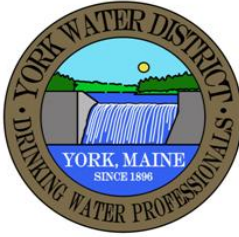


Trustees

Frederick J. Ricker, President
Frank Witham, Treasurer
Dana W. Moulton III, Clerk
Andrew Belliveau, Trustee
Karen Arsenault, Trustee



Administration

Donald D. Neumann Jr., Superintendent
Carla J. Robinson, Financial Manager
Ryan Lynch, Treatment Plant Manager
Gary E. Stevens, Resource Prot. Manager

86 Woodbridge Road
York, Maine 03909
Telephone: (207) 363-2265
Fax: (207) 363-7338
www.yorkwaterdistrict.org

“CUSTOMER AWARENESS NOTICE”

The York Water District wished to make you aware of the existence of a Town of York Zoning Ordinance concerning the conversion of dwellings From Seasonal to Year Round use.

Please be aware that the York Water District may not be able to provide year round water service or change your service from seasonal to annual until you have obtained a Seasonal Conversion Permit from the Town of York Code Enforcement Officer.

See Zoning Article 14, “Conversion of Seasonal Dwelling” for the requirements. If there are any questions concerning this issue please feel free to contact the York Water District or the Town of York Code Enforcement Office.

Name: _____

Address: _____ Phone: _____

My Property is located on Tax Map #: _____ Lot #: _____

I have received, read and understand the information contained herein.

Signature: _____

Date: _____

TOWN OF YORK ZONING ORDINANCE

MOST RECENT AMENDMENT
May 22, 2010

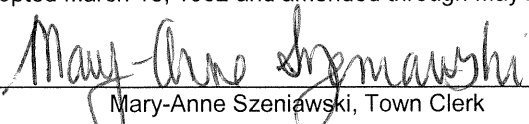
ORIGINAL ADOPTION
March 18, 1992

PRIOR AMENDMENTS

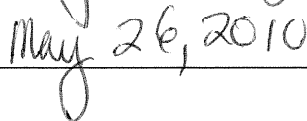
November 3, 2009
May 29, 2009
November 4, 2008
May 17, 2008
November 6, 2007
May 19, 2007
November 7, 2006
May 20, 2006
November 8, 2005
November 2, 2004
May 22, 2004
November 4, 2003
May 17, 2003
November 5, 2002
May 18, 2002
November 6, 2001
November 7, 2000
May 20, 2000
November 3, 1998
November 4, 1997
November 6, 1996
November 7, 1995
November 8, 1994
December 29, 1993
November 2, 1993
April 10, 1993
June 9, 1992
May 9, 1992

The following is a true copy of the Town of York, Maine Zoning Ordinance –
Adopted March 18, 1992 and amended through May 22, 2010.

Attest


Mary-Anne Szeniański, Town Clerk

Date



ARTICLE FOURTEEN

CONVERSION OF SEASONAL DWELLINGS

14.1 Restrictions

No seasonal dwelling may be converted to a year-round dwelling unless the owner or the person so converting the seasonal dwelling shall have first obtained from the Code Enforcement Officer a seasonal dwelling conversion permit. Before issuing such a permit, the Code Enforcement Officer shall issue a written determination that the application meets the standards pertaining to the dwelling unit and the lot, as follows:

- A. Regarding the dwelling, either of the following is met:
 - 1. It is a contributing structure in a Local Historic District or is a designated historic landmark; or
 - 2. It was lawfully constructed and, after conversion, will conform to all building-related codes in effect at the time of conversion. This shall include, but not be limited to, any applicable Town or State building, plumbing, electrical, life safety, energy and well codes. Compliance with the Zoning Ordinance shall be required, except that setback and building height requirements in the base zoning district shall not be applicable.
- B. The lot either:
 - 1. Conforms to the current dimensional requirements of the Zoning Ordinance; or
 - 2. Is a lawful non-conforming lot of record which is either:
 - a. connected to year-round public water and public sewer and is at least 5,445 square feet (1/8 acre) in size in the RES-5, RES-6 or RES-7 base zoning district, or at least 10,890 square feet (1/4 acre) in all other base zoning districts; or
 - b. at least 20,000 square feet in size otherwise. **AMENDED 11/06/07**

14.2 Administration

See §18-A.4. **AMENDED 11/03/09**

- c. With respect to a conditional approval, the date of issuance shall be the date upon which the board votes to find the conditions precedent have been satisfied by the applicant (see §18-A.5.E.4.b.3).
2. When a zoning approval is issued in conjunction with another permit, such as a subdivision approval, the expiration deadline shall be the least restrictive of the applicable codes.
3. A substantial start in construction shall mean that a minimum of 25% by value of the proposed improvements (site amenities, buildings, etc.) have been completed.

F. Professional Certification of Plans

Every drawing plan, specification, and report prepared by a Maine-licensed professional which is submitted to a code enforcement officer or a board with respect to an application shall be certified as indicated by the professional's stamp and signature. In this context, Maine-licensed professionals shall include professional land surveyors, professional engineers, architects, and landscape architects.

G. Burden of Proof

With respect to application review processes, it is the applicant's burden to demonstrate compliance with requirements.

18-A.3 Application Fees

See §1.5.

18-A.4 Application Process for a Permit Issued by the Code Enforcement Officer

The Code Enforcement Officer shall decide on all permit applications using the following process.

A. Submittal of Application

The applicant for a permit shall complete a Town permit application form, shall include all necessary supplemental materials and information required to demonstrate compliance with the Ordinance, and shall deliver the application package to the Code Enforcement Officer at times specified by the Town. Unless otherwise requested by the Code Enforcement Officer for good reason, one copy of the application package shall be provided by the applicant. The application fee shall be paid at the time of application, and is non-refundable.

B. Advanced Abutter Notification

For building construction less than 125' from the normal high water mark or upland edge of a Shoreland resource, the Code Enforcement Officer shall send notice by first class mail to abutters at least 7 days prior to issuing a Shoreland Permit. The purpose of this action is to put abutters on notice of a pending action, and to allow abutters to comment on or provide relevant information about the application prior to a decision being made.

C. Decision

The Code Enforcement Officer shall make a decision, without undue delay, as follows:

1. **Permit.** The Code Enforcement Officer shall issue a permit when the decision is within her/his jurisdiction and the applicant demonstrates full compliance with all applicable requirements of this Ordinance and all other applicable Town codes. Conditions subsequent may be imposed on the permit to ensure compliance with this Ordinance or to ensure commitments made by the applicant during the review process are honored.
2. **Denial.** The Code Enforcement Officer shall deny an application that has not demonstrated full compliance with the substantive requirements of this Ordinance and all other applicable Town codes. An application that has been denied shall not be resubmitted unless the defects have been corrected or the prohibiting language has been changed.

D. Findings of Fact

The Code Enforcement Officer shall make findings of fact regarding the permit or denial at the time the decision is made. To the extent all relevant information is documented on the application form, stand-alone findings of fact may not be necessary.

E. Voluntary Notification of Abutters

Abutters could potentially appeal the issuance of a permit, so it is in the applicant's interest to mail notification to abutters when a permit has been issued. There are cases in Maine where abutters have successfully appealed long after the 30 day appeal deadline specified in the code has expired simply because an abutter had no way of knowing a permit had been issued. To minimize the risk of such late appeals, applicants are encouraged to formally notify abutters soon after obtaining a permit, and to keep a record of such action.

F. Posting Permit at the Property

Within 7 days of obtaining a permit, and before starting any work, a copy of the permit shall be posted in a location on the property which is most visible to the public and neighbors. If the permit is a Building Permit, the Building Code requires this to remain posted until the final inspection and sign-off by the Code Enforcement Officer. For all other types of permits, the copy shall remain posted until the appeal period has expired.

G. Appeal

See §18.8.3.

18-A.5 Application Process for Board Approval

The provisions of this section (§18-A.5) shall apply to each board in its administration of its responsibilities under this Ordinance, except for: the Board of Appeals which follows the provisions of §18.8; the Board of Selectmen; and the Legislative Body of the Town.

A. Conceptual Discussion

Before a complete application is submitted, an applicant may choose to request a conceptual discussion with the board having jurisdiction. The applicant shall be required to complete an application form, and shall identify specific questions or issues on which it seeks direction. The board shall conduct a public hearing, with required public notice, as a part of this meeting. The conceptual discussion shall be non-binding on all parties, and shall not be considered a part of the substantive review of an application. If an application fee is required for a conceptual meeting, it shall be paid at the time of the request, and is non-refundable.

B. Submittal of Application

The applicant shall complete an application form provided by the board, and shall submit to the board all information necessary for the board to make an informed decision. Application submittals shall be delivered to Town Hall during normal business hours. Each board shall adopt a policy which specifies the number of copies of application materials required. The application fee shall be paid at the time of application, and is non-refundable.

C. Scheduling

The application shall be placed on the next regular meeting agenda on which time is available for the application review. All applications shall be scheduled on a first-come, first-served basis.

D. Public Notice

It shall be the responsibility of the board to provide public notice in accordance with the following requirements:

1. Public Meeting for Application Review. Prior to discussion of an application at any public meeting, the following public notice shall be required:
 - a. Agenda. The board shall make a written agenda available to the public at least 7 days in advance of the meeting. This agenda shall indicate the date, time and place at which the meeting will occur. It shall also identify the name of the applicant, the name of the property owner (if different than the applicant), the street address and the tax map/lot number of the property, along with a brief statement about the nature of the business to be conducted.
 - b. Agenda Posted in Town Hall. The agenda for the meeting shall be posted in Town Hall a minimum of 7 days in advance of the meeting.
 - c. Agenda Published in Newspaper. The agenda for the meeting shall be published in a newspaper with general circulation in the Town. The date of publication shall be a minimum of 7 days in advance of the meeting.
 - d. Supplemental Postings. In the name of transparency and full disclosure, it is recommended, though not required, that the agenda be posted at other locations such as post offices, on the Town's web page, and on the Town's public access cable television station. Failure to post in such ways shall not invalidate any action of the board.