

## Melissa Tryon

---

**From:** Ethan Croce  
**Sent:** Wednesday, April 03, 2013 4:21 PM  
**To:** Amanda Stearns; Melissa Tryon  
**Cc:** Ellen Planer; Nathan Poore; Justin Brown  
**Subject:** Planning Board MRA Public Hearing - Section 6 - 4/2/2013 meeting

Good afternoon,

At its April 2, 2013 meeting, the Planning Board, acting as the Town's designated Municipal Reviewing Authority, held a public hearing on proposed amendments to Section 6 of the Zoning and Site Plan Review Ordinance relative to nonconforming structures.

No public comment was received at the public hearing.

Board member Jay Chace expressed concern about eliminating the existing provision in Section 6.10 which allows for the rebuilding of a nonconforming accessory structure within its existing footprint with conditional use approval from the BZA. Mr. Chace thought that there should be a mechanism to allow the rebuilding of an accessory structure within its existing footprint in instances, such as on very small lots, where the "conforming building envelope" is otherwise consumed by a principal structure on the lot. Board member Bill Lunt agreed.

Jay Chace moved to recommend that the Town Council approve the proposed ordinance amendments provided that the Council and staff review the ordinance language to ensure that allowances are made to permit the rebuilding of a nonconforming accessory structure within its existing footprint if there are no other viable alternatives to rebuilding the accessory structure within the lot's "conforming building envelope". The motion was seconded by Becca Casey and approved unanimously by the Board.

Ethan

Ethan J. Croce  
Senior Planner  
Town of Falmouth  
271 Falmouth Road  
Falmouth, ME 04105  
(207) 781-5253 x-5328  
(207) 781-8677 (fax)  
[ecroce@town.falmouth.me.us](mailto:ecroce@town.falmouth.me.us)