



Town of Falmouth Community Development Department
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Memorandum

Date: July 21, 2014
To: Nathan Poore
From: Amanda L. Stearns, Community Development Director
Cc: Town Council
Ethan Croce, Senior Planner
Justin Brown, Code Enforcement Officer
Re: Order for Utility Infrastructure Amendment

This amendment was initiated as part of the review and design process of the Mill Creek wastewater pump station. With review by other departments it was broadened to include work related to other utilities and to address emergency repairs and replacement of utility infrastructure.

Staff recommend the approval of the amendment at this time as it will encompass the current work of Summit Gas as well and move that permitting process for work in the Shoreland Districts to staff approval. That will allow better timeliness for processing those permits and better coordination with the Utility Relocation Permit required by Public Works.

The Planning Board has recommended changes to address large scale underground piping and lines. Staff believes that large scale projects, if underground, will not need Board approval. Large scale above-ground projects such as treatment plants, conversion facilities and transformer stations would trigger Site Plan Approval as stated below.

The order for this amendment includes several minor changes from the version introduced.

1. The definition of structure now notes that uncovered and unenclosed patio or terrace is a structure for purposes of Shoreland Zoning. This is stated in Section 7 but the DEP review of the amendment requested that we add it here as well.
2. Essential Services is added as a permitted use in all districts. We did not anticipate adding this as utilities and road improvements are all typically in the right-of-way or an accessory improvement to a development. This addition is for clarification only. Essential services that require structures, vehicular access or parking must be approved through the Site Plan Review Approval process.
3. The Table in Section 7 has been amended slightly to list an a. and b. under Essential Services.

There will need to be an additional amendment developed to address the Floodplain Management Ordinance's requirement that basements be a minimum of one foot above the floodplain. This will be accomplished in the next few months.