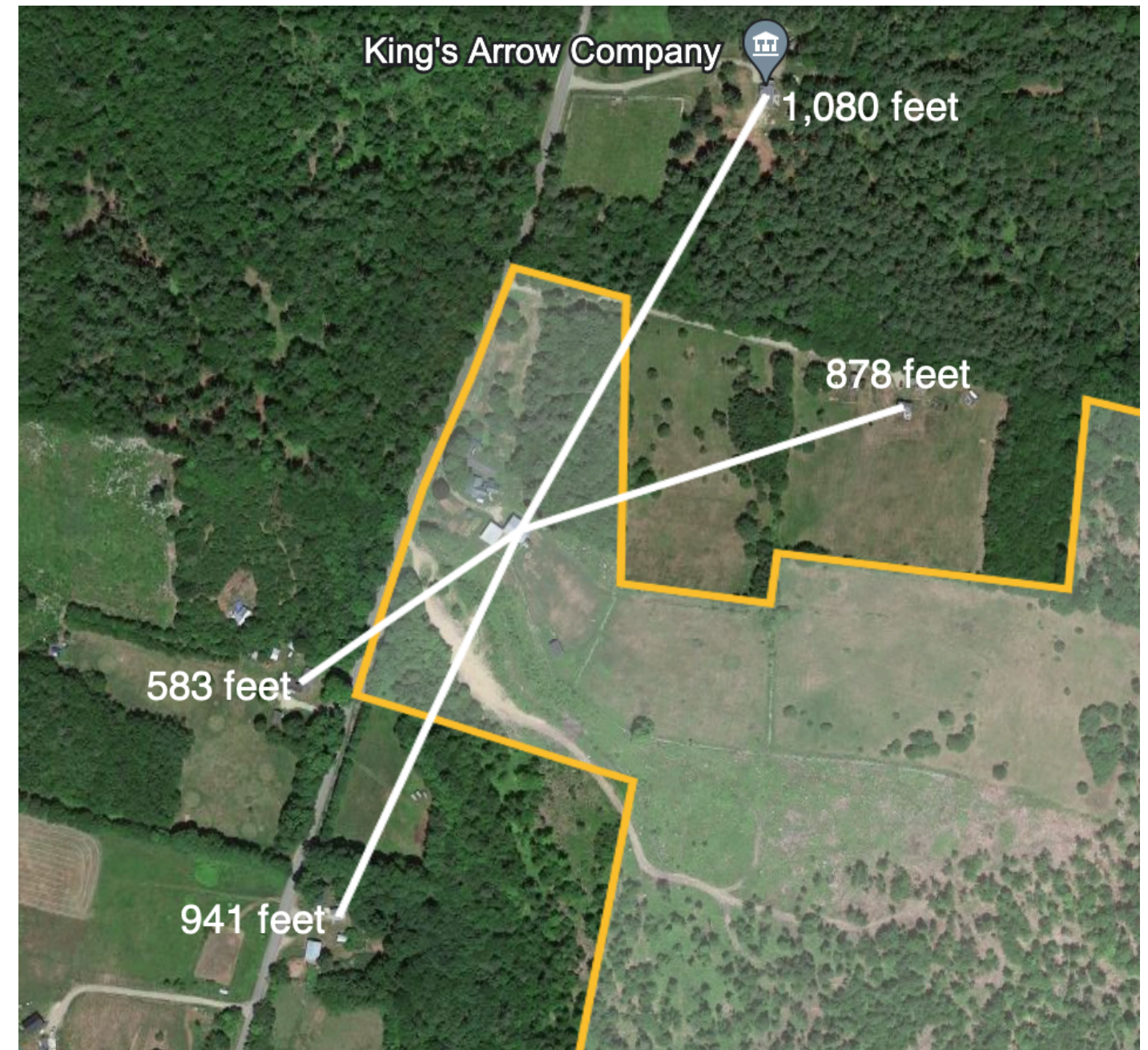
Beyond making ourselves available to our neighbors by text or phone at any time, we'd like to address concerns that some might have and propose ways to address them.

Sound levels

Our four closest neighbors live on average nearly 900 feet from the property's main barns (as seen in the map to the right). That said, sound levels during events may, on occasion, exceed the low night time sound levels in our neighborhood. As a result, the following measures are intended to mitigate the likelihood of those occasions:

- Weddings will only take place on weekend nights (Friday night, Saturday night, Sunday night) while in-season (May – October).
- Any outdoor amplified noise will end by 10 P.M. on weekend nights.
- All newly installed venue doors will have self-closing mechanisms, limiting the exposure of sound escaping to the outdoors.
- All newly installed windows to be double-paned.
- During renovation of the second barn (which lost its roof in the recent storm on December 18th, 2023), proper sound-proofing insulation will be installed in all walls and roof.

Furthermore, if a member of the staff is ever alerted or determines that the music, band, or DJ is too loud, the volume will be asked to be lowered.



Distance from nearest neighbors to property's barns

Planning standards

Traffic

To reduce traffic on South Road, clients must provide a transportation shuttle option to their guests, such as school buses or coach buses, to accommodate venue occupancy. Any increased traffic due to wedding events will likely occur at most one day per week during rental weekends.

Light pollution

We aim to protect dark skies in our neighborhood through the use of exterior fixtures that include accessories such as shields, visors, or hoods, and by restricting the amount of upward-directed light. Our plans intend to minimize any unwanted light falling on adjacent properties, as well as to use bulbs with “warm” color temperatures.

Security

Our rental contract will specify all rules and relevant ordinances (for example, no fireworks will be permitted at any time), making guests acknowledge their obligations and be responsible for their behavior. A member of the staff will be onsite during all wedding events, who will be responsible for making sure that guests adhere to the contract.

Fire safety

Fire safety during events at South Road Farm is of critical importance and includes a variety of precautions inside and outside our facilities:

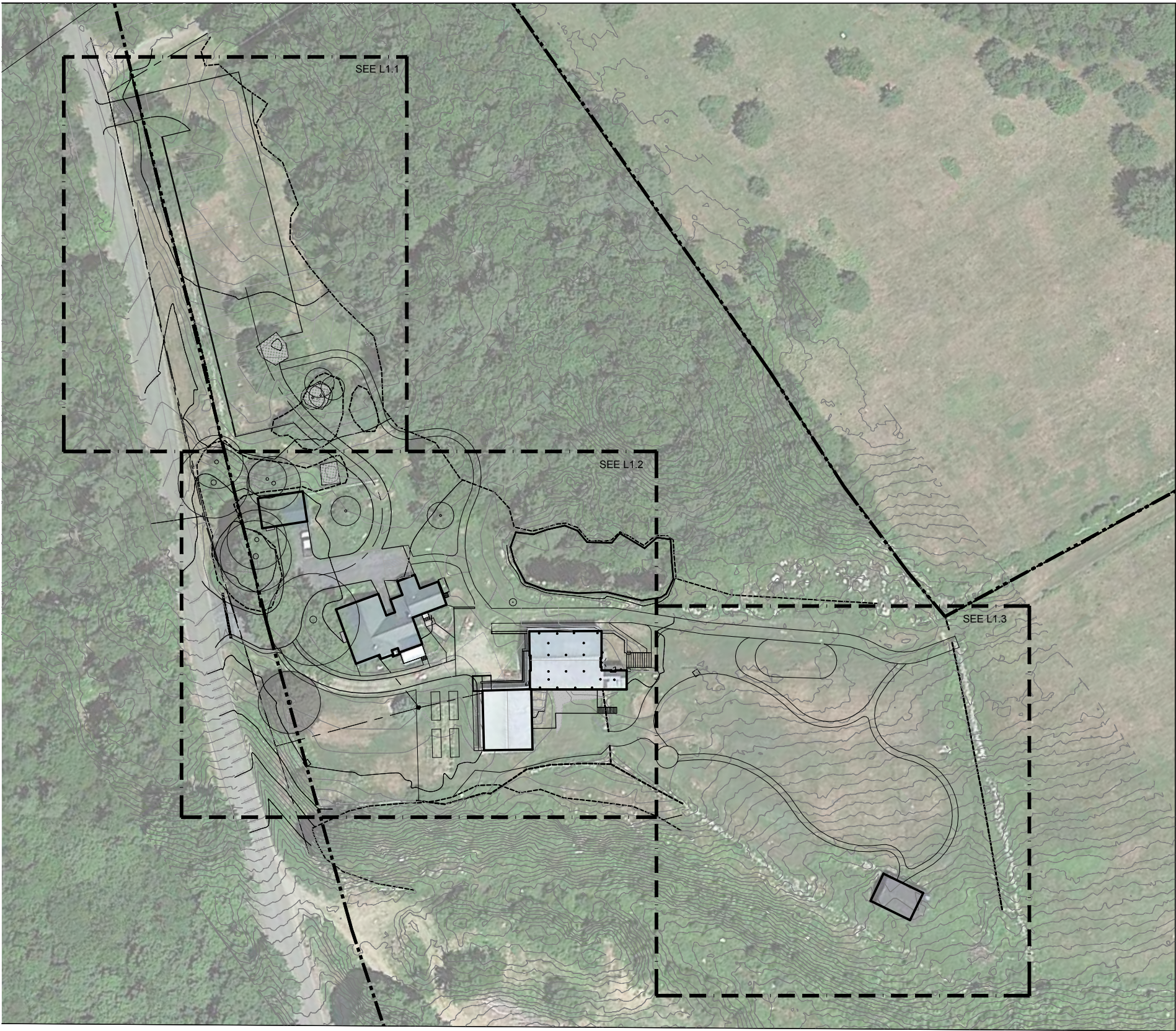
- South Road Farm buildings are non-smoking venues. Smoking will be permitted only in designated areas outside.
- All candles must be contained or enclosed in glass and be approved in advance by the staff.
- Barbecues and grills will be used outside only, and only by the client's catering company.
- No fires will be allowed on the grounds of the venue, except in the designated fire pits. No bonfires are allowed on any part of the property.
- Fire Marshal life and safety standards include a variety of additional measures such as lighted emergency exit signage, multiple points of egress, accessible fire extinguishers, and fire retardant finishes on wood surfaces.

Alcohol

All alcohol will be served by an insured and licensed bartender or bartending service during weddings. Guests will not be permitted to self-serve alcohol during events.

Drawings and plans

All building drawings and site plans under review by the State Fire Marshal's office are included on the following pages.

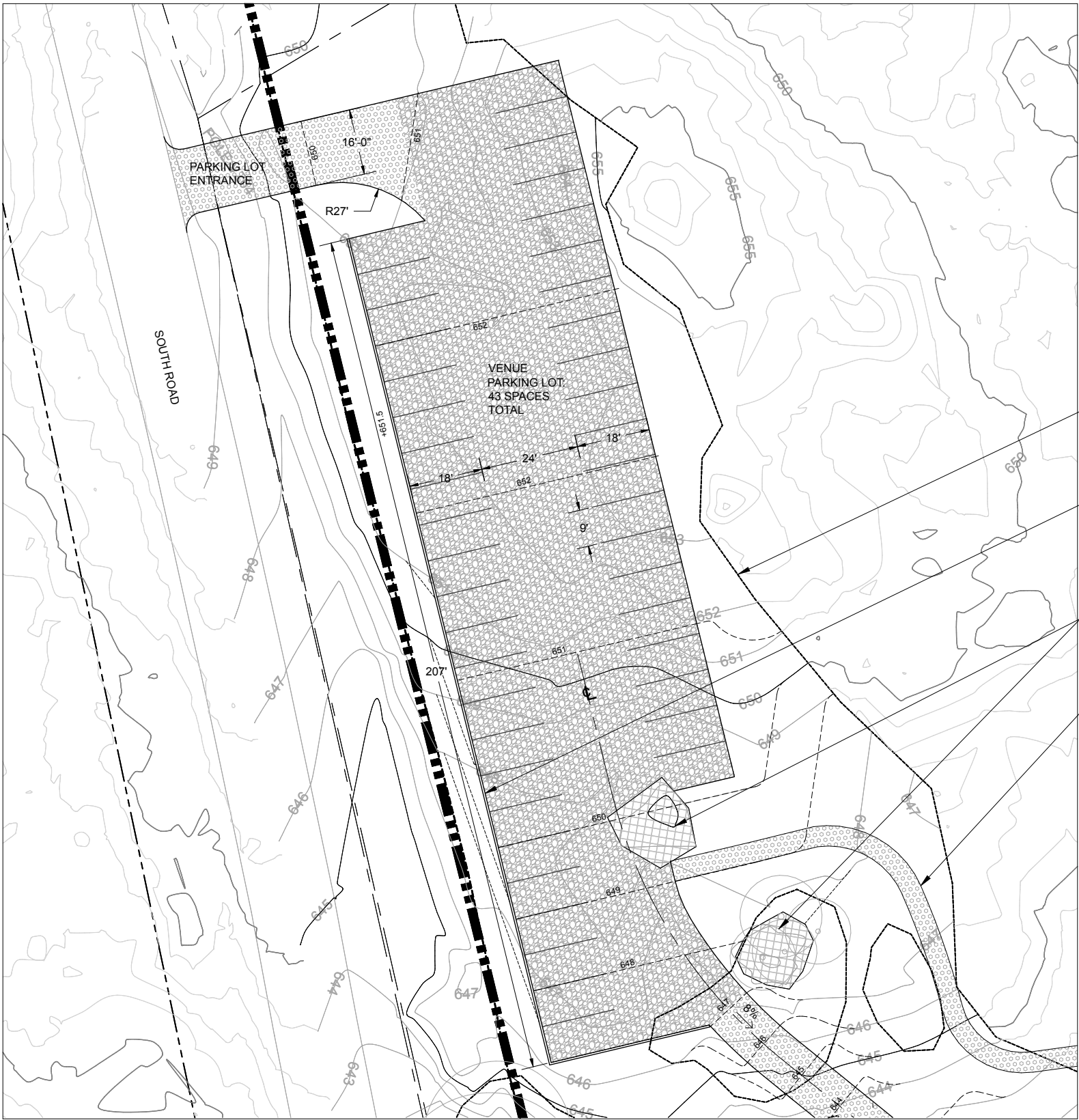


1 KEY PLAN
1:80

SHEET LIST

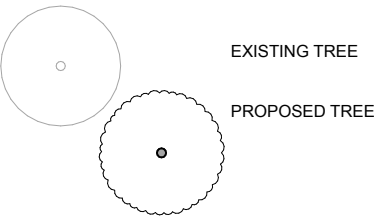
- L1.0 KEY PLAN
- L1.1 SITE PLAN - NORTH PARKING LOT
- L1.2 SITE PLAN - RECEPTION AREA
- L1.3 SITE PLAN - EAST FIELDS
- A1.0 LARGE BARN FLOOR PLAN
- A1.1 SMALL BARN FLOOR PLAN
- A2.0 WEST BUILDING ELEVATIONS
- A2.1 NORTH BUILDING ELEVATIONS
- A2.2 SOUTH BUILDING ELEVATIONS
- A2.3 EAST BUILDING ELEVATIONS
- A3.0 SITE DETAILS

1 SITE PLAN - NORTH PARKING LOT
1/32" = 1'-0"



LEGEND:

- PROPERTY LINE
- EDGE OF VEGETATION
- MAJOR CONTOUR - EXISTING
- MINOR CONTOUR - EXISTING
- MAJOR CONTOUR - PROPOSED
- MINOR CONTOUR - PROPOSED

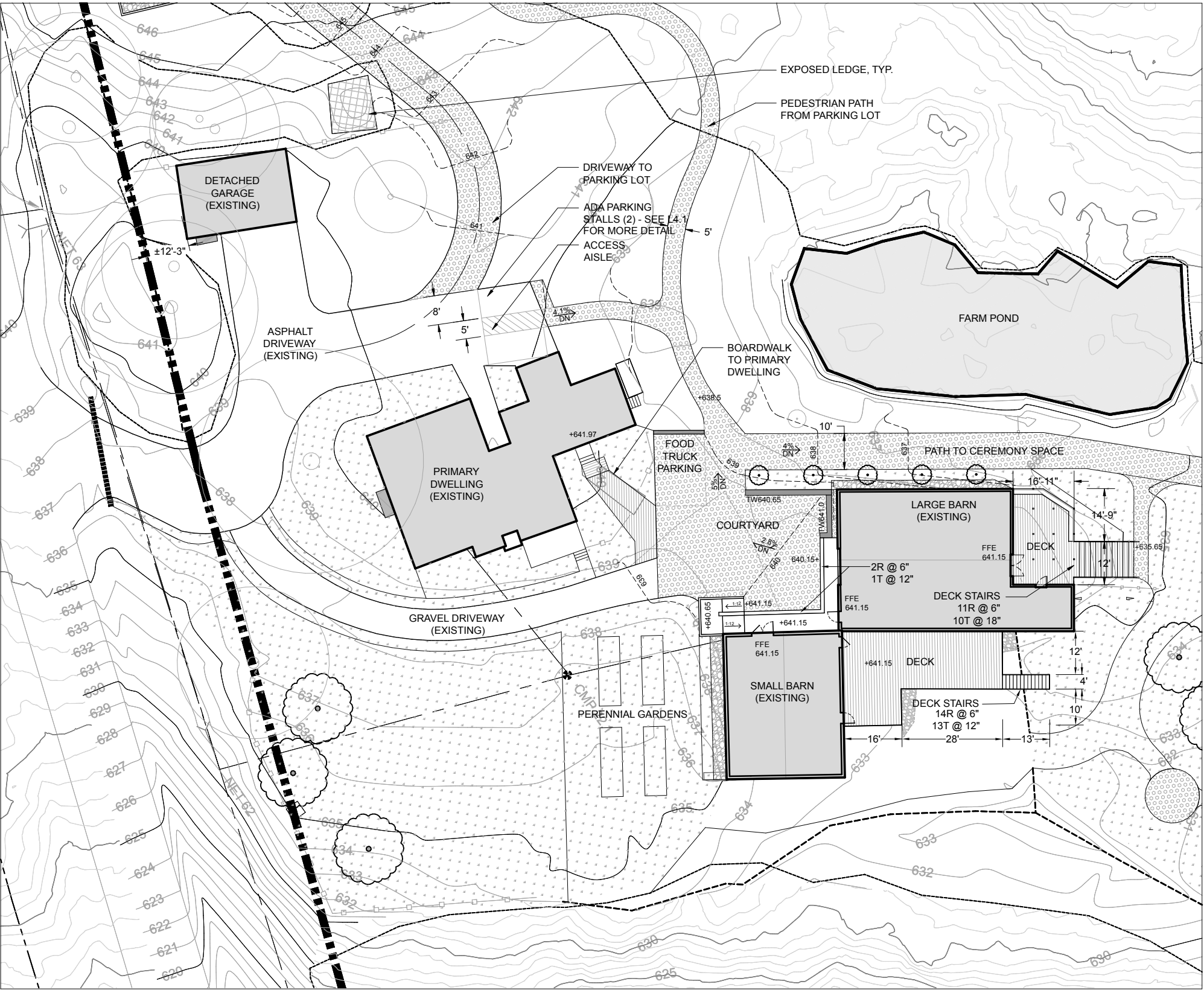


- EXISTING TREE
- PROPOSED TREE
- EXPOSED LEDGE
- CRUSHED STONE
- GRAVEL

GENERAL NOTES

- OUTSIDE OF PARKING LOT, PATH AND DRIVEWAY BOUNDARIES, EXISTING PLANTINGS WILL REMAIN.





LEGEND:

- PROPERTY LINE
- EDGE OF VEGETATION
- MAJOR CONTOUR - EXISTING
- MINOR CONTOUR - EXISTING
- MAJOR CONTOUR - PROPOSED
- MINOR CONTOUR - PROPOSED
- EXISTING TREE
- PROPOSED TREE
- EXPOSED LEDGE
- CRUSHED STONE
- GRAVEL
- PATH MATERIAL, TBD
- WOOD DECKING
- GRANITE CURB/ RETAINING WALL, REPURPOSED GRANITE BLOCK
- TURF GRASS / PLANTINGS

GENERAL NOTES

- NO RENOVATION WORK IS PROPOSED AT THE DETACHED GARAGE, PRIMARY DWELLING, OR OUTBUILDING
- EXISTING ASPHALT AND GRAVEL DRIVEWAYS ARE TO REMAIN AS IS
- WHERE NO GRASS/PLANTING HATCH IS INDICATED OUTSIDE OF STRUCTURES OR HARDSCAPE AREAS, EXISTING PLANTINGS WILL REMAIN.
- SEE SHEET A1.0 FOR PROPOSED FLOOR PLAN OF LARGE BARN AND SHEET A1.1 FOR SMALL BARN

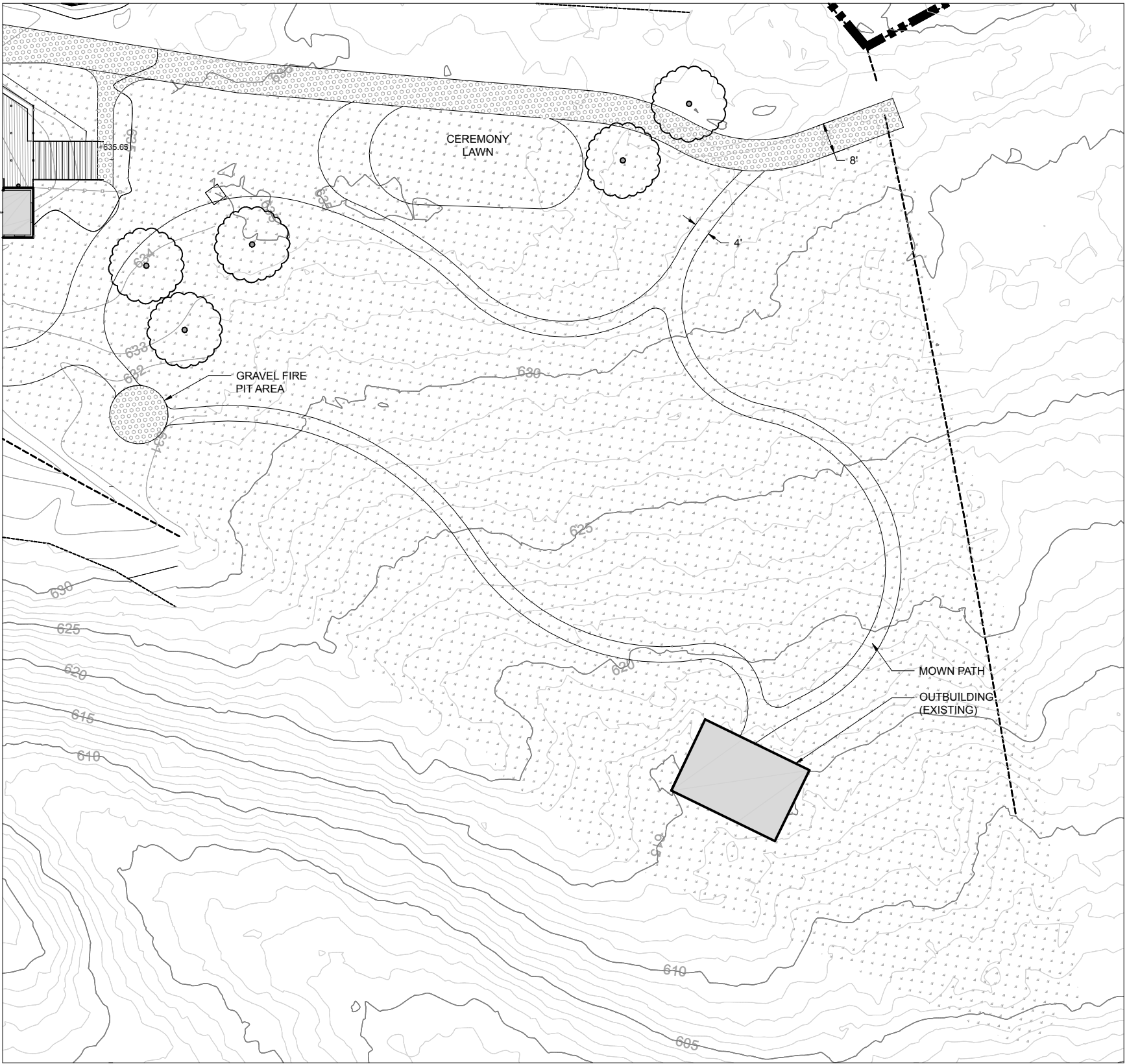
1 SITE PLAN - BARN
1/32" = 1'-0"



1

SITE PLAN - EAST FIELDS

1/32" = 1'-0"



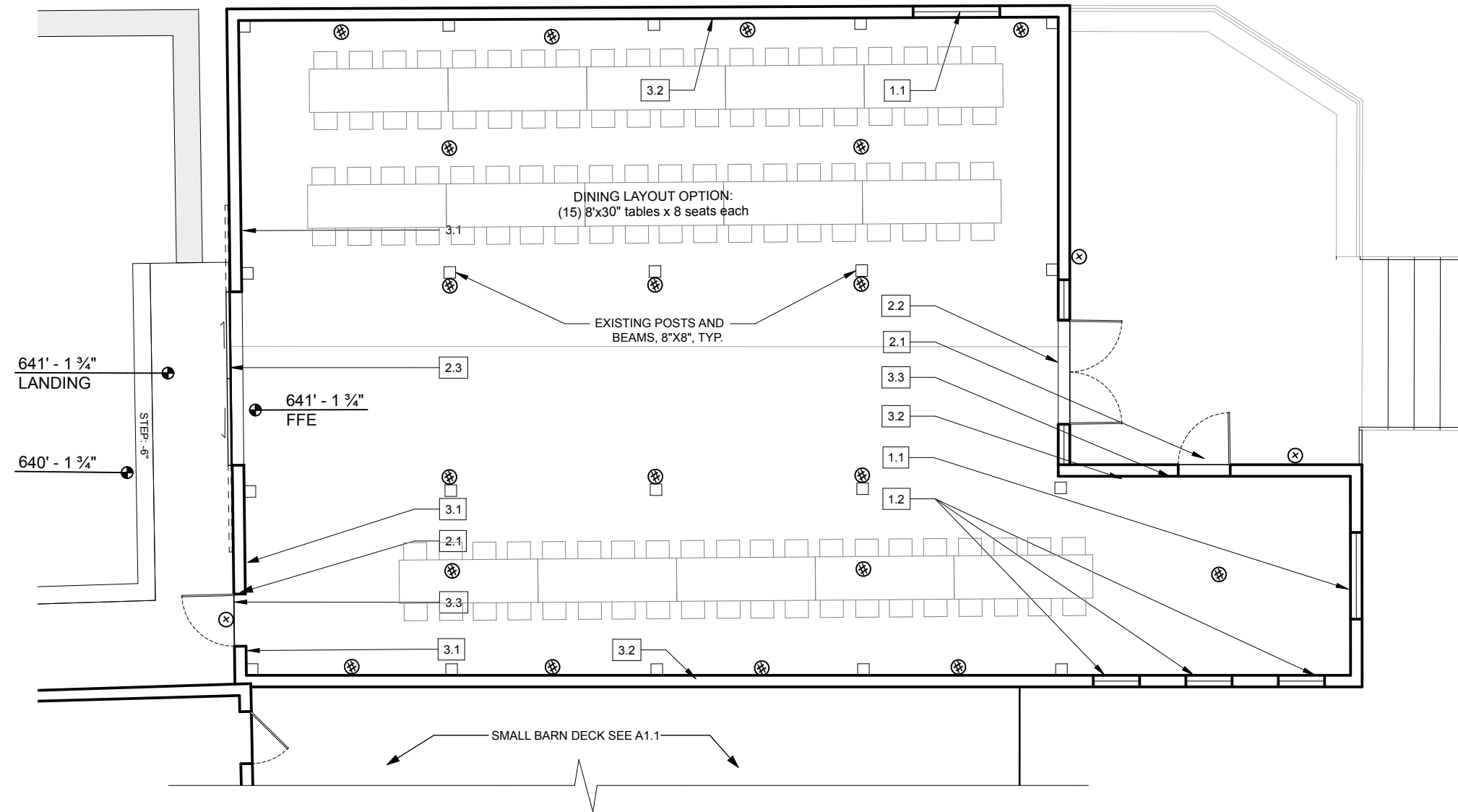
LEGEND:

- PROPERTY LINE
- EDGE OF VEGETATION
- MAJOR CONTOUR - EXISTING
- MINOR CONTOUR - EXISTING
- MAJOR CONTOUR - PROPOSED
- MINOR CONTOUR - PROPOSED
- EXISTING TREE
- PROPOSED TREE
- CRUSHED STONE
- WOOD DECKING
- TURF GRASS / PLANTINGS

GENERAL NOTES

1. NO RENOVATION WORK IS PROPOSED AT THE DETACHED GARAGE, PRIMARY DWELLING, OR OUTBUILDING.
2. WHERE NO GRASS/PLANTING HATCH IS INDICATED OUTSIDE OF STRUCTURES OR HARDSCAPE AREAS, EXISTING PLANTINGS WILL REMAIN.





1 FLOOR PLAN - LARGE BARN
1/8" = 1'-0"

MATERIALS SCHEDULE

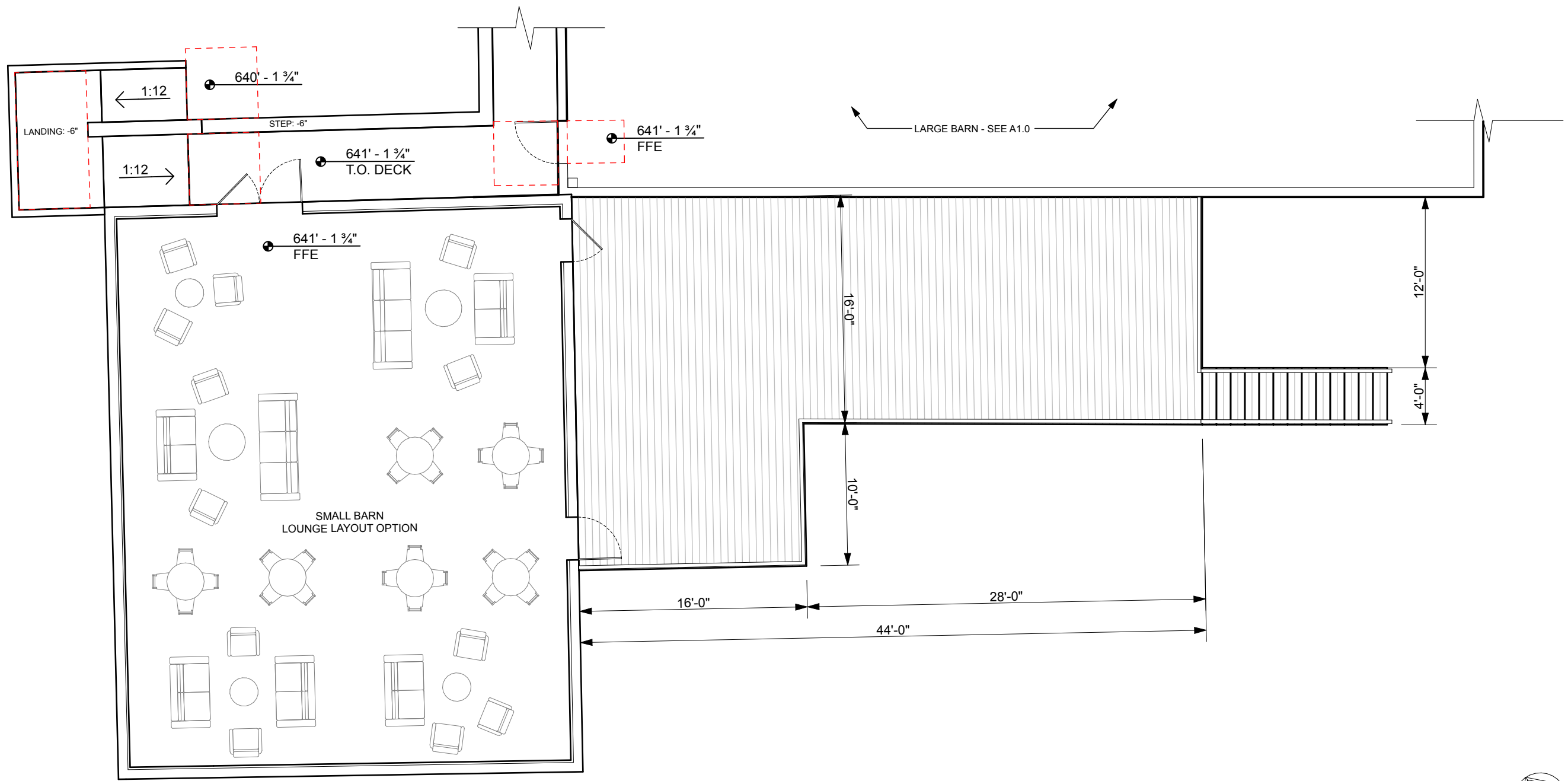
- WINDOWS**
- 1.1 EXISTING WINDOW, 60"x60", TO REMAIN IN PLACE
- 1.2 PROPOSED DOUBLE-HUNG WINDOWS, 32" HIGH X 55" WIDE, (3) TOTAL
- DOORS**
- 2.1 PROPOSED DOOR, 3' WIDE X 7' HIGH, OUTSWING, (2) TOTAL
FRAME: ALUMINUM
GLASS: FULL-LIGHT TEMPERED
EXTERIOR HARDWARE: PULL HANDLE
INTERIOR HARDWARE: ANSI GRADE I PANIC EXIT DEVICE
CLOSER HARDWARE: LCN PARALLEL ARM CLOSER, ADA, ANSI / BHMA
GRADE 1
- 2.2 PROPOSED DOUBLE DOORS, 3' WIDE BY 7' HIGH WITH 28" SIDE LIGHTS,
TO REPLACE EXISTING, OUTSWING, (1) TOTAL
FRAME: ALUMINUM
GLASS: FULL-LIGHT TEMPERED
EXTERIOR HARDWARE: PULL HANDLE
INTERIOR HARDWARE: ANSI GRADE I PANIC EXIT DEVICE
CLOSER HARDWARE: LCN PARALLEL ARM CLOSER, ADA, ANSI / BHMA
GRADE 1
- 2.3 PROPOSED SLIDING DOOR, (2) BI-PARTING PANELS
5' WIDE BY 10' HIGH, TO REPLACE EXISTING
SINGLE SLIDING PANEL - NOT TO BE CONSIDERED
A PART OF PRIMARY EGRESS PATH
CUSTOM BUILT WITH RE-PURPOSED BARN WOOD
EXTERIOR HARDWARE: ANSI GRADE I PANIC EXIT DEVICE
CLOSER HARDWARE: LCN PARALLEL ARM CLOSER, ADA, ANSI / BHMA
GRADE 1
- FIRE SAFETY**
- 3.1 PROPOSED WALL-MOUNT FIRE EXTINGUISHER
- 3.2 PROPOSED SMOKE DETECTOR
- 3.3 PROPOSED COMBINATION EMERGENCY LIGHT/ EXIT SIGN
- LIGHTS**
- ⊗ EXISTING INTERIOR LIGHT FIXTURE
- ⊗ PROPOSED EXTERIOR LIGHT FIXTURE

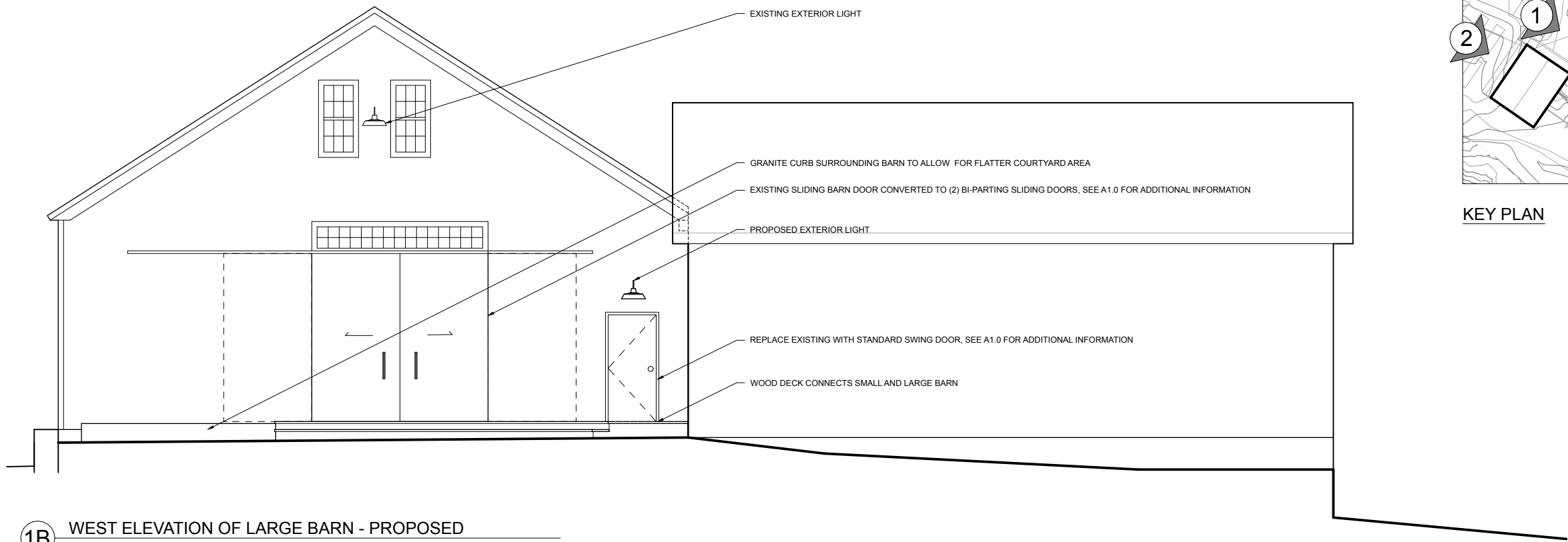
WOOD SPECIES NOTES

1. BARN WALLS AND CEILING MATERIAL:
- 1.1. HEMLOCK, 1" THICK VERTICAL PANELS
2. FINISH FLOOR MATERIAL:
- 2.1. HEMLOCK, 1" THICK FLOORING PANELS
3. DECK SURFACE MATERIAL:
- 3.1. CEDAR, 1" THICK BOARDS
4. FLOOR AND DECK SEALER:
- 4.1. "FLAMES GONE" FR 450 CLASS A FIRE
RETARDANT SEALER FOR WOOD
5. CEDAR NOTES:
- 5.1. FLAME SPREAD RATING: 40
- 5.2. SMOKE DEVELOPED CLASSIFICATION: 140
6. HEMLOCK NOTES:
- 6.1. FLAME SPREAD RATING:73
- 6.2. SMOKE DEVELOPED CLASSIFICATION: 80

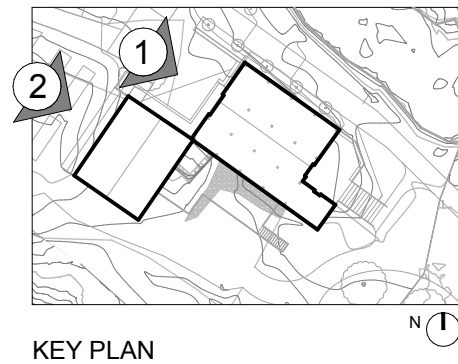


1 FLOOR PLAN - SMALL BARN
1/8" = 1'-0"





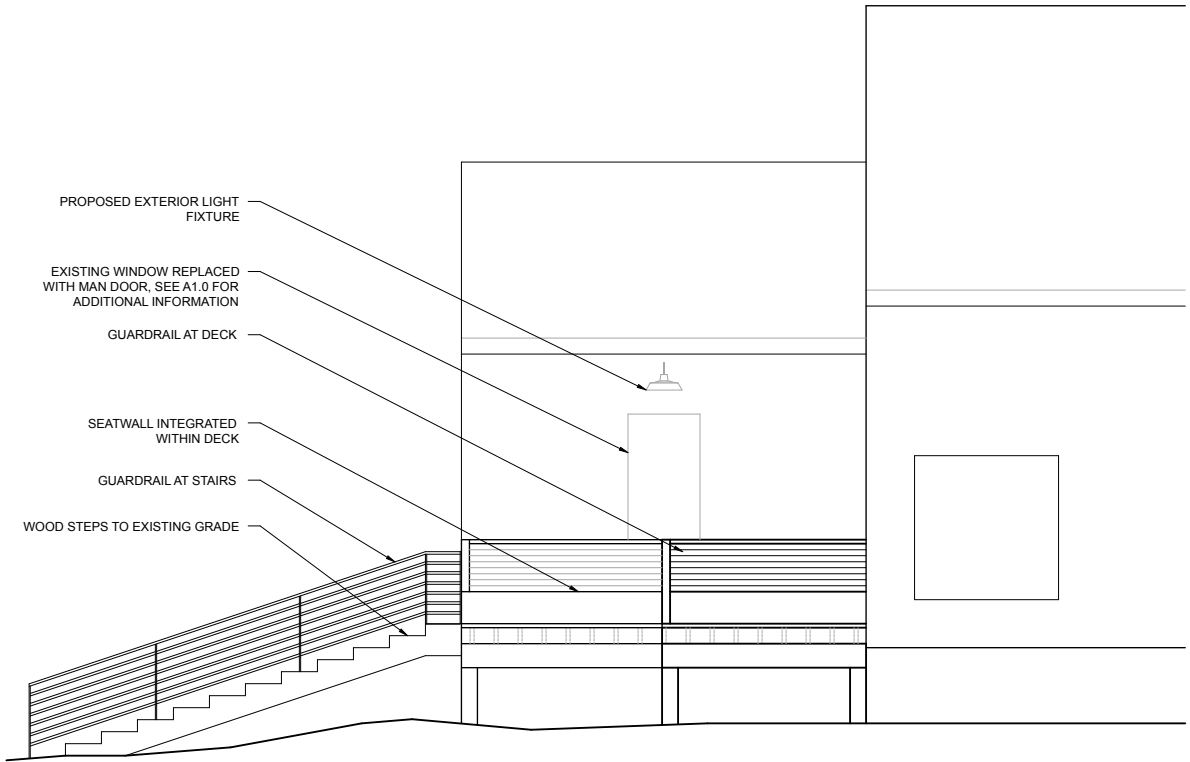
1B WEST ELEVATION OF LARGE BARN - PROPOSED
1/8" = 1'-0"



1A WEST ELEVATION OF LARGE BARN - EXISTING



2 WEST ELEVATION OF SMALL BARN - EXISTING



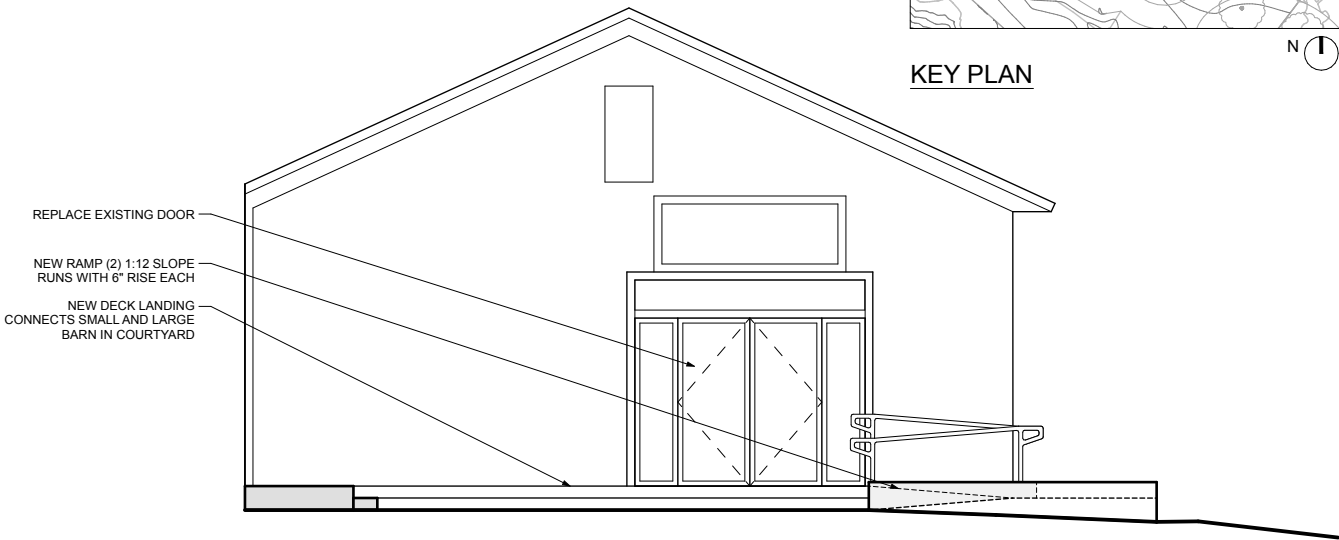
1B NORTH ELEVATION OF ANNEX - PROPOSED
1/8" = 1'-0"



1A NORTH ELEVATION OF ANNEX - EXISTING



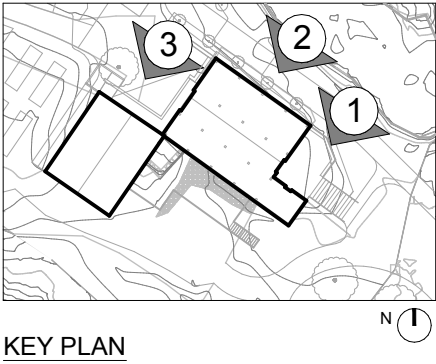
2 NORTH ELEVATION OF LARGE BARN - EXISTING
NO CHANGE

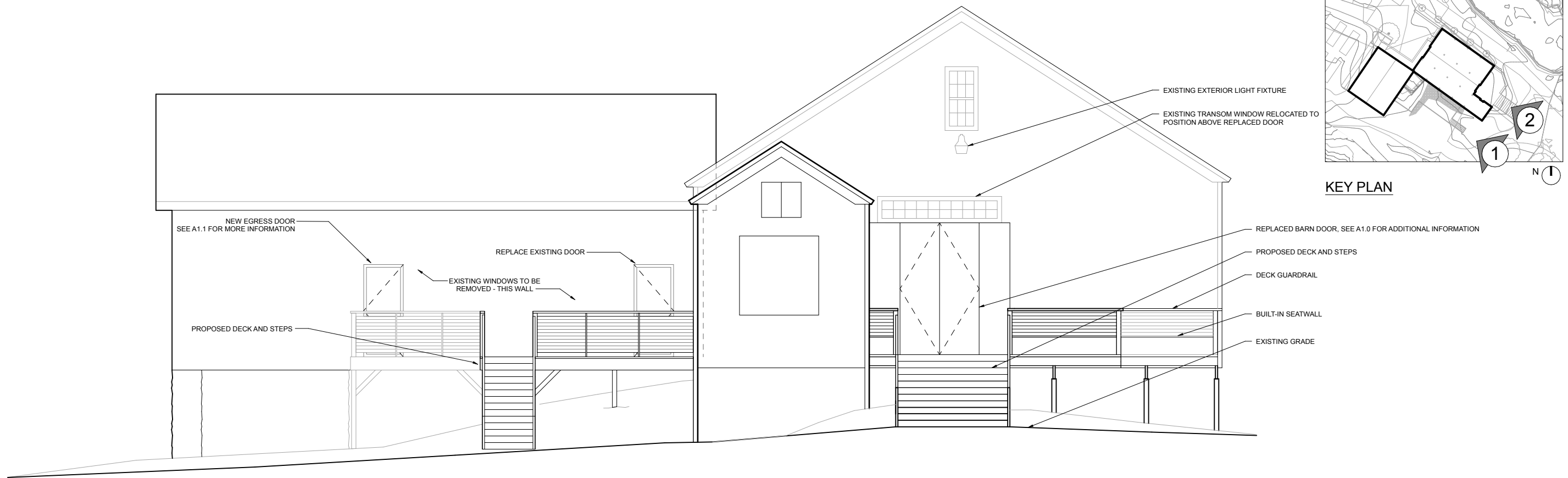


3B NORTH ELEVATION OF SMALL BARN - PROPOSED
1/8" = 1'-0"



3A NORTH ELEVATION OF SMALL BARN - EXISTING





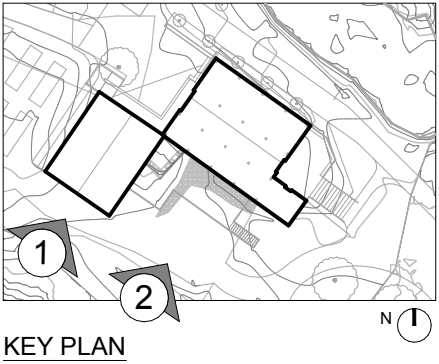
2B SOUTH ELEVATIONS OF LARGE AND SMALL BARN- PROPOSED
1/8" = 1'-0"



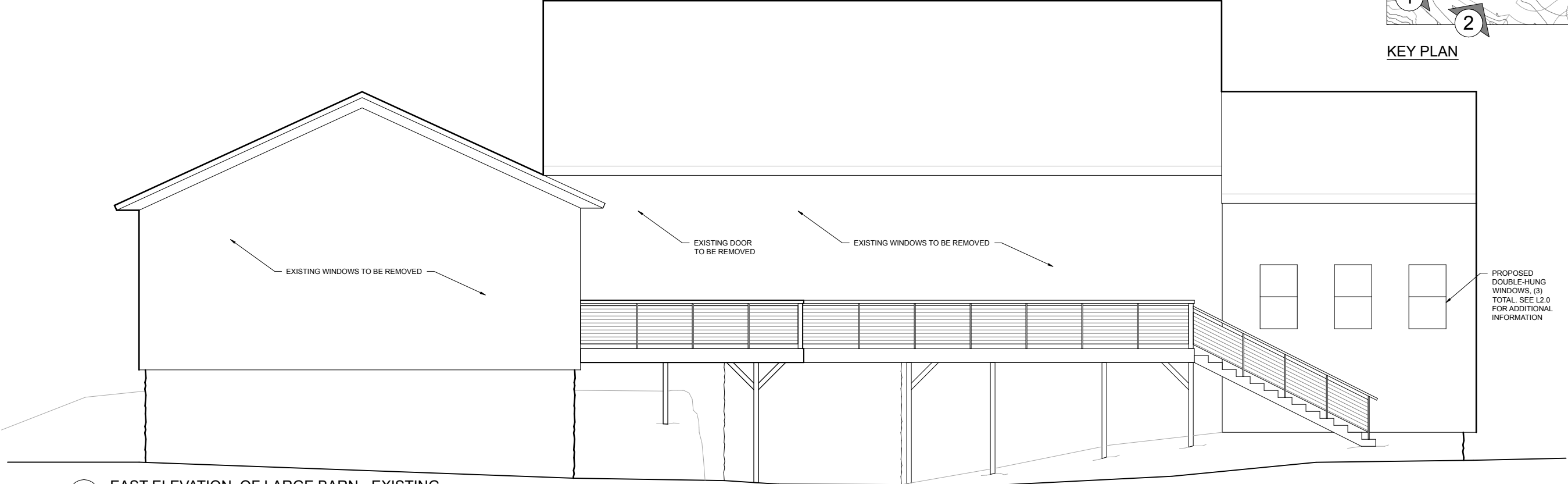
1A SOUTH ELEVATION OF SMALL BARN - EXISTING



2A SOUTH ELEVATION OF LARGE BARN - EXISTING



KEY PLAN



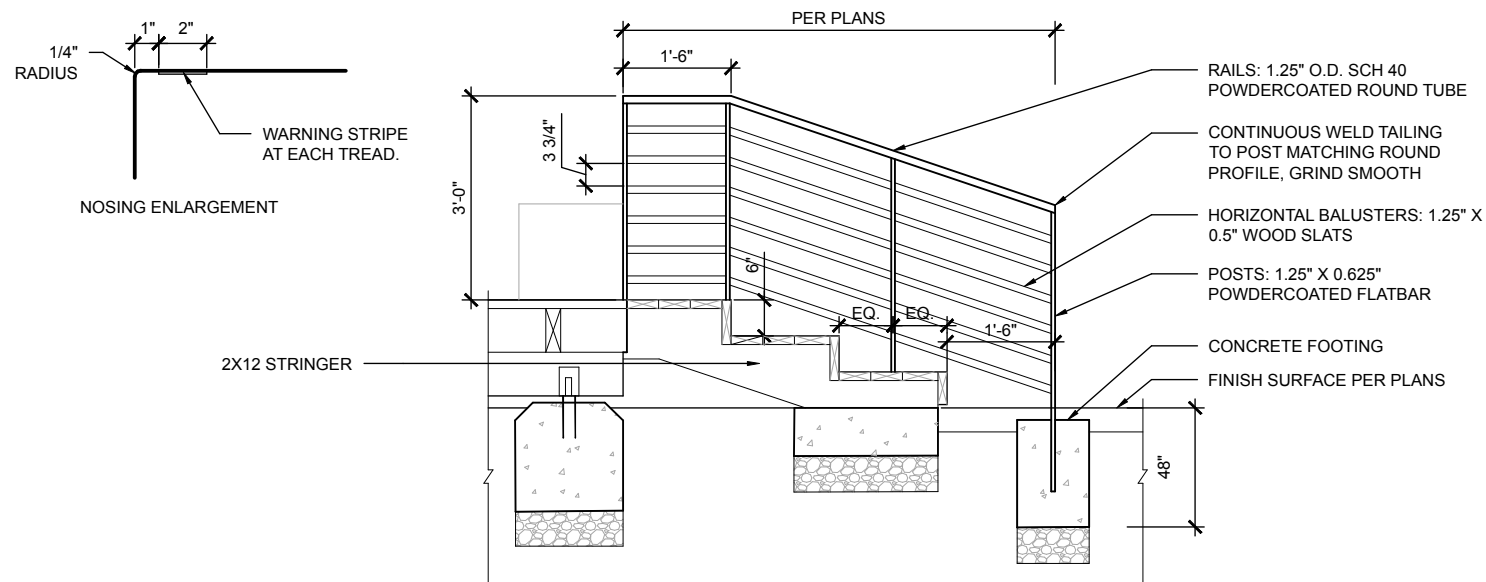
2B EAST ELEVATION OF LARGE BARN - EXISTING
1/8" = 1'-0"



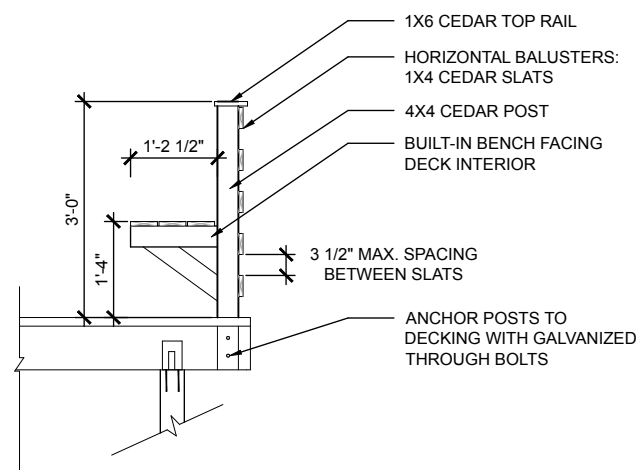
1A EAST ELEVATION OF SMALL BARN



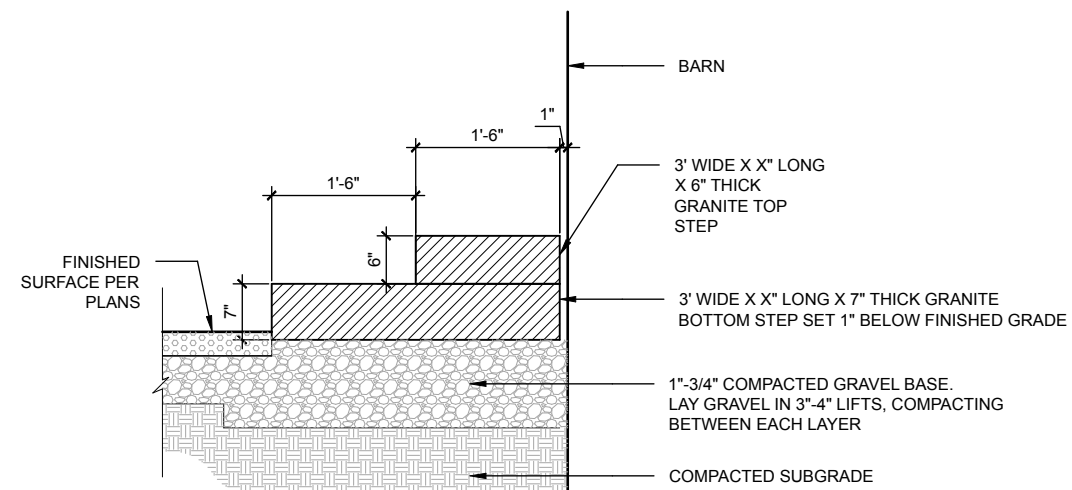
2A EAST ELEVATION OF LARGE BARN - EXISTING



3 WOOD STAIRS WITH GUARDRAIL



2 DECK GUARDRAIL DETAIL



1 GRANITE STEPS

Septic permit application

The design and recommended sizing for a new and expanded septic system is described in the accompanying letter from King's Arrow Company, attached to the Rural Land Use application.

Town of Fayette Planning Board
Public Hearing on Land Use Ordinance Changes

October 16, 2023

Public Hearing was called to order at 6:30 pm by Chair, Jed Davis
Board present in person: Belinda Bothwick, Roy Kraut,
Board present by Zoom: Jed Davis, Mary Anne Hayes, Maggie Chadwick, secretary.
Board present by telephone: Phil Colbath
Staff present: Jessica Leighton
Members of Public Present: Joe Thomazin (zoom), Matt Fletcher (in person), Rob Rogers (in person), Caitlin Valliancourt (zoom).

See Attached Maine Department of Environmental Protection Order #38-2023.

Recommend changes to Fayette Land Use Ordinance to bring Fayette into compliance with provisions of the Mandatory Shoreland Zoning Act.

Article 3.H.6 Making an Appeal: read by Jessica
No comments, no discussion

Article 3.3 C4 Variance Appeals: read by Jessica
No comments, no discussion

Article 8.3.F Piers, Docks, Bridges; Read by Jessica
No comments, no discussion

Article 8.14.C Clearing or Removal of Vegetation for activities other than Timber Harvesting.
read by Jessica

Comments/discussion to place limits on distances from water bodies associated with Great Ponds. Will be fine-tuned by LUO working group.
Motion to accept by Roy, Second by Belinda. None opposed, no abstentions.
Unanimous vote in favor.

Article 9 Definitions: read and explained by Jessica. No vote taken. The town will defer to the state.

Non-Mandatory recommendations

Article 2.3 A. 1.a-f

Section 3 Legal non-conforming Structures

No discussion on sections a b and f.

Discussion of Sections c, d, e, Fayette LUO will be brought into alignment with these sections.

Rob Rogers, a member of the public, was present and commended Jessica for her commitment and hard work on the new high-definition maps developed by USGS. The old quadrangle maps are no longer being updated. The new maps will be a better tool.

Meeting adjourned 7:03

Respectfully submitted,
Maggie Chadwick, secretary to the PB.

Town of Fayette, Maine
Office of the Planning Board
PLANNING BOARD Minutes
Dec 21, 2023

CALLED TO ORDER: 6:30 by Jed

Board Attendance in person: Belinda Bothwick, Roy Kraut, Mary Ann Hayes

Staff in attendance:: Jessica Leighton (in person)

Board Attendance by Zoom: Jed Davis, Maggie Chadwick

Public Attendance by Zoom: Dan Cox

Old Business : none

New Business: Dan and Amy Cox. Amendment to previously approved application

Discussion: Given that there are several changes, an omission and a correction it was decided that the former application will be rescinded. This application will be considered a new application.

Conditions of the permit read by Jessica. (see attached copy)

Discussion: #16 allow 48 feet to the center of the road to accommodate setbacks from the lake. Planning Board authority to make this allowance found in LUO article 6, section 6, paragraph E, page 26.

Applicant: Dan Cox stated his agreement of the conditions

Mary Ann made the motion to accept the conditions of the application.

Belinda seconded the motion. Unanimous vote in favor. None opposed, None abstain.

Findings of Fact: - read by Jed.

Discussion: the application is not complete.

Mary Ann moved to make the findings of fact. Roy seconded the motion.

Unanimous vote in favor. None opposed, None abstain.

Approval of application: Belinda made the motion to approve the application with condition and corrections to application to be made by applicant:

1. Correct date of application
2. Correct name of subdivision to Lovejoy Shores
3. Add shed to drawing of application with consideration of setbacks
4. Consider possible relocation of the now enlarged dwelling.

Second by Roy.

Approval of application passed with unanimous vote in favor. None opposed, none abstained.

Other Business: Open House on Jan 2, Jan 3 or Jan 5, 2024. Jessica will discuss with George Joseph.

Mary Ann agreed to become a full member of the Planning Board. Maggie will continue as Alternate.

Next PB meetings: Tuesday Jan 15 at 6:30 and Monday, Feb 26 at 6:30.

PB members and staff will take turns doing minutes. Mary Ann, Belinda and Jessica agreed. Maggie will take a turn, too.

Adjourned near 7 pm.

Respectfully submitted,

Maggie Chadwick