

§ 140-6

Waivers; modifications of approved plans; expiration of approval; multiple-use buildings.

A. The Planning Board may modify or waive any of the above application requirements or performance standards or special regulations in § 140-7 when the Planning Board issues a written findings of fact documenting that because of the special circumstances of the site such application requirements or standards would not be applicable or would be an undue hardship, as defined under 30-A M.R.S.A. § 4353(4), on the applicant and, if modified, would not adversely affect the abutting landowners and the general health, safety and welfare of the Town.

[Amended 6-9-2004]

B. (Reserved)^[1]

[1]Editor's Note: Former Subsection B, regarding performance guarantees, was repealed 6-14-2006.

C. All construction performed within the scope of this chapter shall be in conformance with the approved site plan. Any approval is dependent upon, and limited to, the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from the plans, proposals, and supporting documents which may affect approval standards is subject to the review of the Planning Board prior to implementation. (See Subsection D below.)

D. Approved site plans may be amended for minor modifications to building size, location, or use or changes in utility layout with Planning Board approval. Changes of use as described in § 140-3C are not considered minor modifications. The Planning Board shall be the final authority regarding what constitutes minor modification. The Fire Chief will review all amendments.

E. Approval granted under this chapter shall expire if the work or change is not commenced within two years from the date approval is granted or if the work or change is not substantially completed within three years from the date approval is granted, unless other development scheduling is agreed to at the time of approval. "Substantially completed" is defined as the point at which the work or change (or a specified part thereof) has progressed to where, as determined by the Planning Board, it (or a specified part thereof) can be utilized for the purposes for which it is intended. In making a determination, the Planning Board may require evidence of substantial completion, such as, but not limited to, a report by a third-party professional engineer registered in the State of Maine. The cost of the third-party improvement review shall be the obligation of the applicant. ~~The Planning Board shall review requests for renewals of expired approvals according to the following standards:~~ [Amended 6-13-2012; 6-15-2022]

F. If a single building has multiple uses, such building shall comply with cumulative restrictions for parking and the more stringent regulations of its other uses.

§ 96-6

Other requirements.

[Amended 6-11-2003; 6-9-2004; 6-15-2005]

A.

All flammable liquids and hazardous material within the limits of the Town of Bethel shall be stored subject to and in conformity with the laws of the State of Maine, 25 M.R.S.A. § § 2481 to 2485, flammable liquids, and 25 M.R.S.A. § § 2101 to 2106-A, hazardous material.

B.

The requirements of Chapter 105, Floodplain Management, and Chapter 132, Shoreland Zoning, shall apply in addition to the requirements of this chapter.

C.

Setback requirements.

[Amended 6-13-2007]

(1)

All buildings erected or relocated must have a minimum setback of 10 feet on all lot lines of the parcel on which they are located.

(2)

Accessory buildings, as defined herein, on parcels of less than 40,000 square feet must have a minimum setback of 10 feet on the street line and must have a minimum setback of five feet on all other lot lines.

(3)

A variance, as defined in § 140-12, of any of these setback requirements may be obtained from the Bethel Board of Appeals on the basis of undue hardship, as defined under 30-A M.R.S.A. § 4353(4). The Board of Appeals shall hold a public hearing and follow the process established in the BOA Rules of Procedure adopted by the Bethel Board of Selectmen.

(4)

Setback requirements of this chapter do not apply to projects reviewed under Chapter 140, Site Plan Review.

[Added 6-10-2015]

D.

Any new electrical service on a pole or structure shall have a manual shut-off installed on the pole or the outside of the structure, located between the meter box and the main breaker box.

E.

~~For all building permits issued for construction exceeding \$50,000 in value as stated in a permit application, a viable container for the lawful private disposal of all waste materials generated by permit activities shall be maintained on the parcel identified in said application, or at a separate location identified in the permit application and controlled by the permit holder.~~

~~[Added 6-14-2006; amended 6-13-2007]~~

A disposal plan, including a contract for a roll-off container for construction debris from a private waste disposal company for projects exceeding \$25,000 in value.

§ 5-42 Town Manager and Finance

B.

All purchases, contracts, agreements and so forth which obligate the Town to an aggregate expense for a singular purpose exceeding ~~\$100~~ \$1000, and to a maximum of \$10,000, shall be subject to approval of the Town Manager prior to execution. The Town Manager shall not obligate the Town for any general fund purchase, contract or agreement without previous appropriation at Town Meeting.