

# TOWN OF ADDISON

## BUILDING PERMIT ORDINANCE

ENACTED: MARCH 14, 2002  
REVISED: MARCH 9, 2004  
REVISED: MARCH 14, 2006  
REVISED: MARCH 13, 2007  
REVISED: MAY 13, 2010  
REVISED: APRIL 12, 2022  
REVISED: APRIL 25, 2023

ATTEST: A TRUE COPY

DATED: 4/25/2023

Amy L. Lenfestey  
AMY L. LENFESTEY

Addison

TOWN CLERK

*AFFIX SEAL*

# **TOWN OF ADDISON**

## **Building Permit Ordinance**

### **Purpose**

**New buildings or structures, additions to existing buildings, and conversions of existing building to other uses can have a significant effect on the cost, capacity, and efficiency of town services. This Ordinance exists to avoid or mitigate adverse impacts on the town and its citizens and ensure applicants follow all applicable town, state and federal regulations.**

### **Building Permits**

**A building permit shall be required before the start of any work. This permit requirement shall apply to new construction, reconstruction, expansion of usable space, replacement or rebuilding of existing structures, and to conversions of existing structures to another residential, recreational, or business use.**

**Building and structures include, but are not limited to, houses, garages, sheds, barns, tiny homes, mobile homes, storage/shipping containers and towers.**

**Although NOT exempt from meeting the minimum standards outlined in the Ordinance, the following are exempt from the requirement of obtaining a building permit:**

- 1. Buildings or structures measuring 100 square feet or less that are not greater than 12 feet in height and stand alone.**
- 2. Routine interior or exterior maintenance.**
- 3. Prefab structures 300 square feet or less.**

**Application for a building permit shall be made on the application form available from the town office. The completed application shall be dated on the day received at the town office. The application requires the following in order to be complete:**

- 1. State the map and lot number on the applicable town tax map showing the location of the building lot (you can obtain this information from your tax bill or Town Office).**
- 2. Include proof of ownership or lease, for example, deed or tax bill**
- 3. For property that will contain a new or modified drainage/sewer system, a soil test performed by a State approved inspector and a copy of a completed State form must be included.**

4. **A detailed site plan showing:**
  - a) **The size of the lot in square feet or the dimensions of the lot in feet.**
  - b) **The location and dimensions of any existing buildings/structures.**
  - c) **The location and dimensions of the proposed building/structure or addition on the lot and the distance from all property lines.**
  - d) **Location of existing or proposed water supply and sewage disposal systems.**
  - e) **Vehicular access to property.**
  - f) **For projects within Shoreland Zoning a current photograph of the shoreland needs to be provided, as required by State law.**
5. **Note the number of bedrooms in the existing structure and in the proposed plan.**

#### **Laws and Ordinances**

**Any building erected, remodeled or altered under permission granted by this permit must conform to all applicable laws and ordinances.**

#### **Minimum Standards**

**The applicant shall show that the proposal complies with the following local standards in each of the following, which shall be the minimum requirements for approval of the application.**

##### **1. Surface Water Drainage**

**The site must be designed to provide adequate surface water drainage so that removal of surface water will not adversely affect neighboring properties, downhill water quality or roads.**

##### **2. Sizes, Setback, and other Requirements**

**Minimum lot size: 20,000 square feet non-shoreland property  
30,000 square feet tidal shoreland property  
40,000 square feet non-tidal shoreland property**

**The minimum lot size must be met for each dwelling unit or principal structure on the lot.**

**Height: No building/structure shall exceed 50 feet in height.**

**Height: No building/structure shall exceed 35 feet in height in a resource protection, limited residential, limited commercial or stream protection district of shoreland zone. See Land Use Ordinance.**

**Minimum frontage for tidal area: 150 feet**  
**for non-tidal area: 200 feet**  
**(Refer to Shoreland Zoning Ordinance)**

**Minimum building set-back from a highway right-of-way: 25 feet (Highway is defined as any public way including, but not limited to, state roads, county roads, or town roads (whether currently maintained or discontinued)).**

**Minimum building set-back from property lines: 15 feet**

**Minimum building set-back from shoreline: 75 feet**

**Minimum distance between septic system and well: 100 feet, or shall conform to State requirements.**

**Minimum new permanent road or driveway set-back from normal high water mark: 75 feet**

### **3. Vehicular Access**

**The proposed site layout shall provide safe access to and from public roads.**

**An entrance permit from the Road Commissioner for town roads and from DOT for state roads is required for new access to a property.**

### **4. Parking**

**Adequate off-street parking will be provided according to the following standards:**

**Dwellings: 2 spaces per unit.**

**Hotels, Motels, Boarding Houses and Bed & Breakfast establishments: 1 space per guest room.**

**Restaurants, Churches, Clubs, Recreational Facilities: 1 space per 4 seats.**

**Stores and Offices: 1 space per 300 square feet of floor space.**

**Buildings not listed: Space shall be provided as for the most similar building listed.**

### **Planning Board Role**

**The Planning Board shall review the application and issue written notice of approval or denial within 60 days of receipt of a completed application by the**

**town office. Approval shall be by issuance of a building permit. The Planning Board may hold special meetings at its discretion.**

**Failure of the Planning Board to issue written notice of its decision withing 60 days from the date of receipt of the complete application shall constitute approval of a permit. The Planning Board can extend the 60-day time frame by notifying the applicant and establishing a date when the permit will be issued/denied.**

### **Appeals**

**Anyone aggrieved by a decision of the Planning Board or CEO may appeal such decision to the Board of Appeals and may further appeal to the Superior Court within thirty days after the Board of Appeals' decision as provided by statute. Not later than thirty days from the date of the written decision, the appellant shall submit a written appeal to the Board of Appeals. The appellant shall set forth in writing the specific grounds for this appeal. The Board of Appeals shall forthwith cause to be advertised in a newspaper of general circulation in the town of Addison, a notice of Appeals stating the property involved, the nature of the appeal and the time and place of the public hearing. The Board of Appeals shall at the same time notify by mail the owners of all property abutting and immediately across the street or way from the property for which the appeal is taken. The appeal shall be in order for hearing within ten days after the first publication of the Notice of Appeal and the date of the hearing so stated in the Notice. The hearing will be held in accordance with State Law. Following such hearing, the Board of Appeals may reverse the decision of the Planning Board or CEO only if it finds a mistake, fact of law, or misinterpretation of the terms of this Ordinance. A copy of such reversal shall be sent to the Planning Board and CEO within 10 days of the Board of Appeals' action, but no later than thirty days after the public hearing.**

### **Variance Request**

**Upon application, the Board of Appeals, following a public hearing in accordance with State Law, may grant a variance only where strict application of this Ordinance, or provision thereof, to the petitioner and his property would cause undue hardship. The words "undue hardship" as used in this subsection mean:**

- 1. That there are exceptional or unique circumstances relative to the property that do not pertain generally to other properties in the same neighborhood, AND:**
- 2. That property in the neighborhood will not be adversely affected, AND**
- 3. That such action will not be contrary to the objectives of this ordinance, AND:**
- 4. That any hardship is not the result of action taken by the applicant or a prior owner.**

### **Reconstruction**

**If any building or structure is hereafter damaged or destroyed by fire or any cause other than the willful act of the owner or his agent, it may be restored or reconstructed on its original site within 5 years of the date of said damage or destruction even though the lot may not be of the required size or have the required frontage or setbacks.**

### **Commencement of Work**

**Construction shall commence within one (1) year from date of issuance of the permit, otherwise the permit shall expire unless an extension is requested by the applicant and is granted by the Planning Board.**

### **Renewal Procedures**

**If work has not commenced before the permit has expired a renewal of the application can be requested from the Planning Board. The Planning Board can renew the permit if the planned work has not changed from the original request. If the planned work has changed an application for a new permit will be required. No fees will be charged for renewals.**

### **Enforcement**

**Any construction undertaken without the necessary permit will result in late fee of \$100 in addition to applicable building permit fees. Additional fines may apply as follows: (rev: 03/14/06) Any person or persons, firm or corporation owning or having control of any building or premises or other persons such as subcontractors who assist in the violation of this Ordinance or of any permit issued hereunder, shall be guilty of a civil violation, and upon conviction thereof shall be fined a minimum of \$100 and a maximum of \$2500 for each offense. Each day the violation exists shall be considered a separate offense.**

**The Board of Selectmen or their agent(s), acting in accordance with their duties and responsibilities in connection with the enforcement of this ordinance, shall serve written notice on the owner(s), or others assisting, of such violation or violations. When this action does not result in the correction or abatement of the violation(s), the Board of Selectmen are hereby authorized and directed to institute any and all actions and proceedings, either legal or equitable, seeking injunctions of violations and impositions of fines, that may be appropriate or necessary to enforce the provisions of this ordinance in the name of the Town of Addison.**

**Application Fee**

Application fee includes initial inspection \$35.00 Non refundable

**Building Permit Fees**

Residential \$50.00

Subdivisions – per lot \$100.00

Light Commercial (Less than 5,000 square feet) \$50.00

Heavy Commercial (5,000 square feet or more) \$100.00

**Additional Fees**

Shoreland zoning \$50.00

Driveway Entrance Permit Fee \$35.00

Completion Fee, applicant responsible for scheduling inspection \$35.00

Late Fee \$100.00

**Severability**

If a court declares any section or provision of this ordinance invalid, such decision shall not invalidate any other section or provision of this ordinance.

**Amendments**

Amendments or revisions of this ordinance may be adopted by the vote of the town's people at a town meeting. A public hearing will be held to review the ordinance at least 10 days prior to the town meeting. Copies of this ordinance and all amendments to it shall be filed with the Town Clerk.

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with Building Permit Ordinance.

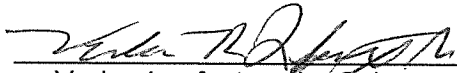
Enacted by the voters of the Town of Addison, this ordinance shall become effective March ??, 2023.


March 14, 2002 (rev. 03/09/04) (rev. 03/14/06) (rev. 03/13/07) (rev. 5/13/10) (rev. 04/12/22) (rev. 4/25/23  
Building Permit

This ordinance repeals and replaces any municipal ordinance previously enacted to comply with the Building Permit Ordinance.

After enacted by the voters of the Town of Addison, this ordinance shall become effective April 25, 2023.

Given under our hands this 25 day of April, 2023.

  
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Verlan Lenfestey, Jr., Selectman

  
\_\_\_\_\_  
Joshua Stubbs, Selectman

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William Gray, Selectman



**ARTICLE 51.** Shall an ordinance titled Town of Addison's **Building Permit Ordinance** Revised April 25, 2023 be enacted based on the Planning Boards recommendations as listed?

*Passed  
no action*

- *Revising certain sections of the Ordinance to improve readability.*
- *Deleting certification of payment of Sales Tax on New Manufactured Homes and including that form with the application.*
- *Deleting Building Permit Inspection schedule as it is included elsewhere in the recommended ordinance changes.*
- *Deleting Standard Conditions of Approval for Shoreland Zoning Projects and including this information with the application.*
- *Deleting Standard Clearing Conditions for Shoreland Zoning and providing these conditions to the applicants within the Shoreland Zone.*
- *Deleting the Department of Environmental Protection section from the Ordinance.*
- *Deleting Guidelines for Soil Stabilization with Shoreland Zone and providing these guidelines to applicants within the Shoreland Zone.*
- *Removing the Concrete Pour Inspection fee, as there is no reference to requiring this in the Ordinance. (Code Enforcement Officer, Kevin Brodie reported that no other town in Washington County collects this fee).*

**ARTICLE 52.** To see what sum the Town will vote to raise and appropriate for the **Mayhew Public Library**.

**Recommended: \$3,000**

*Passed*

**ARTICLE 53.** To see if the Town will vote to transfer the returns from the **Snowmobile Registrations** to the **Narraguagus Trail Riders** to establish and maintain existing trails for the use and recreation of our

*Kevin Brodie*

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