

Development in Falmouth

How does new construction get approved?



“When did that happen? I had no idea a building was in the works!”

Some Falmouth residents have expressed surprise when they see new building or subdivision construction happening seemingly overnight. While it might sometimes appear that these new projects occur quickly and without warning, securing approval for new development in Falmouth is a public, transparent, and deliberative process. This fact sheet will outline that process, provide information on how you can keep well-informed about new commercial buildings or subdivisions, and list opportunities for residents to voice support or concern.

WHO APPROVES LARGE CONSTRUCTION PROJECTS?

Some residents think the Town Council issues approvals for development, but it’s actually the Falmouth Planning Board and, in some cases, the Falmouth Board of Zoning Appeals, with the assistance of Town staff, that review applications and issue approvals. These two boards are considered “quasi-judicial” boards. Quasi-judicial boards are neutral decision makers that hold public hearings, collect evidence, and make decisions based on that evidence. These boards are not allowed to take into consideration the popularity of a particular development proposal. Their decisions are based solely on whether a development proposal conforms to the rules and standards in the Town’s ordinances. It is the Town Council that adopts the ordinance standards that are used by these boards to evaluate proposals.



The Planning Board

www.falmouthme.org/planning-board

The Planning Board is a citizen board made up of seven residents appointed by the Town Council to implement the recommendations of the Comprehensive Plan by regulating development practices. With the assistance of the Town staff, the Board reviews proposals for subdivisions, private ways, fill permits, commercial site plans, and shoreland zoning permits. The Planning Board meets the first Tuesday of every month at 6:30pm.

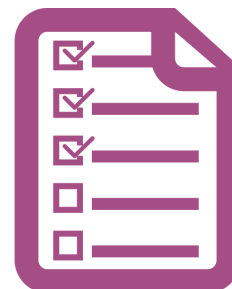
The Board of Zoning Appeals (BZA)

www.falmouthme.org/board-of-zoning-appeals

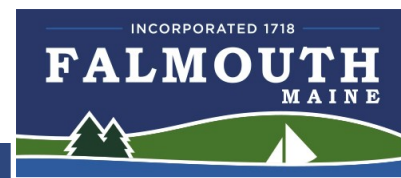
This Board also consists of seven citizen members appointed by the Town Council. The Board is responsible for hearing and deciding administrative appeals of decisions made by the Code Enforcement Officer, variance applications, and conditional use applications. The BZA meets the fourth Tuesday of every month at 6:30pm.

THE APPROVAL PROCESS

Suppose a property owner wants to build a new office building or new neighborhood of homes. A property owner can’t just start building on a lot he/she owns. The property owner must first apply for approval through the Falmouth Planning Board and, in certain instances, also apply for a separate approval through the Falmouth Board of Zoning Appeals (BZA). The applications are quite detailed and usually are accompanied by a number of documents, including plans. Typically, applications must be submitted at least 28 days prior to the next Board meeting. You can review applications on the Planning Board and BZA webpages (see links in box at left). At their monthly meetings, these two boards consider completed applications. If and when the property owner successfully obtains approvals through these boards, they then must apply for a building permit through the Falmouth Code Office. This same process also applies to subdivisions.



See reverse for more information.



STAYING INFORMED



Would you like to know about upcoming projects ahead of time? Sign up for E-Alerts from the Planning Board and BZA. You will be notified about projects under consideration and public hearings coming up at future board meetings, including links to relevant information. You can subscribe to E-Alerts at www.falmouthme.org/subscribe, scroll down to check the boxes for “Board of Zoning Appeals” and/or “Planning Board.” You can also regularly check the BZA and Planning Board webpages, which will post meeting dates, agendas, and all documents submitted to the boards in support of each application. Finally, you can follow *The Falmouth Focus*, which lists items up for consideration before these boards and reports decisions made at previous meetings.

applicable regulations are met by the property owner, and are bound to deny requests for approval if the application for development does not comply.



The best way to stay informed about new developments in Falmouth is to subscribe to E-Alerts at www.falmouthme.org/subscribe.

VOICING SUPPORT OR CONCERN



The public may attend any meeting of the Planning Board or BZA. During these meetings there is opportunity to comment on applications being considered. If you attend a hearing to comment, you should prepare before you go by reading the agenda, the attached documents, and the regulations that apply to that particular building, subdivision, or project. What specifically do you approve of or object to? For instance, if you thought the landscaping described in the site plan was insufficient to buffer the building, think how it might be improved. You might also express your concerns about increased traffic, for instance. Residents may also submit comments in writing in advance of the meeting. Comments should be submitted to the staff liaison of the appropriate board. You can find contact information for the Planning Board or BZA on that board’s webpage (see box at right for links). Please understand, that the boards are bound to grant approvals if all the

Helpful Resources

- Town of Falmouth Website: www.falmouthme.org
- The Planning Board: www.falmouthme.org/planning-board
- The Board of Zoning Appeals: www.falmouthme.org/board-of-zoning-appeals
- Subscribe to Town E-Alerts at: www.falmouthme.org/subscribe
- Subscribe to *The Falmouth Focus* newsletter at: www.falmouthme.org/subscribe
- A Guide to Virtual Meetings can be found at: www.falmouthme.org/home/pages/a-guide-to-participating-in-virtual-public-meetings
- Stay connected via our social media pages.
 - Facebook: facebook.com/FalmouthME
 - Twitter: [@MaineFalmouth](https://twitter.com/MaineFalmouth)
 - Instagram: [@myfavoritefalmouth](https://instagram.com/myfavoritefalmouth)
- Falmouth’s Town Charter & Ordinances: www.falmouthme.org/community-development-code-enforcement-division/pages/town-charter-ordinances