



Office of Planning & Codes

TO: Wiscasset Board of Selectmen
 Laurie Smith, Town Manager
 FROM: Jeffrey Hinderliter, Town Planner *JH*
 DATE: December 7, 2010
 SUBJECT: Ordinance Work Update

The purpose of this memo is to update you on the progress of the ordinance work assigned (by the Selectmen) to the Ordinance Review Committee (ORC) during August 2010. Also, I believe tonight's Selectmen meeting is a good opportunity to provide myself and the ORC with any feedback and direction concerning these ordinances. Below is a summary of the prioritized ordinances and the status (in **bold**) of ORC's consideration of each. Also, I offer additional comments for your consideration and comment.

1. Priorities Status

- A. Village Waterfront Ordinance. The proposed Village Waterfront Ordinance was prepared for the June 2010 Ballot, then, due to potential legal issues, postponed for a future town vote. The ORC continued to work on the ordinance in order to address these legal issues and additional items brought up by the Selectmen. **ORC's work is complete.**
- B. Sewer Use Ordinance. The selectmen authorized the ORC to work on amendments to the Sewer Use Ordinance that would allow the selectmen to authorize spending of impact fees (currently, impact fees may only be expended after town voter approval). **The ORC is waiting for the creation of a logical fee structure before beginning amendment work.**
- C. Shoreland Zoning Ordinance and Map. The Maine DEP requires all municipalities that have Shoreland Zoning to update their Shoreland Ordinance and Map this year. Since we have Shoreland Zoning, we are required to do this. **The ORC has completed a 1st Draft. Work on this ordinance will resume in January.**
- D. Sign Ordinance. Sign requirements, no matter what community, always generate some kind of problem. There've been a number of comments and concerns about our sign regulations throughout the years; although, comments during the past few months have brought this to the forefront of ordinance work. **A detailed 2nd draft is complete. I expect ORC's final draft will be complete in December.**
- E. Special Amusement Ordinance and Mass Gathering Ordinance. Due to recent proposals that require Special Amusement Licenses, it has been identified the Special Amusement Ordinance needs work and a Mass Gathering Ordinance needs to be created. **The ORC is scheduled to begin our consideration of a Mass Gathering Ordinance in December; however, the ORC is seeking direction from the Selectmen regarding the need and urgency on this matter.**

- F. Temporary Sales and Seasonal Business Ordinances. These ordinances appear to conflict each other. **ORC's work is complete.**
- G. Future Land Use Ordinances. As part of the comprehensive plan implementation, the town must write ordinances to be consistent with the plan. Also, a complete overhaul is needed so the ordinances are up to date, consistent and user friendly. **This is an ongoing project with the expected completion late 2011. The above-mentioned ordinance work will likely be incorporated within the new set of ordinances.**
- H. Current Ordinance Conflicts and Inconsistencies. The Selectmen requested the Planning and Codes Offices to review the current town ordinances to identify conflicts and inconsistencies. **I have completed this review and will provide the Selectmen with a memo representing the problems and recommended actions later this month.**
- I. Shellfish Conservation Ordinance. The Shellfish Committee proposed amendments to clarify conservation time. **ORC's work is complete.**

2. Additional Comments

- A. Village Waterfront Ordinance. The primary purpose of the zoning amendments is: 1. Adopt zoning standards more appropriate for the village waterfront area before the state imposes their standards; 2. To provide more flexibility and options for current and future property owners while maintaining the character and quality of the village waterfront; 3. To provide zoning regulations that will promote economic development/growth. After several drafts, including consideration and amendments resulting from discussion with municipal officials, the town attorney and the public, the ORC believes the VW Ordinance is ready for a town vote (after further public hearings). At this time, I intend to schedule public meetings in preparation of the next town vote.
- B. Temporary Sales and Seasonal Business Ordinances. The goal of this ordinance work was to resolve the issue of two conflicting ordinances and to provide acceptable regulation for transient businesses. These resulting adjustments include removing one ordinance in its entirety and amending the other to address the Code Officer's recommendations. The next step is to schedule public meetings, and then it will be ready for a town vote.
- C. Sign Ordinance. The changes to the sign ordinance attempt to establish reasonable standards for non-residential and other advertising and location identification signs in order to maintain and encourage business activity and economic development while enhancing and protecting the physical appearance of the community. The ORC determined a complete revision was necessary because changes impacted various ordinance sections. The 2nd draft was reviewed by representatives from the Wiscasset business organization. If you have not read the ordinance, I recommend you do because it is a comprehensive change. Please note the ordinance you receive tonight is a working 3rd draft. I expect the ORC's work will be complete this month. Public meetings will be scheduled in January.
- D. Special Amusement and Mass Gathering Ordinances. As I understand, the ORC's primary responsibility is only associated with the development of a Mass Gathering Ordinance. Recently, a mass gathering-related checklist was adopted to accompany the Special Amusement permit application. It's my understanding

this checklist covers most (if not all) of the items found in a Mass Gathering Ordinance. So, before the ORC begins work on a Mass Gathering Ordinance, I'd like to know if the checklist addresses the Selectmen's needs. If it doesn't the ORC will begin work on a Mass Gathering Ordinance. Work could be completed by February, depending upon the priority assigned by the Selectmen.

- E. Shoreland Zoning Ordinance and Map. The new ordinance and map still need work. A first draft is complete but additional concentrated time is needed to produce the final ORC draft. This is a time consuming and highly detailed effort because it involves evaluating existing and potential development impacts on natural resources through various state and federal rule research and field investigation. As long as the ORC is allowed to commit the time, work should be complete in time for a June 2011 vote. In order to do this, I recommend the Selectmen assign this as a high priority project.
- F. Future Land Use Ordinance. The creation of our future land use ordinances involves a complete revision of all current ordinances in order to conform to the comprehensive plan recommendation. This is a very detailed and time consuming task. The ORC has made progress on this (the first draft is approximately 60% complete) and the ordinances mentioned above will be included. This is an ongoing project that requires committed time and effort. As previously stated, I believe the first detailed draft should be completed by late 2011.

In summary, the ORC completed work on the Village Waterfront, Seasonal and Temporary Business, and Shellfish Conservation Ordinances. After public meetings, these ordinances will be ready for a town vote. The revised Sign Ordinance should be finished by January and could be included with the three above-mentioned ordinances. In regards to the proposed Mass Gathering Ordinance, it is my hope the Selectmen will decide if the recently adopted checklist provides the necessary regulation or if a new ordinance is still needed. The new Shoreland Zoning Ordinance and map should be complete in time for the June 2011 town vote as long as the selectmen assign it as a high priority. Work will continue on the future land use ordinances with a first complete draft to be finished by late 2011. Finally, I will complete work on the current ordinance conflicts and inconsistencies and provide a list of the problem areas later this month.

I hope you take some time to read through the ordinances submitted to you as part of this memo. Any feedback and direction concerning these ordinances and my comments is welcome. Thank you.

SHELLFISH CONSERVATION ORDINANCE
Article X, Section 6.5.2
(Final ORC Draft September 2010)

*Note: Language on ballot will only be that which is in **bold font**

6.5.2 Application Procedure: Any person may apply to the town clerk for the license required by this ordinance on forms provided by the municipality.

- a. Contents of Application: The application must be in the form of an affidavit and must contain the applicant's name, current address, birth date, height, weight, signature, proof that the applicant has completed his or her annual twenty (20) hours of conservation work, as verified by the designee of the shellfish committee, and whatever information the municipality may require. [6-08]
- b. Conservation Time: **Conservation time shall be complete by May 15 of each year. The conservation period starts May 16 and runs until May 15 of the following year. [11-10]**
- c. Misrepresentation: Any person who gives false information on a license application will cause said license to become invalid and void.

Temporary Business Ordinance
Article IX, Section 1.4
10/2010 ORC Final

1.4 **TEMPORARY BUSINESS -SALES ORDINANCE**

- 1.4.1 Purpose. It is the intent of this ordinance to regulate temporary **business sales** activities so that temporary stands, concessions and exhibits are allowed only upon meeting certain minimum regulations.
- 1.4.2 Definitions.
- a. Temporary Business Activity: ~~Temporary business activity is defined as~~ Any activity, stand, concession, carnival, road show, trade show, fair or public exhibition, taking place from a temporary structure and/or temporary location, whose purpose is to advertise, display, or offer goods for sale **for a period of not more than ninety (90) consecutive days.**
 - b. Temporary Business License: ~~A temporary business license is~~ A document obtained from the Wiscasset **Code Enforcement Officer Town Manager** that grants the applicant permission to conduct a temporary business activity in the Town of Wiscasset.
- 1.4.3 Permits. It shall be unlawful for any individual, person, firm, corporation, partnership, or other business entity to conduct temporary business activities in the Town of Wiscasset without first applying for and obtaining a temporary business license.
- a. The applicant for a temporary business license shall obtain a temporary business license from the Wiscasset **Code Enforcement Officer Town Manager** ~~prior to~~ **before** engaging in any activities associated with this section. The **Code Enforcement Officer Town Manager** shall have the authority to approve or deny any temporary business license pursuant to this ordinance.
 - b. A temporary business license shall be valid for **a maximum of thirty (30) ninety (90) consecutive calendar days during any single year**, beginning on the date of license approval.
 - c. There shall be **a thirty (\$30) dollar fee** for a temporary business license.
- 1.4.4 Appeals. Any application to conduct a temporary business activity that has been denied **in writing** may be appealed to the Wiscasset Board of Selectmen. All appeals must be made by submitting a formal written request of an appeal **within thirty (30) days of denial** to the Town of Wiscasset Town Manager.

1.4.5 Regulations. Each licensee shall meet all of the requirements listed below. Failure to meet any of the requirements listed herein shall constitute grounds for non-issuance or revocation of a temporary business license.

- a. No temporary business activity ~~will~~ **shall** create hazardous traffic conditions.
- b. No temporary business activity shall obstruct or act as a cause of obstructing any sidewalk, street or highway within the Town of Wiscasset.
- c. Each licensee shall be required to clean up its site, **repair any related damages** and remove all materials associated with its temporary business activity within twenty-four (24) hours of license **or event** expiration, **whichever occurs first**. Failure to remove ~~will~~ **shall** result in the Town removing materials at the expense of said licensee and shall constitute a violation of this ordinance.
- d. Temporary licenses shall be conspicuously displayed at the place of business.
- e. **Temporary business activities shall not be considered in determining the minimum lot size requirements for the use or uses made of any lot.**
- f. **Signs shall comply with the applicable provisions of the Wiscasset Sign Ordinance, Article III.**
- g. **Adequate toilet facilities shall be provided as determined by the Wiscasset Local Plumbing Inspector.**

1.4.6 Exemptions. The following activities are held exempt under this ordinance:

- a. Private garage or yard sales conducted on the seller's owned or leased property.
- b. Temporary **business activities occurring on town or school property.** ~~associated with the Main Street Pier. any recreational activities that are permitted by law and for other activities which a license or permit by the town is necessary; such as, but not limited to: School Department sporting events, 4th of July parade, Main Street Pier activities, etc.~~
- c. Temporary activities involving craft fairs, flea markets and yard sales that are sponsored by churches, civic organizations and nonprofit organizations that are tax exempt under the provisions of the Internal Revenue Code.

~~1.4.7 Violations. Any individual, person, firm, corporation, partnership or other business entity violating the provisions of this ordinance shall be punished by: 1). 1st offense shall be a warning; 2). For each and every offense thereafter a payment of a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00). Each day of a continuing violation shall be deemed a separate offense. The Wiscasset Police Department and Code Enforcement Officer shall be responsible for the enforcement of this ordinance~~

1.4.7 Violation. Any individual, person, firm, corporation, partnership or other business entity violating the provisions of this ordinance shall receive a warning for the first offense. For each and every offense thereafter a fine of not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00) shall be levied. Each day of a continuing violation after the issuance of a written notice of violation shall be deemed a separate offence. The Wiscasset Police Department and Code Enforcement Officer shall be responsible for the enforcement of this ordinance.

Temporary or Seasonal Businesses Amendment
Article II, Section 2.17
10/2010 ORC Final

~~2.17—TEMPORARY OR SEASONAL BUSINESSES~~

~~Temporary or seasonal businesses shall not be considered in determining the minimum lot size requirements for the use or uses made of any lot provided that the temporary or seasonal business:~~

~~2.17.1 Complies with all other laws and ordinances (such as, for example, those pertaining to victualers and to parking); [3-95]~~

~~2.17.2 Does not create a traffic hazard by blocking traffic vision; and [3-95]~~

~~2.17.3 Has written permission from the landowner. [3-95]~~

Glossary

~~TEMPORARY OR SEASONAL BUSINESSES: Those for profit and not for profit activities in Wiscasset which operate and set up less than six months out of the year.~~

VILLAGE WATERFRONT DISTRICT
Article VI, Section F
September 27, 2010- Final ORC

F. VILLAGE WATERFRONT DISTRICT

F.1.0.0 Purpose

The purpose of the Village Waterfront District is to preserve and maintain for the citizens of Wiscasset the character of the Wiscasset Village Waterfront, including its scenic value, its accessibility to the public, and its economic value for functionally water-dependent uses.

To assure respect for the historic visual experience and avoid incompatible and adverse impacts, development is encouraged to draw its inspiration from traditional New England examples. Building design requires coordination of architectural form, massing, use of materials, color, and detailing to achieve harmony and continuity of design. Suitable design elements are pitched roofs and exterior sheathing such as brick, stone, shingles or clapboards.

F.2.0.0 Permitted Uses

F.2.1.0 Except to the extent permits may be specifically required by the Village Waterfront District ordinance, the following uses are allowed without a permit from the Planning Board or the Code Enforcement Officer in the Village Waterfront District, provided development is in compliance with all applicable laws, rules and regulations:

- (a) The permitted uses in the Shoreland Resource Protection District as set out in the following subsections: Article VI, Sections A.1.1, A.1.2, A.1.3, A.1.6, A.1.9 and A.1.10;
- (b) Filling and earthwork of less than ten (10) cubic yards of soil;
- (c) Filling and earthwork of more than ten (10) cubic yards of soil if required by state or federal governmental agency order;
- (d) Routine maintenance operations;
- (e) Emergency operations; and,
- (f) Electric Utility Substation and Facilities existing as of the effective date of this ordinance.

F.2.2.0 The following uses are permitted with Code Enforcement Officer approval in the Village Waterfront District, provided development is in compliance with all applicable laws, rules and regulations:

- (a) Accessory uses and structures except for those that are accessory to uses and structures requiring Planning Board approval;
- (b) Structures for any use permitted in the Village Waterfront District which remain for less than seven (7) months in any period of (12) twelve consecutive months;

- (i) Functionally water-dependent structures permitted in the Village Waterfront District which remain for seven (7) or more months in any period of twelve (12) consecutive months;
- (j) Aquaculture; and,
- (k) Yachting or sailing clubs, and schools that give marine or nautical instruction.

Institutional:

- (a) Clinics;
- (b) Churches;
- (c) Private clubs or fraternal organizations;
- (d) Marine related colleges, universities or trade schools with ancillary services including dormitories, customary to primary use.

Public:

- (a) Government buildings and uses;
- (b) Boardwalks;
- (c) Recreational trails;
- (d) Utility substations including sewage collection and pumping stations and water pumping stations; and,
- (e) Public parks and recreational areas.

Other:

- (a) Studios for artists and craftspeople;
- (b) Accessory uses or structures customarily incidental and subordinate to the location, function and operation of uses or structures permitted by the Planning Board;
- (c) Parking areas;
- (d) Roads;
- (e) Essential Services;
- (f) Structural development in a recreational area;
- (g) Non-residential facilities for marine related educational, scientific, or nature interpretation purposes;
- (h) Retaining walls within twenty-five (25) feet of the upland edge of a coastal wetland; and,
- (i) Filling or earth-moving activity of more than ten (10) cubic yards.

F.3.0.0 Prohibited Uses

Uses which are not enumerated in sections F.2.1.0 – F.2.3.0 as permitted uses are prohibited in the Village Waterfront District.

- (a) The lowest floor elevation or openings of all buildings and structures including basements constructed after the effective date of this ordinance shall be elevated at least one foot above the elevation of the 100-year flood, the flood of record, or in the absence of these, the flood as defined by soil types identified as recent flood plain soils.
- (b) No structures shall be constructed on slopes greater than 20% within seventy-five (75) feet from the upland edge of a water body unless they are permissible functionally water-dependent uses or structures or their accessories.
- (c) Notwithstanding the requirements stated above, ramps, stairways, or similar structures may be allowed to provide shoreline access in areas of steep slopes or unstable soils provided:
 - 1. The structure is limited to the maximum width necessary for proposed use, not to exceed six (6) feet in width;
 - 2. The structure does not extend below or over the upland edge of a coastal wetland (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, Title 38, Section 480-C), and;
 - 3. The property owner demonstrates that no reasonable alternative exists on the property within 150 feet of the desired point of access.

F.5.1.0 Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Beyond the Upland Edge of a Coastal Wetland or Within a Wetland.

- (a) Access from shore shall be developed on soils appropriate for such use and constructed to control erosion.
- (b) The location shall not interfere with existing developed natural beach areas.
- (c) The facility shall be located to minimize adverse effects on fisheries.
- (d) The facility shall be no larger in dimension than necessary to carry on permitted land use activities as determined by the municipal permitting authority.
- (e) No new structure shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the upland edge of a coastal wetland or within a wetland unless the structure requires direct access to the water as an operational necessity, or is a functionally water-dependent use or an accessory to a functionally water-dependent use.
- (f) No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the upland edge of a coastal wetland of a water body or within a wetland shall be converted to residential dwelling units.

Road Grade (Percent)	Spacing (Feet)
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21 +	40

- ii Drainage dips may be used in place of ditch relief culverts only where the road grade is ten (10) percent or less.
- iii On road sections having slopes greater than ten (10) percent, ditch relief culverts shall be placed across the road at approximately a thirty (30) degree angle down slope from a line perpendicular to the centerline of the road.
- iv Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.
- (g) Ditches, culverts, bridges, dips, water turnouts and other stormwater runoff control installations associated with roads shall be maintained on a regular basis to assure effective functioning.

F.5.3.0 Storm Water Runoff

- (a) All new construction and development shall be designed to manage stormwater runoff on the site in excess of the natural predevelopment conditions. Existing natural runoff-control features, such as berms, swales, terraces and wooded areas, shall be retained in order to reduce runoff and encourage infiltration of stormwaters.
- (b) Stormwater runoff control systems shall be maintained to ensure proper functioning

F.5.4.0 Landscaping Standards

- (a) All applicants for permits for buildings or structures, subdivisions and site plan review exceeding six-hundred (600) square feet in floor area shall submit a plan for the preservation, planting and/or replacement of trees on the site to the extent that, at maturity of twenty years, the existing tree canopy shall be maintained. The Codes Officer or Planning Board shall be responsible for the review of all landscape plan and tree preservation plans. All landscape plans shall include:

2. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.
 3. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.
- (e) Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainage ways shall be designed and constructed in order to carry water from a twenty-five (25) year storm or greater, and shall be stabilized with vegetation or lined with rip-rap.

F.5.6.0 Soils

- (a) All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, improper drainage and water pollution, whether during or after construction.

F.5.7.0 Water Quality

- (a) No activity shall deposit on or into the ground or discharge into the waters of the State any pollutant that, by itself or in combination with other activities or substances, will impair designated uses or the water classification of the water body.

F.5.8.0 Archaeological Site

- (a) Any proposed land use activity involving structural development or soil disturbance on or adjacent to sites listed on, or eligible to be listed on, the National Register of Historic Places, as determined by the permitting authority, shall be submitted by the applicant to the Maine Historic Preservation Commission for review and comment, at least twenty (20) days before action being taken by the permitting authority. The permitting authority shall consider comments received from the commission before rendering a decision on the application.

F.6.0.0 Performance Standards

All uses in the Village Waterfront District shall comply with the following standards:

- (a) Outdoor storage of materials: Outdoor storage of materials accessory to normal conduct of business shall be suitably screened from the

- (d) Federal and state environmental regulations: All uses shall comply with federal and state environmental statutes and regulations regarding emissions into the air.
- ~~(e) Off street parking: The applicant and/or property owner shall provide documented proof that proposed use(s) will have adequate, off street parking spaces within 1,500 feet of the development to fulfill the needs of the development in accordance with the most recent edition of the Parking Generation Manual published by the Institute of Traffic Engineers. Private enterprises shall not claim public parking spaces to fulfill this requirement.~~
- (f) Floodplain management regulations: Any lot or portion of a lot located within a flood hazard zone as identified on the most recent version of the Town of Wiscasset Flood Insurance Rate Maps shall be subject to applicable Federal Emergency Management Agency Floodplain Management rules and Town of Wiscasset Floodplain Ordinance.
- (g) Glare, radiation or fumes: Glare, radiation or fumes shall not be emitted to an obnoxious or dangerous degree beyond lot boundaries, except glare existing before the adoption of this ordinance and glare generated from sources directly associated with safety and security of the site.
- (h) Lighting: All exterior lighting fixtures, except fixtures existing before the adoption of this Article shall be of such a design to shield the affixed light bulb from sight beyond the property boundaries, and so designed to minimize light emissions visible from adjoining properties except illumination generated from sources directly associated with emergency operations on the site.
- (i) All new electric or telecommunications distribution lines shall be installed underground.
- (j) All structures requiring water and sewer shall be connected to public water and public sewer.
- (k) It shall be the responsibility of the property owner, applicant or their representative to demonstrate to the Town that development is in compliance with applicable performance standards. For any development requiring Planning Board approval, the Planning Board shall have authority to require that any developer bear the expense to investigate and prepare studies deemed necessary by the Planning Board to evaluate impacts and demonstrate compliance with the standards of this Section. If needed, the Planning Board shall have the

Waterfront District, the following provisions of Article II – Building Laws shall not apply:

- (a) Sections 2.1 – 2.17, lot size and setback requirements.
- (b) Section 3.2, height.
- (c) Section 7.9, State lot size for water and sewer lines and disposal regulation.

GLOSSARY
(September 27, 2010- ORC Final)

Aquaculture (Village Waterfront District): The growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.

Business service (Village Waterfront District): A service provided to other business establishments on a fee or contract basis such as advertising, mailing services, building maintenance services, employment services, management and consulting services, protective services, personnel services and similar services.

Boardwalk (Village Waterfront District): A walkway made of boards or planks for use by pedestrians and bicyclists and sited within or adjacent to a waterbody or wetland.

Clinic (Village Waterfront District): An establishment where patients are admitted for examination and treatment by one (1) or more professionals including, but not limited to, physicians, dentists, psychologists or social workers.

Convenience store (Village Waterfront District): A retail establishment offering for sale a limited line of groceries and household items intended for convenience of the neighborhood.

Drinking establishments (Village Waterfront District): An establishment required to be licensed to sell alcoholic beverages for on-premises consumption that is not regularly used for the purpose of providing full-course meals on the premises, as defined in Title 28-A of the Maine Revised Statutes.

Earth moving activity (Village Waterfront District): Any removal, placement, excavation, filling, stockpiling or grading of soil, earth, loam, sand, gravel, rock, or other natural mineral deposits.

Eating establishment (Village Waterfront District): An establishment that prepares and serves food and beverages intended for immediate consumption in consideration of payment.

Facility (Village Waterfront District): A structure, open area, or other physical contrivance or object.

Fill (Village Waterfront District): Soil, earth, loam, sand, gravel, rock and other similar deposits.

Filling (Village Waterfront District): The placement of soil, earth, loam, sand, gravel, rock and other mineral deposits.

Hotel or Motel (Village Waterfront District): a business establishment that provides transient lodging accommodations to the general public in sleeping units with independent access and may provide such additional supporting services as restaurants, meeting rooms, recreation facilities and living quarters for a resident manager or proprietor.

Service drop (Village Waterfront District): Any utility service to a customer provided that:

1. in the case of electrical service

- a. A “service drop” is the service cable or other conductor providing secondary voltage to the customer’s service entrance equipment from a transformer or from a secondary conductor located on the utility’s distribution system or on a privately owned line extension.

2. in the case of telecommunication service

- a. the extension, regardless of the length, will be made by the installation of telecommunication wires to existing utility poles, or
- b. the extension requiring the installation of new utility poles or placement underground is less than one thousand (1,000) feet in length.

Studios for artists and craftspeople (Village Waterfront District): A facility for the production of arts and crafts products such as paintings, sculpture or other arts, or the practice of arts such as music or dance, or the production of custom handcrafted work.

Use (Village Waterfront District): The purpose for which land or structures thereon is designed, arranged or intended to be occupied or utilized, or for which it is occupied, maintained, owned, rented or leased.

Utility substation (Village Waterfront District): A sewage- or water-pumping station, telecommunications equipment enclosures, or other similar structures owned or operated by a public utility, excluding any Electric Utility Substation and Facilities.

Water-dependent uses (Village Waterfront District): Uses that require, for their primary purpose, location on submerged lands or that require direct access to, or location in, coastal or inland waters and that cannot be located away from these waters.

Wholesale business (Village waterfront District): A business primarily engaged in the selling of merchandise to retailers or to industrial, commercial, institutional, or professional business users, or to wholesalers; or a business that acts as agent or broker and buys merchandise for, or sells merchandise to, such individuals or companies.

VW Zone Description
September 27, 2010- ORC Final

FF. VILLAGE WATERFRONT DISTRICT DESCRIPTION

Beginning at the shore of a cove which is part of the Sheepscot River at the easterly most corner of the Ancient Burying Ground as shown on Tax Map U-2;

thence generally northeasterly, easterly, southerly, southeasterly and southwesterly along the shore to the southeasterly corner of the property referred to as Castle Tucker, being Lot 148 on Tax Map U-1;

thence northerly along the easterly boundary of the Castle Tucker property and on a continuation thereof to the centerline of Bradbury Street;

thence southerly and easterly along the centerline of Fore Street (a.k.a. Front Street) to its intersection with the centerline of Water Street;

thence northerly along the centerline of Water Street and crossing Main Street, to its intersection with the centerline of Lincoln Street;

thence westerly along the centerline of Lincoln Street to its intersection with the southerly projection of the westerly line of the property shown as Lot 53 on Tax Map U-2;

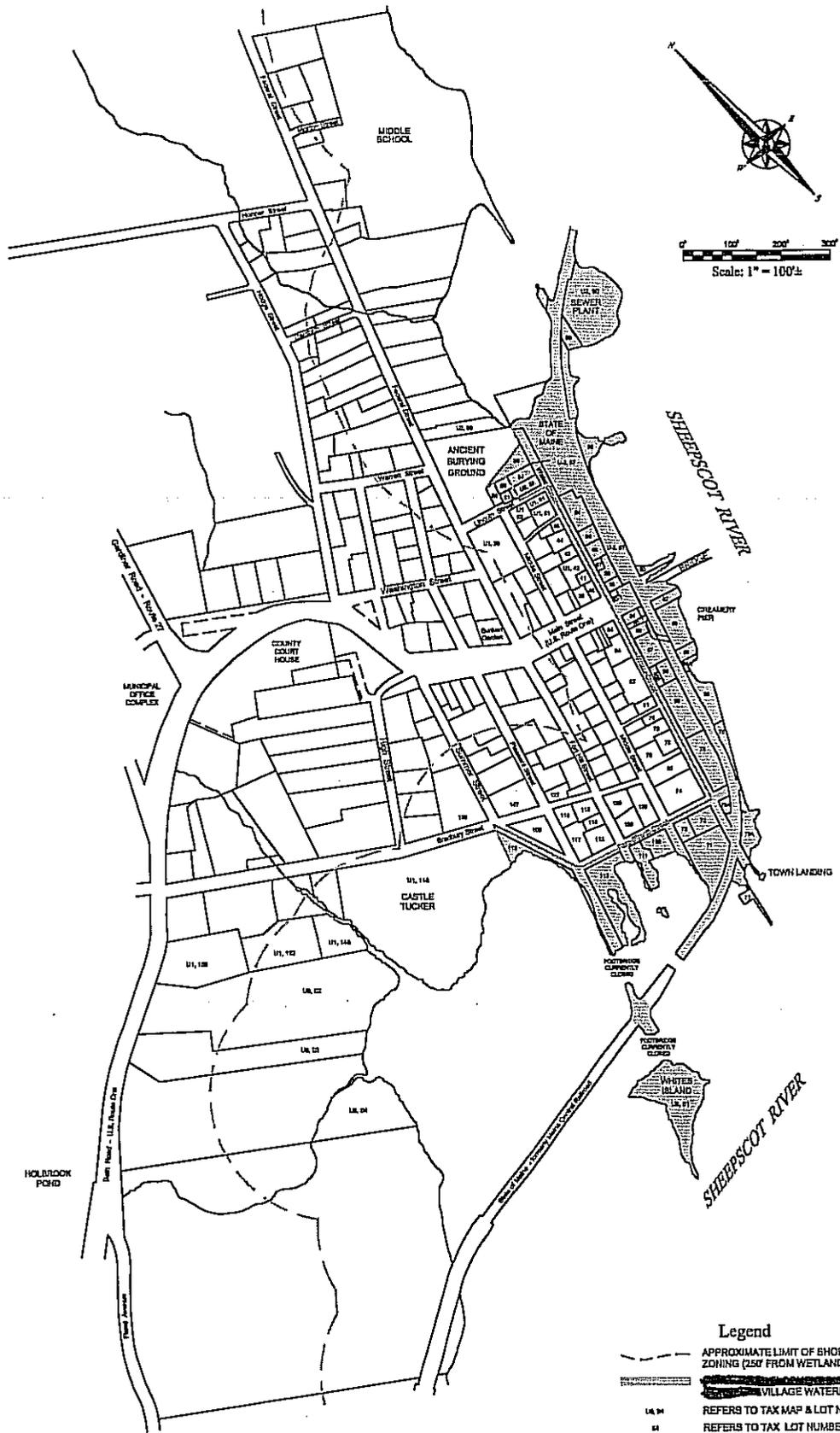
thence northeasterly along said projection and along the westerly line of the property shown as Lot 53 on Tax Map U-2 and along the westerly line of the property shown as Lot 54 on Tax Map U-2 to the southerly line of land shown as Lot 55 on Tax Map U-2;

thence westerly along the southerly line of land shown as Lot 55 on Tax Map U-2 to the Ancient Burying Ground;

thence easterly along the southerly line of land known as the Ancient Burying Ground to shore of the cove at the point of beginning.

Said district is to include the adjacent area between the shore and the low water mark from the northeasterly most corner of the land of the State of Maine, being Lot 57 on Tax Map U-2 near the Wiscasset Sewer District treatment plant to a southeasterly projection of the easterly boundary of the property shown on Tax Map U-1 as Lot 1 and commonly referred to as Castle Tucker, said district to include White's Island, so called.

All references to municipal tax maps and lots refer to the maps as revised in 2009.



PROPOSED
Town of Wiscasset
Shoreland Zoning
Village Waterfront District

April 9, 2010

ARTICLE III (Signs)
12-13-2010 Draft 3

1. Purpose

The purpose of regulating signs is to promote and protect the public health, safety and welfare by regulating existing and proposed signs of all types; to protect property values; enhance and protect the physical appearance of Wiscasset; to provide non-residential properties with opportunities to advertise while providing a more enjoyable and pleasing community; to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents; to reduce hazards that may be caused by signs overhanging or projecting over public right of ways; and to create and foster a more stable and attractive roadside environment.

2. Applicability

No person shall erect any sign that is visible from a public way, other than an official traffic sign, except in conformance with this ordinance.

3. Permit and Permit Fees

3.1 The erection, placement or installation of any sign, excepting Exempted Signs noted in this Ordinance (**Section** ___), requires a sign permit from the Sign Control Officer. A permit is required for each new sign.

3.2 When applying for a Sign Permit, the applicant shall pay a sign permit fee established by the Selectmen. The fee shall be noted on the sign permit application.

4. Definitions

Advertising Sign: A sign the primary purpose of which is to make known a product, service or other marketable goods available on the premises.

Applied Sign: A sign painted or applied to the exterior building surface, including all lettering and symbols and background coloring other than the color of the building.

Awning Sign: A sign affixed to or part of an awning which directs attention to a business, industry, profession or service conducted on the premises where the sign is displayed.

Banner: A sign of temporary construction made of vinyl, canvas, or similar flexible material.

Permanent Sign: A sign permanently attached to the ground or a structure or permanently painted or marked on a structure, and intended to remain for the foreseeable future.

Portable Sign: A sign not designed or intended to be permanently affixed into the ground or a structure.

Projecting Sign: A sign that is wall-mounted, and extends more than six (6) inches from the building surface.

Public Notice Sign: A sign the primary purpose of which is to display information of a civic, social, or religious nature. Such a sign may have a surface which allows the use of removable letters.

Roof Sign: A sign erected or constructed wholly upon or over the roof of any building with the principal support on the roof structure.

Shopping Center: A group of two (2) or more retail stores and/or offices which share adjacent off-street parking facilities.

Sign: An object, device, display or structure or part thereof that is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, project, service, location, or event by any means including words, letters, figures, designs, symbols, fixtures, colors, or projected image.

Sign Area: Sign area includes all lettering, wording and accompanying design symbols, together with the background whether opened or enclosed, on which they are displayed. Painted or applied sign area includes any background color of a different color than the color of the building or transparent surface. Where lettering and/or symbols of an applied sign are painted or applied on the surface of a building or glass, the area is considered to be that area within a line drawn around the outside of all letters and symbols.

Temporary Advertising Sign: A sign relating to a specific sale of products or other similar advertising announcements such as the opening of a new business. This includes signs mounted to the interior or exterior of windows and glass doors.

Temporary Sign: A sign that may be moved without structure alteration or with minimal ground disturbance. It includes portable signs and signs that may be quickly placed on the ground with minimal ground disturbance.

Traffic Control Sign or Device: An official route marker, warning sign, sign directing traffic to or from a community, bridge, ferry or airport, or sign regulating traffic, which has been erected by officers having jurisdiction over the public way.

Wall Signs: An outdoor sign which is attached flat, painted on, or extends less than six (6) inches from the building surface.

7. Exempted Signs

- 7.1 The following signs do not require a permit and are permitted in all zoning districts:
- A. Yard sale/garage sale signs provided they do not interfere with pedestrian and vehicular movement, do not exceed four (4) square feet in sign area and are erected for no more than five (5) days.
 - B. Signs placed upon work under construction or renovation to be removed within thirty (30) days of completion of the job.
 - C. Real estate signs not exceeding eight (8) square feet in sign area per lot which advertise the sale, rent or lease of the premises upon which they are located.
 - D. Sign bearing the name of property owner/tenant, house/apartment number or other identification in conformance with the Wiscasset Street Naming and Addressing Ordinance, without any commercial or business advertising connotations.
 - E. Governmental identification, informational, directional, and public safety signs.
 - F. Traffic control signs or devices.
 - G. Signs relating to trespassing or hunting, not exceeding two (2) square feet in sign area for each sign.
 - H. Political signs provided they conform to state requirements.
 - I. Signs solely indicating entrance or exit not exceeding three (3) square feet in sign area and containing no advertising material.
 - J. Trail markers, historic, preservation, or cultural signs as approved by the Wiscasset Sign Control Officer.
 - K. Signs indicating open, closed and hours not exceeding two (2) square feet in sign area.
 - L. Community, Charitable/Non-Profit fundraising event signs provided the sign is erected for no more than fifteen (15) days before the event and does not exceed thirty-two (32) square feet in sign area.
 - M. Flags of any nation or governmental subdivision.
 - N. Religious symbols.

- 8.5 Projecting signs shall maintain minimum height clearance of 8 feet above ground level.
- 8.6 **Free standing** Signs located within thirty (30) feet of street corners, and set upon the ground, shall be no more than three (3) feet in height or if set on posts shall be supported by not more than two posts.
- 8.7 On-premise signs shall be located within one-thousand (1,000) feet of the principal building where the business or facility is carried on or practiced or within one-thousand (1,000) feet of the point of interest. Storage areas, warehouses and other auxiliary structures and fixtures are not deemed to be buildings where the business, facility or point of interest is carried on or practiced.
- 8.8 Wall signs may be installed only in the area exclusive of openings and architectural details.
- 8.9 Only one free standing sign is permitted per lot.
- 8.10 Home Occupation Signs shall not exceed 6 square feet in total size regardless of shape; may have its message on either one or both sides of the sign; shall not be internally illuminated.

To be reviewed 12/13

9. **Off-Premises Business Directional Signs**

- 9.1 All Business Directional Signs within the Downtown Historic District shall meet the following specifications:
 - i. Size: 31 inches long by 7 inches wide including a top and bottom frame.
Too small? State size is 12"x48"
 - ii. Lettering: not more than two inches or less than one inch high in Block, Roman or Old English.
 - iii. Base: 1/2 inch or 3/4 inch board or overlaid plywood.
 - iv. Color: Black letters on white background.
 - v. Appearance: Neatly lettered and with a professional appearance.
- 9.2 All other Business Directional Signs shall comply with the Maine Department of Transportation regulations 17-227-200 pertaining to Official Business Directional Signs and 23 MRSA Sections 1901-1925, as the same may be amended from time to time.

11. Signs within the Downtown Historic District

11.1 Downtown Historic District Description.

11.2 Signs shall be permitted only on the front and the rear of a building or structure. Signs shall not alter or obscure an architectural feature, component or detail of a structure or building. Interior and window signs shall not result in permanent alteration of any glass surface.

11.3 Signs at the primary entrance shall be limited to one projecting sign per building and one additional sign for each business that occupies the ground floor of the building. One additional sign shall be permitted at the rear entrance of the building. Each business above the ground floor may have one window sign.

11.4 Signs shall be made of traditional materials such as wood, brass, bronze, and slate, or of contemporary materials that have the appearance of traditional materials. In other districts, traditional materials, or contemporary materials that have the appearance of traditional materials, are encouraged. Signs constructed of exposed plywood shall be prohibited in all districts. Signs shall have a professional appearance and shall fit in with the architectural and other characteristics of the surrounding area.

11.5 Projecting signs shall be mounted on black iron mounts using black iron fasteners. Wall signs shall be mounted with black iron fasteners only. Mounting shall be into mortar or other appropriate materials and shall not damage the surrounding brick, granite, or other building components.

11.6 Business Directional Signs shall be in conformance with Section ____ of this Ordinance. Each place of business is permitted a maximum of two (2) Business Directional Signs.

11.7 Neon signs are not permitted.

12. Common Signage

12.1 Owners of shopping centers, office/business or industrial parks may be permitted to increase the maximum allowable sign area for each business by up to 25% by providing for a common signage plan. The common signage plan shall specify standards for consistency among all signs on all lots affected by the plan with regard to:

- A. Color scheme**
- B. Lettering or graphic style**

- 14.3 No sign shall be erected adjacent to any public way in such a manner as to obstruct clear and free vision or where, by reason of its position, shape, color, illumination or wording, interfere with, obstruct the view or be confused with any public traffic sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic.
- 14.4 No sign shall be placed so as to touch or otherwise interfere with overhead utilities, or so as to touch or interfere with such utilities in the event that the sign leans, falls, or otherwise becomes displaced.

14. Sign Area

14.1 General sign calculation standards

- A. The sign area shall include all lettering, wording and accompanying design symbols, together with the background, whether opened or enclosed, on which they are displayed. Supporting bracing or framework shall be excluded, but any decorative structure shall be included.
- B. Applied sign area shall include any background color of a different color from the color of the building surface or transparent surface. Where lettering and/or symbols of an applied sign are painted or applied directly on the surface and coloring of a building or on glass, the area shall be considered to be that area within a line drawn around the outside of all letters and symbols.
- C. Two sided signs: Only one side of a sign shall be counted when determining the size of such a sign.
- D. Total sign area of all signs per lot (or per business?) shall not exceed _____ square feet, except for those properties and uses provided under Section 12, Common Signs, of this Ordinance. Signs exempted under Section 7, Exempted Sign, of this Ordinance shall not be included when determining total square footage.

14.2 Specific sign area and design standards

- A. Applied Signs: An applied sign shall contain lettering of one color painted directly on the building material or have a background consisting of only one color. Applied signs shall be limited in size to twenty (20) % of the area of the wall on which they are applied.
- B. Awning Signs: No awning shall extend over two-thirds of the sidewalk or 8 feet from the building face, whichever is greater. This awning shall not extend beyond the streetlights or trees and shall maintain 8 feet of clearance from the sidewalk for pedestrian safety. Signage or logo on an

15. Maintenance and Removal

Every sign shall be maintained in a safe, presentable and good structural condition by the timely replacement of defective parts, periodic cleaning and painting when necessary. the Sign Control Officer shall cause to be removed any sign that endangers public safety, including signs which are:

1. materially, electrically, or structurally defective;
2. abandoned by reason of vacancy of the structure to which the sign is attached for a period of six (6) months or more (except as provided in 9.4);
3. erected within the right-of-way of a public street except as allowed in this Ordinance;
or
4. erected without a permit.

The Sign Control Officer shall send by certified mail a notice to the owner of record of the property and/or business of the violation and require correction or removal within fourteen (14) days of the notice mailing. The town shall remove, at the owner's expense, any sign determined to be in violation and not corrected within the prescribed time period. The Sign Control Officer may cause immediate removal of a dangerous sign without notice.

16. Enforcement and Penalties

- 16.1 The Sign Control Officer is authorized to enforce this ordinance.
- 16.2 If the Sign Control Officer finds that any provision of this Ordinance is being violated, he shall provide notification in writing to the person responsible for the violation, indicating the nature of the violation and ordering the action necessary to correct it.
- 16.3 If the violation is not corrected within the time specified, the Sign Control Officer may order repairs or removal of any sign and its supporting structures if judged dangerous, or if it is in disrepair or in violation of this ordinance; or he may revoke the sign permit and/or may seek penalties and injunctive relief.
- 16.4 Violation of any provision of this ordinance or any lawful order relating to this ordinance by the Sign Control Officer shall be subject to a fine of not more than \$100.00 per offense. Each day that the violation continues is a separate violation. In the event that the Town of Wiscasset incurs any expense in the enforcement of this ordinance, including but not limited to court costs and attorney's fees, the Town shall be entitled to collect such costs from the violator. Any penalties or costs assessed shall

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ARTICLE
WISCASSET SHORELAND ZONING ORDINANCE
Draft 1 (12-2010)

1. **Purposes.** The purposes of this Ordinance are to further the maintenance of safe and healthful conditions; to prevent and control water pollution; to protect fish spawning grounds, aquatic life, bird and other wildlife habitat; to protect buildings and lands from flooding and accelerated erosion; to protect archaeological and historic resources; to protect commercial fishing and maritime industries; to protect freshwater and coastal wetlands; to control building sites, placement of structures and land uses; to conserve shore cover, and visual as well as actual points of access to inland and coastal waters; to conserve natural beauty and open space; and to anticipate and respond to the impacts of development in shoreland areas.

2. **Authority.** This Ordinance has been prepared in accordance with the provisions of Title 38 sections 435-449 of the Maine Revised Statutes Annotated (M.R.S.A.).

3. **Applicability.** This Ordinance applies to all land areas within 250 feet, horizontal distance, of the

- normal high-water line of any great pond or river,
- upland edge of a coastal wetland, including all areas affected by tidal action, or
- upland edge of a freshwater wetland,

and all land areas within 75 feet, horizontal distance, of the normal high-water line of a stream.

This Ordinance also applies to any structure built on, over or abutting a dock, wharf or pier, or other structure extending or located below the normal high-water line of a water body or within a wetland.

4. **Effective Date**

A. **Effective Date of Ordinance and Ordinance Amendments.** This Ordinance, which was adopted by the municipal legislative body on _____, shall not be effective unless approved by the Commissioner of the Department of Environmental Protection. A certified copy of the Ordinance, or Ordinance Amendment, attested and signed by the Municipal Clerk, shall be forwarded to the Commissioner for approval. If the Commissioner fails to act on this Ordinance or Ordinance Amendment, within forty-five (45) days of his/her receipt of the Ordinance, or Ordinance Amendment, it shall be automatically approved.

Any application for a permit submitted to the municipality within the forty-five (45) day period shall be governed by the terms of this Ordinance, or Ordinance Amendment, if the Ordinance, or Ordinance Amendment, is approved by the Commissioner.

B. **Repeal of Municipal Timber Harvesting Regulation.** The municipal regulation of timber harvesting activities is repealed on the statutory date established under 38 M.R.S.A. section 438-A(5), at which time the State of Maine Department of Conservation's Bureau of Forestry shall administer timber harvesting standards in the shoreland zone. On the date established under 38 M.R.S.A section 438-A(5), the following provisions of this Ordinance are repealed:

- C. Certification of Official Shoreland Zoning Map.** The Official Shoreland Zoning Map shall be certified by the attested signature of the Municipal Clerk and shall be located in the municipal office. In the event the municipality does not have a municipal office, the Municipal Clerk shall be the custodian of the map.
- D. Changes to the Official Shoreland Zoning Map.** If amendments, in accordance with Section 8, are made in the district boundaries or other matter portrayed on the Official Shoreland Zoning Map, such changes shall be made on the Official Shoreland Zoning Map within thirty (30) days after the amendment has been approved by the Commissioner of the Department of Environmental Protection.
- 10. Interpretation of District Boundaries.** Unless otherwise set forth on the Official Shoreland Zoning Map, district boundary lines are property lines, the centerlines of streets, roads and rights of way, and the boundaries of the shoreland area as defined herein. Where uncertainty exists as to the exact location of district boundary lines, the Board of Appeals shall be the final authority as to location.
- 11. Land Use Requirements.** Except as hereinafter specified, no building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, expanded, moved, or altered and no new lot shall be created except in conformity with all of the regulations herein specified for the district in which it is located, unless a variance is granted.
- 12. Non-conformance.**
- A. Purpose.** It is the intent of this Ordinance to promote land use conformities, except that non-conforming conditions that existed before the effective date of this Ordinance or amendments thereto shall be allowed to continue, subject to the requirements set forth in Section 12. Except as otherwise provided in this Ordinance, a non-conforming condition shall not be permitted to become more non-conforming.
- B. General**
- (1) **Transfer of Ownership.** Non-conforming structures, lots, and uses may be transferred, and the new owner may continue the non-conforming use or continue to use the non-conforming structure or lot, subject to the provisions of this Ordinance.
- (2) **Repair and Maintenance.** This Ordinance allows, without a permit, the normal upkeep and maintenance of non-conforming uses and structures including repairs or renovations that do not involve expansion of the non-conforming use or structure, and such other changes in a non-conforming use or structure as federal, state, or local building and safety codes may require.
- C. Non-conforming Structures**
- (1) **Expansions.** A non-conforming structure may be added to or expanded after obtaining a permit from the same permitting authority as that for a new structure, if such addition or expansion does not increase the non-conformity of the structure and is in accordance with subparagraphs (a) and (b) below.

cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

- (b) Where feasible, when a structure is relocated on a parcel the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.
- (3) Reconstruction or Replacement. Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed, or damaged or destroyed, regardless of the cause, by more than 50% of the market value of the structure before such damage, destruction or removal, may be reconstructed or replaced provided that a permit is obtained within eighteen (18) months of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water body, tributary stream or wetland setback requirement to the greatest practical extent as determined by the Planning Board or its designee in accordance with the purposes of this Ordinance. In no case shall a structure be reconstructed or replaced so as to increase its non-conformity. If the reconstructed or replacement structure is less than the required setback it shall not be any larger than the original structure, except as allowed pursuant to Section 12(C)(1) above, as determined by the non-conforming floor area and volume of the reconstructed or replaced structure at its new location. If the total amount of floor area and volume of the original structure can be relocated or reconstructed beyond the required setback area, no portion of the relocated or reconstructed structure shall be replaced or constructed at less than the setback requirement for a new structure. When it is necessary to remove vegetation in order to replace or reconstruct a structure, vegetation shall be replanted in accordance with Section 12(C)(2) above.

Any non-conforming structure which is located less than the required setback from a water body, tributary stream, or wetland and which is removed by 50% or less of the market value, or damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place if a permit is obtained from the Code Enforcement Officer within one year of such damage, destruction, or removal.

In determining whether the building reconstruction or replacement meets the setback to the greatest practical extent the Planning Board or its designee shall consider, in addition to the criteria in Section 12(C)(2) above, the physical condition and type of foundation present, if any.

- (4) Change of Use of a Non-conforming Structure. The use of a non-conforming structure may not be changed to another use unless the Planning Board, after receiving a written application, determines that the new use will have no greater adverse impact on the water body, tributary stream, or wetland, or on the subject or adjacent properties and resources than the existing use.

In determining that no greater adverse impact will occur, the Planning Board shall require written documentation from the applicant, regarding the probable effects on public health and safety, erosion and sedimentation, water quality, fish and wildlife habitat, vegetative cover, visual and actual points of public access to waters, natural beauty, floodplain management, archaeological and historic resources, and commercial fishing and maritime activities, and other functionally water-dependent uses.

principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements.

This provision shall not apply to 2 or more contiguous lots, at least one of which is non-conforming, owned by the same person or persons on the effective date of this Ordinance and recorded in the registry of deeds if the lot is served by a public sewer or can accommodate a subsurface sewage disposal system in conformance with the State of Maine Subsurface Wastewater Disposal Rules; and

- (a) Each lot contains at least 100 feet of shore frontage and at least 20,000 square feet of lot area; or
- (b) Any lots that do not meet the frontage and lot size requirements of Section 12(E)(3)(a) are reconfigured or combined so that each new lot contains at least 100 feet of shore frontage and 20,000 square feet of lot area.

13. Establishment of Districts

A. Resource Protection District. The Resource Protection District includes areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values. This district shall include the following areas when they occur within the limits of the shoreland zone, exclusive of the Stream Protection District, except that areas which are currently developed and areas which meet the criteria for the Limited Commercial, General Development I, or Commercial Fisheries/Maritime Activities Districts need not be included within the Resource Protection District.

- (1) Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, salt marshes and salt meadows, and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value waterfowl and wading bird habitat, including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of May 1, 2006. For the purposes of this paragraph "wetlands associated with great ponds and rivers" shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and have a surface elevation at or below the water level of the great pond or river during the period of normal high water. "Wetlands associated with great ponds or rivers" are considered to be part of that great pond or river.
- (2) Floodplains along rivers and floodplains along artificially formed great ponds along rivers, defined by the 100 year floodplain as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent floodplain soils. This district shall also include 100 year floodplains adjacent to tidal waters as shown on FEMA's Flood Insurance Rate Maps or Flood Hazard Boundary Maps.
- (3) Areas of two or more contiguous acres with sustained slopes of 20% or greater.

uses existing at the time of adoption of this Ordinance. There shall be no newly established General Development Districts or expansions in area of existing General Development Districts adjacent to great ponds classified GPA, and adjacent to rivers that flow to great ponds classified GPA.

F. Commercial Fisheries/Maritime Activities District. The Commercial Fisheries/Maritime Activities District includes areas where the existing predominant pattern of development is consistent with the allowed uses for this district as indicated in the Table of Land Uses, Section 14, and other areas which are suitable for functionally water-dependent uses, taking into consideration such factors as:

- (1) Shelter from prevailing winds and waves;
- (2) Slope of the land within 250 feet, horizontal distance, of the shoreline;
- (3) Depth of the water within 150 feet, horizontal distance, of the shoreline;
- (4) Available support facilities including utilities and transportation facilities; and
- (5) Compatibility with adjacent upland uses.

G. Stream Protection District. The Stream Protection District includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high-water line of a stream, exclusive of those areas within two-hundred and fifty (250) feet, horizontal distance, of the normal high-water line of a great pond, or river, or within two hundred and fifty (250) feet, horizontal distance, of the upland edge of a freshwater or coastal wetland. Where a stream and its associated shoreland area are located within two-hundred and fifty (250) feet, horizontal distance, of the above water bodies or wetlands, that land area shall be regulated under the terms of the shoreland district associated with that water body or wetland.

H. Village Waterfront District. See Article....., Section.....

I. Shoreland Business II District. See Article....., Section.....

J. Marine Overlay District. See Article....., Section.....

14. Table of Land Uses. All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, except land use activities within the Village Waterfront, Shoreland Business II and Marine Overlay Zoning Districts, shall conform with all of the applicable land use standards in Section 15. The district designation for a particular site shall be determined from the Official Shoreland Zoning Map.

Key to Table 1:

Yes - Allowed (no permit required but the use must comply with all applicable land use standards.)

No - Prohibited

TABLE 1. LAND USES IN THE SHORELAND ZONE*

LAND USES	DISTRICT					
	SP	RP	LR	LC	GD	CFMA
1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	yes	yes	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes	yes	yes	yes
3. Forest management activities except for timber harvesting	yes	yes	yes	yes	yes	yes
4. Timber-harvesting	yes	CEO	yes	yes	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO ¹	yes	yes	yes	yes
6. Fire prevention activities	yes	yes	yes	yes	yes	yes
7. Wildlife management practices	yes	yes	yes	yes	yes	yes
8. Soil and water conservation practices	yes	yes	yes	yes	yes	yes
9. Mineral exploration	no	yes ²				
10. Mineral extraction including sand and gravel extraction	no	PB ³	PB	PB	PB	PB
11. Surveying and resource analysis	yes	yes	yes	yes	yes	yes
12. Emergency operations	yes	yes	yes	yes	yes	yes
13. Agriculture	yes	PB	yes	yes	yes	yes
14. Aquaculture	PB	PB	PB	yes	yes	yes
15. Principal structures and uses						
A. One and two family residential, including driveways	PB ⁴	PB ⁵	CEO	CEO	CEO	no
B. Multi-unit residential	no	no	PB	PB	PB	no
C. Commercial	no	no ¹⁰	no ¹⁰	PB	PB	PB ⁵
D. Industrial	no	no	no	no	PB	PB ⁵
E. Governmental and institutional	no	no	PB	PB	PB	PB ⁵
F. Small non-residential facilities for educational, scientific, or nature interpretation purposes	PB ⁴	PB	CEO	CEO	CEO	PB ⁵
16. Structures accessory to allowed uses	PB ⁴	PB	CEO	CEO	CEO	yes
17. Piers, docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland						
a. Temporary	CEO ¹¹					
b. Permanent	PB	PB	PB	PB	PB	PB ⁵
18. Conversions of seasonal residences to year-round residences	LPI	LPI	LPI	LPI	LPI	no
19. Home occupations	PB	PB	PB	CEO	CEO	yes
20. Private sewage disposal systems for allowed uses	LPI	LPI	LPI	LPI	LPI	LPI
21. Essential services	PB ⁶	PB ⁶	PB	PB	PB	PB
A. Roadside distribution lines (34.5kV and lower)	CEO ⁶	CEO ⁶	yes ¹²	yes ¹²	yes ¹²	yes ¹²
B. Non-roadside or cross-country distribution lines involving ten poles or less in the shoreland zone	PB ⁶	PB ⁶	CEO	CEO	CEO	CEO
C. Non-roadside or cross-country distribution lines involving eleven or more poles in the shoreland zone	PB ⁶	PB ⁶	PB	PB	PB	PB
D. Other essential services	PB ⁶	PB ⁶	PB	PB	PB	PB
22. Service drops, as defined, to allowed uses	yes	yes	yes	yes	yes	yes
23. Public and private recreational areas involving minimal structural development	PB	PB	PB	CEO	CEO	CEO ⁵
24. Individual, private campsites	CEO	CEO	CEO	CEO	CEO	CEO
25. Campgrounds	no	no ⁷	PB	PB	PB	no
26. Road construction	PB	no ⁸	PB	PB	PB	PB ⁵
27. Parking facilities	no	no ⁷	PB	PB	PB	PB ⁵
28. Marinas	PB	no	PB	PB	PB	PB
29. Filling and earth moving of < 10 cubic yards	CEO	CEO	yes	yes	yes	yes
30. Filling and earth moving of > 10 cubic yards	PB	PB	CEO	CEO	CEO	CEO
31. Signs	yes	yes	yes	yes	yes	yes
32. Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO	CEO
33. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO	CEO
34. Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB	PB

¹In RP not allowed within 75 feet horizontal distance, of the normal high-water line of great ponds, except to remove safety hazards.

²Requires permit from the Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.

³In RP not allowed in areas so designated because of wildlife value.

⁴Provided that a variance from the setback requirement is obtained from the Board of Appeals.

⁵Functionally water-dependent uses and uses accessory to such water dependent uses only (See note on previous page).

⁶See further restrictions in Section 15(L)(2).

⁷Except when area is zoned for resource protection due to floodplain criteria in which case a permit is required from the PB.

⁸Except as provided in Section 15(H)(4).

⁹Single family residential structures may be allowed by special exception only according to the provisions of Section 16(E), Special Exceptions. Two-family residential structures are prohibited.

¹⁰Except for commercial uses otherwise listed in this Table, such as marinas and campgrounds, that are allowed in the respective district.

(i) Within the Shoreland Zone Adjacent
to Tidal and Non-Tidal Areas

1 Acre

200

- (2) Land below the normal high-water line of a water body or upland edge of a wetland and land beneath roads serving more than two (2) lots shall not be included toward calculating minimum lot area.
- (3) Lots located on opposite sides of a public or private road shall be considered each a separate tract or parcel of land unless such road was established by the owner of land on both sides thereof after September 22, 1971.
- (4) The minimum width of any portion of any lot within one hundred (100) feet, horizontal distance, of the normal high-water line of a water body or upland edge of a wetland shall be equal to or greater than the shore frontage requirement for a lot with the proposed use.
- (5) If more than one residential dwelling unit, principal governmental, institutional, commercial or industrial structure or use, or combination thereof, is constructed or established on a single parcel, all dimensional requirements shall be met for each additional dwelling unit, principal structure, or use.
- (6) **Minimum Lot Standards for properties zoned Village Waterfront, Shoreland Business II and Marine Overlay are available in Article...., Section..... (Village Waterfront), Article....., Section....(Shoreland Business II), Article....., Section.....(Marine Overlay).**

B. Principal and Accessory Structures

- (1) All new principal and accessory structures shall be set back at least one hundred (100) feet, horizontal distance, from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development I District the setback from the normal high-water line shall be at least twenty five (25) feet, horizontal distance, and in the Commercial Fisheries/Maritime Activities District there shall be no minimum setback. In the Resource Protection District the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirements specified above shall apply.

In addition:

- (a) The water body, tributary stream, or wetland setback provision shall neither apply to structures which require direct access to the water body or wetland as an operational necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses.
- (b) All principal structures along Significant River Segments as listed in 38 M.R.S.A. section 437 (see Appendix A), shall be set back a minimum of one hundred and twenty-five (125) feet, horizontal distance, from the normal high-water line and shall be screened from the river by existing vegetation. This provision does not apply to structures related to hydropower facilities.

- (b) The wall(s) is(are) at least 25 feet, horizontal distance, from the normal high-water line of a water body, tributary stream, or upland edge of a wetland;
 - (b) The site where the retaining wall will be constructed is legally existing lawn or is a site eroding from lack of naturally occurring vegetation, and which cannot be stabilized with vegetative plantings;
 - (c) The total height of the wall(s), in the aggregate, are no more than 24 inches;
 - (e) Retaining walls are located outside of the 100-year floodplain on rivers, streams, coastal wetlands, and tributary streams, as designated on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or the flood of record, or in the absence of these, by soil types identified as recent flood plain soils.
 - (f) The area behind the wall is revegetated with grass, shrubs, trees, or a combination thereof, and no further structural development will occur within the setback area, including patios and decks; and
 - (g) A vegetated buffer area is established within 25 feet, horizontal distance, of the normal high-water line of a water body, tributary stream, or upland edge of a wetland when a natural buffer area does not exist. The buffer area must meet the following characteristics:
 - (i) The buffer must include shrubs and other woody and herbaceous vegetation. Where natural ground cover is lacking the area must be supplemented with leaf or bark mulch;
 - (ii) Vegetation plantings must be in quantities sufficient to retard erosion and provide for effective infiltration of stormwater runoff;
 - (iii) Only native species may be used to establish the buffer area;
 - (iv) A minimum buffer width of 15 feet, horizontal distance, is required, measured perpendicularly to the normal high-water line or upland edge of a wetland;
 - (v) A footpath not to exceed the standards in Section 15(O)(2)(a), may traverse the buffer;
 - (6) Notwithstanding the requirements stated above, stairways or similar structures may be allowed with a permit from the Code Enforcement Officer, to provide shoreline access in areas of steep slopes or unstable soils provided: that the structure is limited to a maximum of four (4) feet in width; that the structure does not extend below or over the normal high-water line of a water body or upland edge of a wetland, (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, 38 M.R.S.A. section 480-C); and that the applicant demonstrates that no reasonable access alternative exists on the property.
- C. Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland.**

- (2) Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back one hundred (100) feet, horizontal distance, from the normal high-water line of a great pond classified GPA or river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.
- (3) Only one recreational vehicle shall be allowed on a campsite. The recreational vehicle shall not be located on any type of permanent foundation except for a gravel pad, and no structure except a canopy shall be attached to the recreational vehicle.
- (4) The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to one thousand (1000) square feet.
- (5) A written sewage disposal plan describing the proposed method and location of sewage disposal shall be required for each campsite and shall be approved by the Local Plumbing Inspector. Where disposal is off-site, written authorization from the receiving facility or land owner is required.
- (6) When a recreational vehicle, tent or similar shelter is placed on-site for more than one hundred and twenty (120) days per year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules unless served by public sewage facilities.

F. Commercial and Industrial Uses. The following new commercial and industrial uses are prohibited within the shoreland zone adjacent to great ponds classified GPA, and rivers and streams which flow to great ponds classified GPA:

- (1) Auto washing facilities
- (2) Auto or other vehicle service and/or repair operations, including body shops
- (3) Chemical and bacteriological laboratories
- (4) Storage of chemicals, including herbicides, pesticides or fertilizers, other than amounts normally associated with individual households or farms
- (5) Commercial painting, wood preserving, and furniture stripping
- (6) Dry cleaning establishments
- (7) Electronic circuit assembly
- (8) Laundromats, unless connected to a sanitary sewer
- (9) Metal plating, finishing, or polishing

Section 15 (H)(1) does not apply to approaches to water crossings or to roads or driveways that provide access to permitted structures and facilities located nearer to the shoreline or tributary stream due to an operational necessity, excluding temporary docks for recreational uses. Roads and driveways providing access to permitted structures within the setback area shall comply fully with the requirements of Section 15(H)(1) except for that portion of the road or driveway necessary for direct access to the structure.

- (2) Existing public roads may be expanded within the legal road right of way regardless of their setback from a water body, tributary stream or wetland.
- (3) New permanent roads are not allowed within the shoreland zone along Significant River Segments except:
 - (a) To provide access to structures or facilities within the zone; or
 - (b) When the applicant demonstrates that no reasonable alternative route exists outside the shoreland zone. When roads must be located within the shoreland zone they shall be set back as far as practicable from the normal high-water line and screened from the river by existing vegetation.
- (4) New roads and driveways are prohibited in a Resource Protection District except that the Planning Board may grant a permit to construct a road or driveway to provide access to permitted uses within the district. A road or driveway may also be approved by the Planning Board in a Resource Protection District, upon a finding that no reasonable alternative route or location is available outside the district. When a road or driveway is permitted in a Resource Protection District the road and/or driveway shall be set back as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of a wetland.
- (5) Road and driveway banks shall be no steeper than a slope of two (2) horizontal to one (1) vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained in Section 15(P).
- (6) Road and driveway grades shall be no greater than ten (10) percent except for segments of less than two hundred (200) feet.
- (7) In order to prevent road and driveway surface drainage from directly entering water bodies, tributary streams or wetlands, roads and driveways shall be designed, constructed, and maintained to empty onto an unscarified buffer strip at least (50) feet plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream, or upland edge of a wetland. Surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.
- (8) Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow gains sufficient volume or head to erode the road, driveway, or ditch. To accomplish this, the following shall apply:

- (6) No sign shall extend higher than twenty (20) feet above the ground.
- (7) Signs may be illuminated only by shielded, non-flashing lights.

J. Storm Water Runoff

- (1) All new construction and development shall be designed to minimize storm water runoff from the site in excess of the natural predevelopment conditions. Where possible, existing natural runoff control features, such as berms, swales, terraces and wooded areas, shall be retained in order to reduce runoff and encourage infiltration of stormwaters.
- (2) Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.

K. Septic Waste Disposal

- (1) All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, and the following: a) clearing or removal of woody vegetation necessary to site a new system and any associated fill extensions, shall not extend closer than seventy-five (75) feet, horizontal distance, from the normal high-water line of a water body or the upland edge of a wetland and b) a holding tank is not allowed for a first-time residential use in the shoreland zone.

L. Essential Services

- (1) Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors.
- (2) The installation of essential services, other than road-side distribution lines, is not allowed in a Resource Protection or Stream Protection District, except to provide services to a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where allowed, such structures and facilities shall be located so as to minimize any adverse impacts on surrounding uses and resources, including visual impacts.
- (3) Damaged or destroyed public utility transmission and distribution lines, towers and related equipment may be replaced or reconstructed without a permit.

M. Mineral Exploration and Extraction. Mineral exploration to determine the nature or extent of mineral resources shall be accomplished by hand sampling, test boring, or other methods which create minimal disturbance of less than one hundred (100) square feet of ground surface. A permit from the Code Enforcement Officer shall be required for mineral exploration which exceeds the above limitation. All excavations, including test pits and holes, shall be immediately capped, filled or secured by other equally effective measures to restore disturbed areas and to protect the public health and safety.

Mineral extraction may be permitted under the following conditions:

- (3) Agricultural activities involving tillage of soil greater than forty thousand (40,000) square feet in surface area, within the shoreland zone shall require a Conservation Plan to be filed with the Planning Board. Non-conformance with the provisions of said plan shall be considered to be a violation of this Ordinance.
- (4) There shall be no new tilling of soil within one-hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within seventy-five (75) feet, horizontal distance, from other water bodies and coastal wetlands; nor within twenty-five (25) feet, horizontal distance, of tributary streams and freshwater wetlands. Operations in existence on the effective date of this ordinance and not in conformance with this provision may be maintained.
- (5) Newly established livestock grazing areas shall not be permitted within one hundred (100) feet, horizontal distance, of the normal high-water line of a great pond classified GPA; within seventy-five (75) feet, horizontal distance, of other water bodies and coastal wetlands, nor; within twenty-five (25) feet, horizontal distance, of tributary streams and freshwater wetlands. Livestock grazing associated with ongoing farm activities, and which are not in conformance with the above setback provisions may continue, provided that such grazing is conducted in accordance with a Conservation Plan.

O. Timber Harvesting

- ~~(1) In a Resource Protection District abutting a great pond, timber harvesting shall be limited to the following:
 - ~~(a) Within the strip of land extending 75 feet, horizontal distance, inland from the normal high water line, timber harvesting may be conducted when the following conditions are met:
 - ~~(1) The ground is frozen;~~
 - ~~(2) There is no resultant soil disturbance;~~
 - ~~(3) The removal of trees is accomplished using a cable or boom and there is no entry of tracked or wheeled vehicles into the 75-foot strip of land;~~
 - ~~(4) There is no cutting of trees less than 6 inches in diameter; no more than 30% of the trees 6 inches or more in diameter, measured at 4 1/2 feet above ground level, are cut in any 10 year period; and a well distributed stand of trees and other natural vegetation remains; and~~
 - ~~(5) A licensed professional forester has marked the trees to be harvested prior to a permit being issued by the municipality.~~~~
 - ~~(b) Beyond the 75 foot strip referred to in Section 15(O)(1)(a) above, timber harvesting is permitted in accordance with paragraph 2 below except that in no case shall the average residual basal area of trees over 4 1/2 inches in diameter at 4 1/2 feet above ground level be reduced to less than 30 square feet per acre.~~~~
- ~~(2) Except in areas as described in Section 15(O)(1) above, timber harvesting shall conform with the following provisions:~~

O. Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting

- (1) In a Resource Protection District abutting a great pond, there shall be no cutting of vegetation within the strip of land extending 75 feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards.
 - \ Elsewhere, in any Resource Protection District the cutting or removal of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.
- (2) Except in areas as described in Section O(1), above, and except to allow for the development of permitted uses, within a strip of land extending one-hundred (100) feet, horizontal distance, inland from the normal high-water line of a great pond classified GPA or a river flowing to a great pond classified GPA, and seventy-five (75) feet, horizontal distance, from any other water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:
 - (a) There shall be no cleared opening greater than 250 square feet in the forest canopy (or other existing woody vegetation if a forested canopy is not present) as measured from the outer limits of the tree or shrub crown. However, a footpath not to exceed six (6) feet in width as measured between tree trunks and/or shrub stems is allowed provided that a cleared line of sight to the water through the buffer strip is not created.
 - (b) Selective cutting of trees within the buffer strip is allowed provided that a well-distributed stand of trees and other natural vegetation is maintained. For the purposes of Section 15(O)(2)(b) a "well-distributed stand of trees" adjacent to a great pond classified GPA or a river or stream flowing to a great pond classified GPA, shall be defined as maintaining a rating score of 24 or more in each 25-foot by 50-foot rectangular (1250 square feet) area as determined by the following rating system.

Diameter of Tree at 4-1/2 feet Above Ground Level (inches)	Points
2 - < 4 in.	1
4 - < 8 in.	2
8 - < 12 in.	4
12 in. or greater	8

Adjacent to other water bodies, tributary streams, and wetlands, a "well-distributed stand of trees" is defined as maintaining a minimum rating score of 16 per 25-foot by 50-foot rectangular area.

The following shall govern in applying this point system:

- (4) Legally existing nonconforming cleared openings may be maintained, but shall not be enlarged, except as allowed by this Ordinance.
- (5) Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of Section 15(O).

P. Erosion and Sedimentation Control

- (1) All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall also require a written soil erosion and sedimentation control plan. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:
 - (a) Mulching and revegetation of disturbed soil.
 - (b) Temporary runoff control features such as hay bales, silt fencing or diversion ditches.
 - (c) Permanent stabilization structures such as retaining walls or rip-rap.
- (2) In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
- (3) Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. The amount of exposed soil at every phase of construction shall be minimized to reduce the potential for erosion.
- (4) Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases permanent stabilization shall occur within nine (9) months of the initial date of exposure. In addition:
 - (a) Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established.
 - (b) Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.
 - (c) Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.
- (5) Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainageways shall be designed and constructed in order to carry water from a twenty five (25) year storm or greater, and shall be stabilized with vegetation or lined with riprap.

- (b) The replacement culvert is not longer than 75 feet; and
 - (c) Adequate erosion control measures are taken to prevent sedimentation of the water, and the crossing does not block fish passage in the watercourse.
- (2) A permit is not required for an archaeological excavation as long as the excavation is conducted by an archaeologist listed on the State Historic Preservation Officer's level 1 or level 2 approved list, and unreasonable erosion and sedimentation is prevented by means of adequate and timely temporary and permanent stabilization measures.
- (3) Any permit required by this Ordinance shall be in addition to any other permit required by other law or ordinance.

C. Permit Application

- (1) Every applicant for a permit shall submit a written application, including a scaled site plan, on a form provided by the municipality, to the appropriate official as indicated in Section 14.
- (2) All applications shall be signed by an owner or individual who can show evidence of right, title or interest in the property or by an agent, representative, tenant, or contractor of the owner with authorization from the owner to apply for a permit hereunder, certifying that the information in the application is complete and correct.
- (3) All applications shall be dated, and the Code Enforcement Officer or Planning Board, as appropriate, shall note upon each application the date and time of its receipt.
- (4) If the property is not served by a public sewer, a valid plumbing permit or a completed application for a plumbing permit, including the site evaluation approved by the Plumbing Inspector, shall be submitted whenever the nature of the proposed structure or use would require the installation of a subsurface sewage disposal system.

D. Procedure for Administering Permits. Within 35 days of the date of receiving a written application, the Planning Board or Code Enforcement Officer, as indicated in Section 14, shall notify the applicant in writing either that the application is a complete application, or, if the application is incomplete, that specified additional material is needed to make the application complete. The Planning Board or the Code Enforcement Officer, as appropriate, shall approve, approve with conditions, or deny all permit applications in writing within 35 days of receiving a completed application. However, if the Planning Board has a waiting list of applications, a decision on the application shall occur within 35 days after the first available date on the Planning Board's agenda following receipt of the completed application, or within 35 days of the public hearing, if the proposed use or structure is found to be in conformance with the purposes and provisions of this Ordinance.

The applicant shall have the burden of proving that the proposed land use activity is in conformity with the purposes and provisions of this Ordinance.

After the submission of a complete application to the Planning Board, the Board shall approve an application or approve it with conditions if it makes a positive finding based on the information presented that the proposed use:

year flood-plain elevation; and the development is otherwise in compliance with any applicable municipal flood-plain ordinance.

If the floodway is not shown on the Federal Emergency Management Agency Maps, it is deemed to be 1/2 the width of the 100-year flood-plain.

(4) The total ground-floor area, including cantilevered or similar overhanging extensions, of all principal and accessory structures is limited to a maximum of 1,500 square feet. This limitation shall not be altered by variance.

(5) All structures, except functionally water-dependent structures, are set back from the normal high-water line of a water body, tributary stream or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance. In determining the greatest practical extent, the Planning Board shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the flood-plain, and its proximity to moderate-value and high-value wetlands.

F. Expiration of Permit. Permits shall expire one year from the date of issuance if a substantial start is not made in construction or in the use of the property during that period. If a substantial start is made within one year of the issuance of the permit, the applicant shall have one additional year to complete the project, at which time the permit shall expire.

G. Installation of Public Utility Service. A public utility, water district, sanitary district or any utility company of any kind may not install services to any new structure located in the shoreland zone unless written authorization attesting to the validity and currency of all local permits required under this or any previous Ordinance has been issued by the appropriate municipal officials or other written arrangements have been made between the municipal officials and the utility.

H. Appeals

(1) Powers and Duties of the Board of Appeals. The Board of Appeals shall have the following powers:

(a) Administrative Appeals: To hear and decide administrative appeals, on an appellate basis, where it is alleged by an aggrieved party that there is an error in any order, requirement, decision, or determination made by, or failure to act by, the Planning Board in the administration of this Ordinance; and to hear and decide administrative appeals on a de novo basis where it is alleged by an aggrieved party that there is an error in any order, requirement, decision or determination made by, or failure to act by, the Code Enforcement Officer in his or her review of and action on a permit application under this Ordinance. Any order, requirement, decision or determination made, or failure to act, in the enforcement of this ordinance is not appealable to the Board of Appeals.

(b) Variance Appeals: To authorize variances upon appeal, within the limitations set forth in this Ordinance.

(2) Variance Appeals. Variances may be granted only under the following conditions:

(3) Administrative Appeals

When the Board of Appeals reviews a decision of the Code Enforcement Officer the Board of Appeals shall hold a "de novo" hearing. At this time the Board may receive and consider new evidence and testimony, be it oral or written. When acting in a "de novo" capacity the Board of Appeals shall hear and decide the matter afresh, undertaking its own independent analysis of evidence and the law, and reaching its own decision.

When the Board of Appeals hears a decision of the Planning Board, it shall hold an appellate hearing, and may reverse the decision of the Planning Board only upon finding that the decision was contrary to specific provisions of the Ordinance or contrary to the facts presented to the Planning Board. The Board of Appeals may only review the record of the proceedings before the Planning Board. The Board Appeals shall not receive or consider any evidence which was not presented to the Planning Board, but the Board of Appeals may receive and consider written or oral arguments. If the Board of Appeals determines that the record of the Planning Board proceedings are inadequate, the Board of Appeals may remand the matter to the Planning Board for additional fact finding.

(4) Appeal Procedure

(a) Making an Appeal

- (i) An administrative or variance appeal may be taken to the Board of Appeals by an aggrieved party from any decision of the Code Enforcement Officer or the Planning Board, except for enforcement-related matters as described in Section 16(H)(1)(a) above. Such an appeal shall be taken within thirty (30) days of the date of the official, written decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.
- (ii) Applications for appeals shall be made by filing with the Board of Appeals a written notice of appeal which includes:
 - a. A concise written statement indicating what relief is requested and why the appeal or variance should be granted.
 - b. A sketch drawn to scale showing lot lines, location of existing buildings and structures and other physical features of the lot pertinent to the relief sought.
- (iii) Upon receiving an application for an administrative appeal or a variance, the Code Enforcement Officer or Planning Board, as appropriate, shall transmit to the Board of Appeals all of the papers constituting the record of the decision appealed from.
- (iv) The Board of Appeals shall hold a public hearing on an administrative appeal or a request for a variance within thirty-five (35) days of its receipt of a complete written application, unless this time period is extended by the parties.

(b) Decision by Board of Appeals

conditions. A copy of such notices shall be submitted to the municipal officers and be maintained as a permanent record.

- (b) The Code Enforcement Officer shall conduct on-site inspections to insure compliance with all applicable laws and conditions attached to permit approvals. The Code Enforcement Officer shall also investigate all complaints of alleged violations of this Ordinance.
 - (c) The Code Enforcement Officer shall keep a complete record of all essential transactions of the office, including applications submitted, permits granted or denied, variances granted or denied, revocation actions, revocation of permits, appeals, court actions, violations investigated, violations found, and fees collected. On a biennial basis, a summary of this record shall be submitted to the Director of the Bureau of Land and Water Quality within the Department of Environmental Protection.
- (3) **Legal Actions.** When the above action does not result in the correction or abatement of the violation or nuisance condition, the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby directed to institute any and all actions and proceedings, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name of the municipality. The municipal officers, or their authorized agent, are hereby authorized to enter into administrative consent agreements for the purpose of eliminating violations of this Ordinance and recovering fines without Court action. Such agreements shall not allow an illegal structure or use to continue unless there is clear and convincing evidence that the illegal structure or use was constructed or conducted as a direct result of erroneous advice given by an authorized municipal official and there is no evidence that the owner acted in bad faith, or unless the removal of the structure or use will result in a threat or hazard to public health and safety or will result in substantial environmental damage.
- (4) **Fines.** Any person, including but not limited to a landowner, a landowner's agent or a contractor, who violates any provision or requirement of this Ordinance shall be penalized in accordance with 30-A, M.R.S.A. section 4452.

17. Definitions. (Note: remove a place in glossary covering all ordinances?)

Accessory structure or use - a use or structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

Aggrieved party - an owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person whose land abuts land for which a permit or variance has been granted; or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

Agriculture - the production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock; fruits and vegetables; and ornamental and green-house products. Agriculture does not include forest management and timber harvesting activities.

Essential services - gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

Expansion of a structure - an increase in the floor area or volume of a structure, including all extensions such as, but not limited to: attached decks, garages, porches and greenhouses.

Expansion of use - the addition of one or more months to a use's operating season; or the use of more floor area or ground area devoted to a particular use.

Family - one or more persons occupying a premises and living as a single housekeeping unit.

Floodway - the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation by more than one foot in height.

Floor area - the sum of the horizontal areas of the floor(s) of a structure enclosed by exterior walls, plus the horizontal area of any unenclosed portions of a structure such as porches and decks.

~~Forest management activities — timber cruising and other forest resource evaluation activities, pesticide or fertilizer application, management planning activities, timber stand improvement, pruning, regeneration of forest stands, and other similar or associated activities, exclusive of timber harvesting and the construction, creation or maintenance of roads.~~

Forested wetland - a freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller.

Foundation - the supporting substructure of a building or other structure, excluding wooden sills and post supports, but including basements, slabs, frostwalls, or other base consisting of concrete, block, brick or similar material.

Freshwater wetland - freshwater swamps, marshes, bogs and similar areas, other than forested wetlands, which are:

1. Of ten or more contiguous acres; or of less than 10 contiguous acres and adjacent to a surface water body, excluding any river, stream or brook, such that in a natural state, the combined surface area is in excess of 10 acres; and
2. Inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Freshwater wetlands may contain small stream channels or inclusions of land that do not conform to the criteria of this definition.

Industrial - The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals.

Institutional – a non-profit or quasi-public use, or institution such as a church, library, public or private school, hospital, or municipally owned or operated building, structure or land used for public purposes.

Lot area - The area of land enclosed within the boundary lines of a lot, minus land below the normal high-water line of a water body or upland edge of a wetland and areas beneath roads serving more than two lots.

Marina - a business establishment having frontage on navigable water and, as its principal use, providing for hire offshore moorings or docking facilities for boats, and which may also provide accessory services such as boat and related sales, boat repair and construction, indoor and outdoor storage of boats and marine equipment, bait and tackle shops and marine fuel service facilities.

Market value - the estimated price a property will bring in the open market and under prevailing market conditions in a sale between a willing seller and a willing buyer, both conversant with the property and with prevailing general price levels.

Mineral exploration - hand sampling, test boring, or other methods of determining the nature or extent of mineral resources which create minimal disturbance to the land and which include reasonable measures to restore the land to its original condition.

Mineral extraction - any operation within any twelve (12) month period which removes more than one hundred (100) cubic yards of soil, topsoil, loam, sand, gravel, clay, rock, peat, or other like material from its natural location and to transport the product removed, away from the extraction site.

Minimum lot width - the closest distance between the side lot lines of a lot. When only two lot lines extend into the shoreland zone, both lot lines shall be considered to be side lot lines.

Multi-unit residential - a residential structure containing three (3) or more residential dwelling units.

Native – indigenous to the local forests.

Non-conforming condition – non-conforming lot, structure or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendment took effect.

Non-conforming lot - a single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet the area, frontage, or width requirements of the district in which it is located.

Non-conforming structure - a structure which does not meet any one or more of the following dimensional requirements; setback, height, or lot coverage, but which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

Non-conforming use - use of buildings, structures, premises, land or parts thereof which is not allowed in the district in which it is situated, but which is allowed to remain solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

Residential dwelling unit - a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping and toilet facilities. The term shall include mobile homes and rental units that contain cooking, sleeping, and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.

~~Residual basal area - the average of the basal area of trees remaining on a harvested site.~~

Riprap - rocks, irregularly shaped, and at least six (6) inches in diameter, used for erosion control and soil stabilization, typically used on ground slopes of two (2) units horizontal to one (1) unit vertical or less.

River - a free-flowing body of water including its associated floodplain wetlands from that point at which it provides drainage for a watershed of twenty five (25) square miles to its mouth.

Road - a route or track consisting of a bed of exposed mineral soil, gravel, asphalt, or other surfacing material constructed for or created by the repeated passage of motorized vehicles, excluding a driveway as defined.

Salt marsh - Areas of coastal wetland (most often along coastal bays) that support salt tolerant species, and where at average high tide during the growing season, the soil is irregularly inundated by tidal waters. The predominant species is saltmarsh cordgrass (*Spartina alterniflora*). More open areas often support widgeon grass, eelgrass, and Sago pondweed.

Salt meadow - Areas of a coastal wetland that support salt tolerant plant species bordering the landward side of salt marshes or open coastal water, where the soil is saturated during the growing season but which is rarely inundated by tidal water. Indigenous plant species include salt meadow cordgrass (*Spartina patens*) and black rush; common threesquare occurs in fresher areas.

Service drop - any utility line extension which does not cross or run beneath any portion of a water body provided that:

1. in the case of electric service
 - a. the placement of wires and/or the installation of utility poles is located entirely upon the premises of the customer requesting service or upon a roadway right-of-way; and
 - b. the total length of the extension is less than one thousand (1,000) feet.
2. in the case of telephone service
 - a. the extension, regardless of length, will be made by the installation of telephone wires to existing utility poles, or
 - b. the extension requiring the installation of new utility poles or placement underground is less than one thousand (1,000) feet in length.

Timber harvesting - the cutting and removal of timber for the primary purpose of selling or processing forest products. The cutting or removal of trees in the shoreland zone on a lot that has less than two (2) acres within the shoreland zone shall not be considered timber harvesting. Such cutting or removal of trees shall be regulated pursuant to Section 15 (O), *Clearing or Removal of Vegetation for Activities Other Than Timber Harvesting*.

Tributary stream – means a channel between defined banks created by the action of surface water, which is characterized by the lack of terrestrial vegetation or by the presence of a bed, devoid of topsoil, containing waterborne deposits or exposed soil, parent material or bedrock; and which is connected hydrologically with other water bodies. “Tributary stream” does not include rills or gullies forming because of accelerated erosion in disturbed soils where the natural vegetation cover has been removed by human activity.

This definition does not include the term "stream" as defined elsewhere in this Ordinance, and only applies to that portion of the tributary stream located within the shoreland zone of the receiving water body or wetland.

Upland edge of a wetland - the boundary between upland and wetland. For purposes of a coastal wetland, this boundary is the line formed by the landward limits of the salt tolerant vegetation and/or the maximum spring tide level, including all areas affected by tidal action. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) foot) tall or taller.

Vegetation - all live trees, shrubs, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 feet above ground level.

Velocity zone - an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources.

Volume of a structure - the volume of all portions of a structure enclosed by roof and fixed exterior walls as measured from the exterior faces of these walls and roof.

Water body - any great pond, river or stream.

Water crossing - any project extending from one bank to the opposite bank of a river, stream, tributary stream, or wetland whether under, through, or over the water or wetland. Such projects include but may not be limited to roads, fords, bridges, culverts, water lines, sewer lines, and cables as well as maintenance work on these crossings. This definition includes crossings for timber harvesting equipment and related activities.

Wetland - a freshwater or coastal wetland.

Woody Vegetation - live trees or woody, non-herbaceous shrubs.

foundation does not extend beyond the exterior dimensions of the structure and the foundation does not cause the structure to be elevated by more than three (3) additional feet, as measured from the uphill side of the structure, it shall not be considered to be an expansion of the structure.

NOTE: The special expansion allowance provided below is available to municipalities that wish to allow a greater expansion limit if the landowner has maintained a quality 50-foot buffer along the water body, tributary stream or wetland, or agrees to plant such a buffer, and agrees to implement certain measures to reduce erosion and sedimentation from the property. If the municipality does not have adequate resources to ensure compliance with this provision, the department recommends that it not be incorporated into the ordinance.

(1 A) ~~Special expansion allowance. Existing principal and accessory structures that exceed the floor area or height limits set in Section 12(C)(1)(a)(iii) and Section 12(C)(1)(a)(iv) above, may not be expanded, except that the limits may be exceeded by not more than 500 square feet provided that all of the following requirements are met.~~

~~(a) The principal structure is set back at least 50 feet, horizontal distance, from the normal high water line of a water body, tributary stream or upland edge of a wetland.~~

~~(b) A well distributed stand of trees and other natural vegetation as defined in Section 15(P)(2)(b), extends at least 50 feet, horizontal distance, in depth as measured from the normal high water line or upland edge for the entire width of the property.~~

~~If a well distributed stand of trees and other vegetation meeting the requirements of Section 15(P)(2)(b) is not present, the 500 square foot special expansion allowance may be permitted only in conjunction with a written plan, including a scaled site drawing, by the property owner, and approved by the Planning Board or its designee, to reestablish a buffer of trees, shrubs, and other ground cover within 50 feet, horizontal distance, of the shoreline or tributary stream.~~

~~(c) Adjacent to great ponds classified GPA and rivers flowing to great ponds classified GPA, except for the allowable footpath, there exists complete natural ground cover, consisting of forest duff, shrubs and other woody and herbaceous vegetation within 50 feet, horizontal distance, of the normal high water line. Where natural ground cover is lacking the area must be supplemented with leaf or bark mulch and plantings of native shrubs, and other woody and herbaceous vegetation in quantities sufficient to retard erosion and provide for effective infiltration of stormwater.~~

~~(d) A written plan by the property owner, including a scaled site drawing, is approved by the Planning Board and is developed, implemented, and maintained to address the following mitigation measures for the property within the shoreland zone.~~

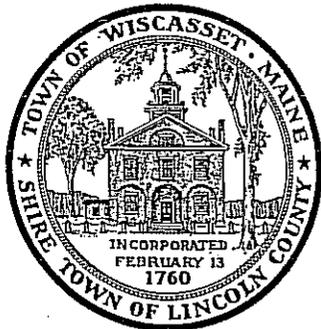
~~(i) Unstabilized areas resulting in soil erosion must be mulched, seeded, or otherwise stabilized and maintained to prevent further erosion and sedimentation to water bodies, tributary streams, and wetlands.~~

APPENDIX A

38 §437. Significant river segments identified

For purposes of this chapter, significant river segments include the following:

1. **Aroostook River.** The Aroostook River from St. Croix Stream in Masardis to the Masardis and T.10, R.6, W.E.L.S. townline, excluding segments in T.9, R.5, W.E.L.S.; including its tributary the Big Machias River from the Aroostook River in Ashland to the Ashland and Garfield Plantation townlines;
2. **Dennys River.** The Dennys River from the railroad bridge in Dennysville Station to the dam at Meddybemps Lake, excluding the western shore in Edmunds Township and No. 14 Plantation;
3. **East Machias River.** The East Machias River from 1/4 of a mile above the Route 1 bridge in East Machias to the East Machias and T.18, E.D., B.P.P. townline, and from the T.19, E.D., B.P.P. and Wesley townline to the outlet of Crawford Lake in Crawford, excluding Hadley Lake;
4. **Fish River.** The Fish River from the bridge in Fort Kent Mills to the outlet of Eagle Lake in Wallagrass, and from the Portage Lake and T.14, R.6, townline to the Portage Lake and T.13, R.7, W.E.L.S. townline, excluding Portage Lake;
5. **Machias River.** The Machias River from the Whitneyville and Machias townline to the Northfield T.19, M.D., B.P.P. townline;
6. **Mattawamkeag River.** The Mattawamkeag River from the outlet of Mattakeunk Stream in Winn to the Mattawamkeag and Kingman Township townline, and from the Reed Plantation and Bancroft townline to the East Branch, including its tributaries the West Branch from the Mattawamkeag River to the Haynesville T.3, R.3, W.E.L.S. townline and from its inlet into Upper Mattawamkeag Lake to the Route 2 bridge; the East Branch from the Mattawamkeag River to the Haynesville and Forkstown Township townline and from the T.4, R 3, W.E.L.S. and Oakfield townline to Red Bridge in Oakfield; the Fish Stream from the Route 95 bridge in Island Falls to the Crystal-Patten townline; and the Baskehegan Stream from its inlet into Crooked Brook Flowage in Danforth to the Danforth and Brookton Township townline;
7. **Narraguagus River.** The Narraguagus River from the ice dam above the railroad bridge in Cherryfield to the Beddington and Devereaux Township townline, excluding Beddington Lake;
8. **East Branch of Penobscot.** The East Branch of the Penobscot from the Route 157 bridge in Medway to the East Millinocket and Grindstone Township townline;
9. **Pleasant River.** The Pleasant River from the railroad bridge in Columbia Falls to the Columbia and T.18, M.D., B.P.P. townline, and from the T.24, M.D., B.P.P. and Beddington townline to the outlet of Pleasant River Lake;
10. **Rapid River.** The Rapid River from the Magalloway Plantation and Upton townline to the outlet of Pond in the River;
11. **West Branch Pleasant River.** The West Branch Pleasant River from the East Branch to the Brownville and Williamsburg Township townline; and
12. **West Branch of Union River.** The West Branch of the Union River from the Route 9 bridge in Amherst to the outlet of Great Pond in the Town of Great Pond.



Office of Planning & Codes

TO: Wiscasset Board of Selectmen
 Laurie Smith, Wiscasset Town Manager
FROM: Jeffrey Hinderliter, Town Planner *JH*
DATE: December 7, 2010
SUBJECT: Downtown Zoning Amendments

The purpose of this agenda item is to request that the Selectmen authorize the Ordinance Review Committee (ORC) to develop amendments to the Residential Zoning District to include an extension of the Downtown Business Zoning District. This request was initiated by George Freeman (part owner of The Ledges) and is consistent with the comprehensive plan implementation. Below, I discuss some pertinent information regarding this matter.

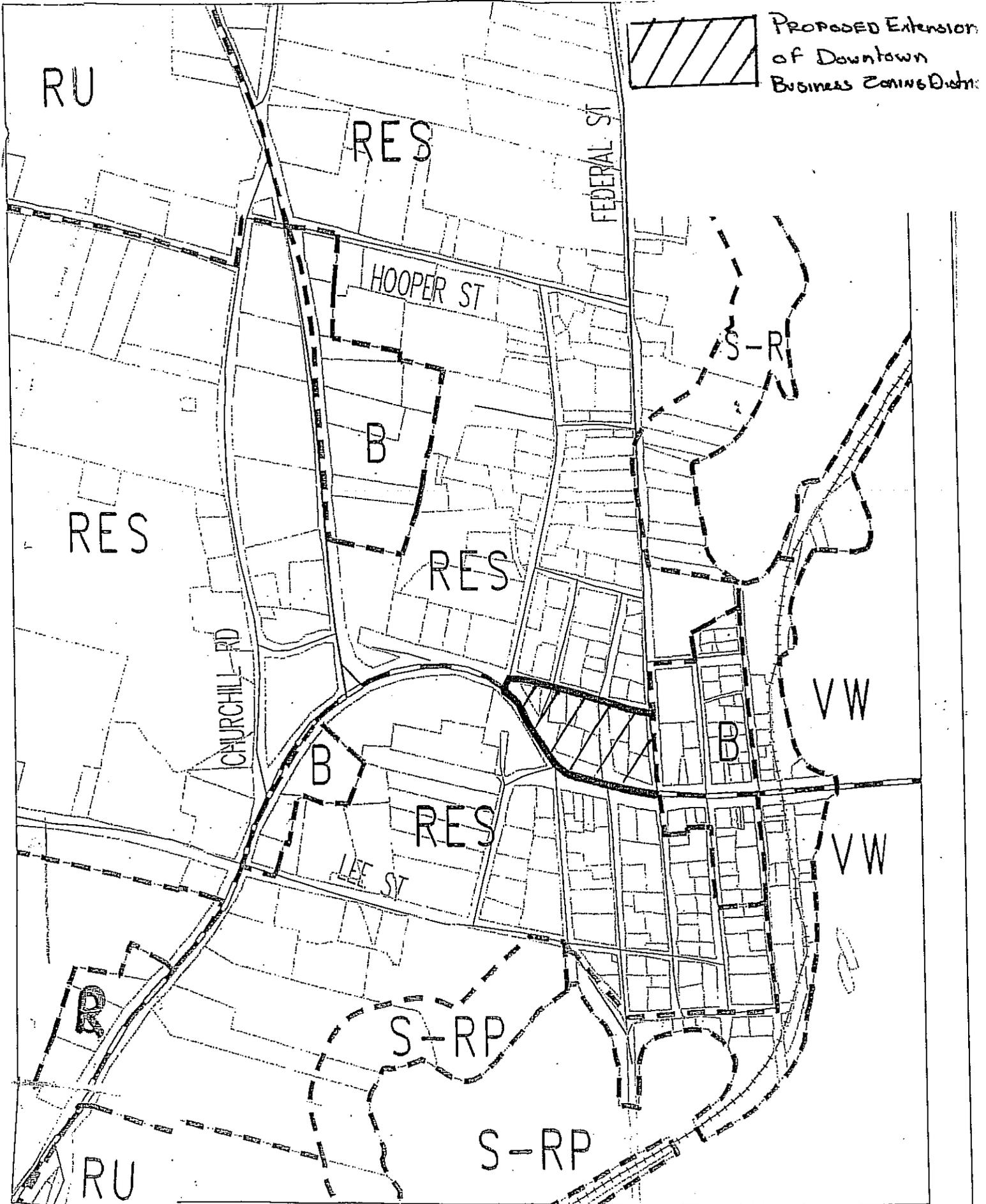
As you may know, part of the downtown village area is located in the Residential Zoning District. For some time, the town and some of the property owners have found the Residential Zoning standards are too restrictive in this area of town. One of the primary examples of this is the 1 acre minimum lot size for each land use/dwelling. Almost all properties in the village are less than 1 acre. The 1 acre minimum lot size requirement prevents property owners from establishing additional uses of their property and realizing more economic benefits. The Ledges is a good example of a building that could support multiple occupancies, but can only establish one use (and limited to residential) because of the minimum lot size requirements.

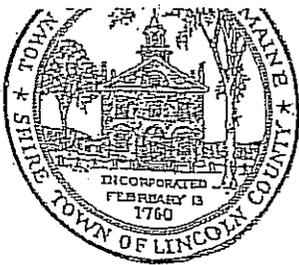
In order to begin a resolution to this matter, a logical first step is to change the zoning by extending the Downtown Business Zoning District to include the two blocks between Washington Street and Route 1 (see attachment). This change will affect ten properties (2 are town owned). The zoning standards for these properties will change in the following ways:

- No minimum lot size requirement (currently 1 acre per use/dwelling).
- No building setback requirements, except those that are necessary for fire safety reasons (current side, front, rear setbacks are 10 feet).
- No off street parking requirement (currently, off street parking is required).
- Increases permissible land uses to allow business-related uses such as antique shops, offices and restaurants (currently, residential uses are only allowed).

In terms of ordinance and mapping changes, I believe they are quite simple and include a zoning map amendment and a Downtown Business District description amendment in the Wiscasset Ordinances. Such a minor change should take no more than two ORC meetings, as long as the Selectmen advise the ORC to limit their consideration to the above-mentioned changes.

Wiscasset Village Zoning





Office of Planning & Codes

5.

APPLICATION FOR SPECIAL AMUSEMENT PERMIT

DATE: 10/09/10

APPLICANT(S) NAME: Doug White

APPLICANT(S) RESIDENCE ADDRESS: 274 West Alna Road
Wiscasset, Maine 04578

BUSINESS NAME: Wiscasset Raceway

BUSINESS ADDRESS: 274 West Alna Road

BUSINESS DESCRIPTION: Auto Racing and special events

LOCATION TO BE USED: Wiscasset Raceway

DESCRIBE ENTERTAINMENT: Country Festival 08/27/10
approx date

HAS THE APPLICANT EVER HAD A LICENSE TO CONDUCT THE BUSINESS
THEREIN DESCRIBED EITHER DENIED OR REVOKED? YES NO

IF SO, DESCRIBE THOSE CIRCUMSTANCES ON A SEPERATE DOCUMENT.

HAS THE APPLICANT, INCLUDING ALL PARTNERS, COORPORATE OFFICERS,
MANAGERS OR PRINCIPAL EMPLOYESS EVER BEEN CONVICTED OF A
FELONY? YES NO

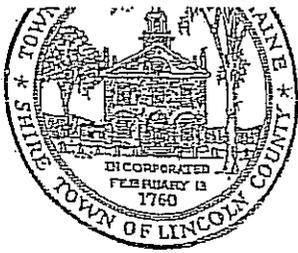
IF SO, DESCRIBE SPECIFICALLY THOSE CIRCUMSTANCES ON A SEPARATE
DOCUMENT.

By signing below, the applicant agrees that the information on this permit is factual and true and agrees to abide by applicable local, state and federal laws, rules and standards including, but not limited to, Article X, Section 1 (Special Amusement Permits) of the Wiscasset Ordinances and Title 28-A (Liquors) of the Maine State Statutes.

Signature(s):

Date:

11/9/10



Office of Planning & Codes

87

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BUSINESS DESCRIPTION: Auto Racing and special events

LOCATION TO BE USED: Wiscasset Raceway

DESCRIBE ENTERTAINMENT: Oxofest 2011 approx date
July 30th 2011

HAS THE APPLICANT EVER HAD A LICENSE TO CONDUCT THE BUSINESS
THEREIN DESCRIBED EITHER DENIED OR REVOKED? YES NO
IF SO, DESCRIBE THOSE CIRCUMSTANCES ON A SPERATE DOCUMENT.
HAS THE APPLICANT, INCLUDING ALL PARTNERS, COORPORATE OFFICERS,
MANAGERS OR PRINCIPAL EMPLOYESS EVER BEEN CONVICTED OF A
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Signature(s): [Signature] Date: 11/9/10

Wiscasset Raceway Large Event Plan

Submitted by: Doug White Owner/Wiscasset Raceway

Steve Smith Promoter/Wiscasset Raceway

Date: 11/9/2010

Appendix 1: Wiscasset Raceway Concert Plot Plan

Appendix 2: Wiscasset Raceway Area Property Map

1. Grounds

a) Event grounds

- The Wiscasset Raceway *large event area* is located outside the raceway. The event grounds consists of approx. 10 acres. The stage, backstage and vendor area takes up approx. 3 acres. 1 acre = 43,560 square feet. With a guideline of 20 square feet per person, the remaining 7 acres of *large event area* can accommodate 15,246 people.

b) Parking area

- For large events the track and paved pit area are used for parking. There is approx. 20 acres of usable parking area. With a guideline of 100 cars per usable acre, the raceway can accommodate 2,000 cars. Using a standard of 4 people per car, the raceway can accommodate parking for 8,000 people. In the case of a larger event we have written permission from our adjacent neighbor Ray Soule (plot 42) to use an additional 8 acres to accommodate 800 cars. With the adjacent plot 42 the raceway can accommodate parking for 11,200 people.
- There is also an additional 20-30 acres of parking area that has been offered by neighbors and written permission can be obtained.

c) Vehicle and Pedestrian traffic

- There are two pedestrian only roads for entering the raceway and one vehicle only road. The vehicle only road is 12 feet wide and will accommodate the one-way traffic into the raceway parking area before the show and one-way traffic out of the show. There are also clearly marked paths for pedestrian traffic from the parking area to the stage area that avoid any vehicle traffic still arriving.

d) Security and Medical Staging area

- A security and medical staging area has been set aside by the entrance to the raceway. This area can be screened off from the crowd. Both our inside and outside security can use this area.

e) Illumination

- The grounds are illuminated by multiple tower lights that do not reflect off the property. The stage lighting will be angled toward the crowd does not reach the adjacent plots 47, 47A,B and C.

f) Camping

- NO overnight camping will be offered on the grounds for Wiscasset raceway large events. A small number of RV's will be on-site for working staff.

2. Safety and Security

a) Inside Security

- A professional event security company will be retained for all large events at the Wiscasset Raceway. This professional security company will be responsible for the entrance points and the entire inside of the event grounds. Professional security will be retained at a formula of 1 per 100 people attending the large event.

b) Outside Security

- The Wiscasset Raceway will work with the Lincoln County Sheriff Department and the Wiscasset Police Department to formulate a workable plan for additional outside security, traffic management and other safety issues. An officer/deputy will be placed in command of the detail.

c) Medical and EMT's

- Professional medical personal and an on-site ambulance will be retained and will be on-site for the large event. A medical staging area will be provided.
- The local hospital will be notified in writing of the large event.

d) General Safety Issues

- The Wiscasset Fire Chief will consult with The Wiscasset Raceway on any issues of fire safety and will sign off with his approval of any large event.
- All electrical systems will comply with applicable state standards and regulations.
- All food vendors will be licensed.

3. Sanitary Facilities, Refuse and Water

a) Toilets

- A professional waste company will be retained to provide toilets and sanitation equipment for all large events.
- Toilets will be provided at a formula of 1 per 150 people attending the event.
- Handicap toilets will substituted for regular toilets at a formula of 1 per 1,000 people attending the event.
- The toilets will be placed where they can be serviced during the event and the waste company will be on-site to provide this service once per every 5 hours of the event.
- The waste company will also be on call to provide additional toilets as needed.
- Each toilet will be provided with hand sanitizer units and a continuous supply of toilet paper.
- Separate staff bathrooms will be provided on the raceway grounds.

b) Refuse

- One 50 gallon refuse container or its equivalent will be provided for each 100 people attending the event.
- One 50 gallon refuse container or its equivalent will be provided for each 25 cars parked

on raceway grounds.

- Three large dumpsters will be provided on site to collect refuse and be disposed of by a professional waste company.
- Raceway staff will collect all garbage during and after event. Refuse containers shall be emptied at least once for every 5 hour period.
- A professional cleaning company will be retained by the raceway to clean the property beginning immediately after the end of the special event.

c) Water

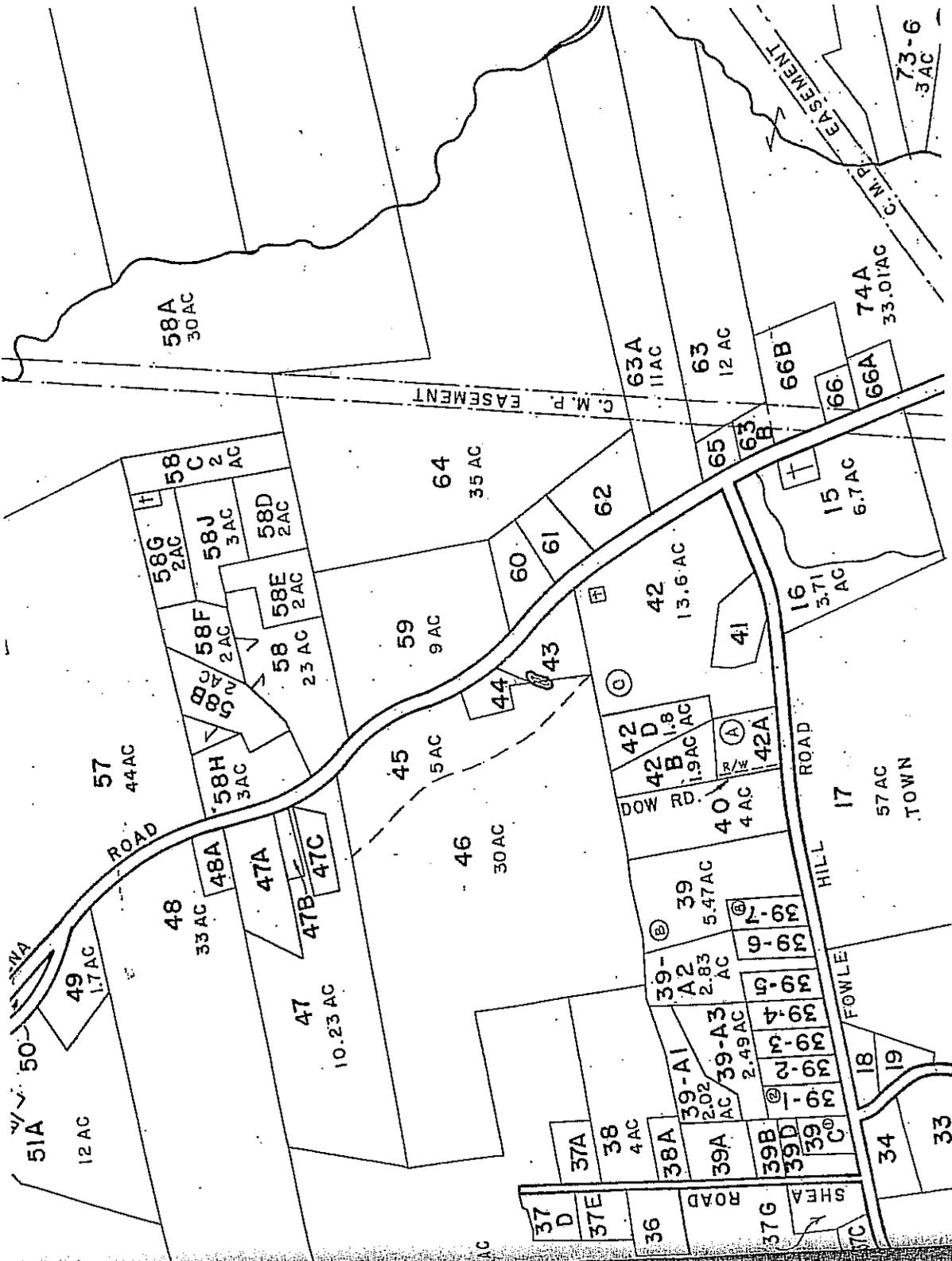
- There will be two water stations provided inside the large event grounds. They will be located on either end of the vendors and will be clearly marked.
- Water will be available to Maine state standards of 1 gallon per every 2 people attending the large event.
- Water test results from the raceway will be provided on request.

4. Noise

- The noise levels of the large event will comply with any town noise ordinance.

5. Alcohol

- Any and all alcohol served at Wiscasset Raceway events will comply with all state liquor laws and standards.
- All service areas will be licensed, inspected and approved by Craig McCabe, Public Safety Inspector of the Department of Public Safety.
- The serving of alcohol will stop at least 2 hours prior to the end of the event.
- All serving areas shall be provided with professional security.



1" = 500'

Hi, Becky Sign Out All-New Mail Help

Trending: Kanye West

Yi



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- Inbox (19)
- Drafts
- Sent
- Spam (493) [Empty]
- Trash [Empty]

- My Photos
- My Attachments

My Folders [Add - Edit]

- Alex Gray
- Angie Pictures
- Bike Fest
- Connie Hartley
- Credit Card Ma...
- Dividend Miles
- Intuit Quickbo... (7)
- Logos
- Med Tech Wrist...
- Operation reco...
- Oxx Fest
- Paid Bills (58)
- Pictures
- Richard Clark
- Steve Smith
- Sun Trust
- Tom Curley (1)
- Uncle Henrys
- US Air (2)
- Wiscasset RW 2... (4)
- Wiscasset Sale...
- WR 2009 (6)

Oxxfest Letter

Monday, November 8, 2010 2:34 PM

From: "rmaker@co.lincoln.me.us" <rmaker@co.lincoln.me.us>

To: "Becky White" <wiscassetraceway@yahoo.com>

Mr White,

I have spoken with Sheriff Brackett and I will be preparing a letter for you that indicates the Sheriff's Office is willing to again provide services if we receive a request from the local police department and we are able to agree to a contract prior to the day of your event.

I am out of the County today and will be unable to provide this letter to you until Tuesday.

Lt Rand Maker

Sent from my U.S. Cellular BlackBerry® smartphone

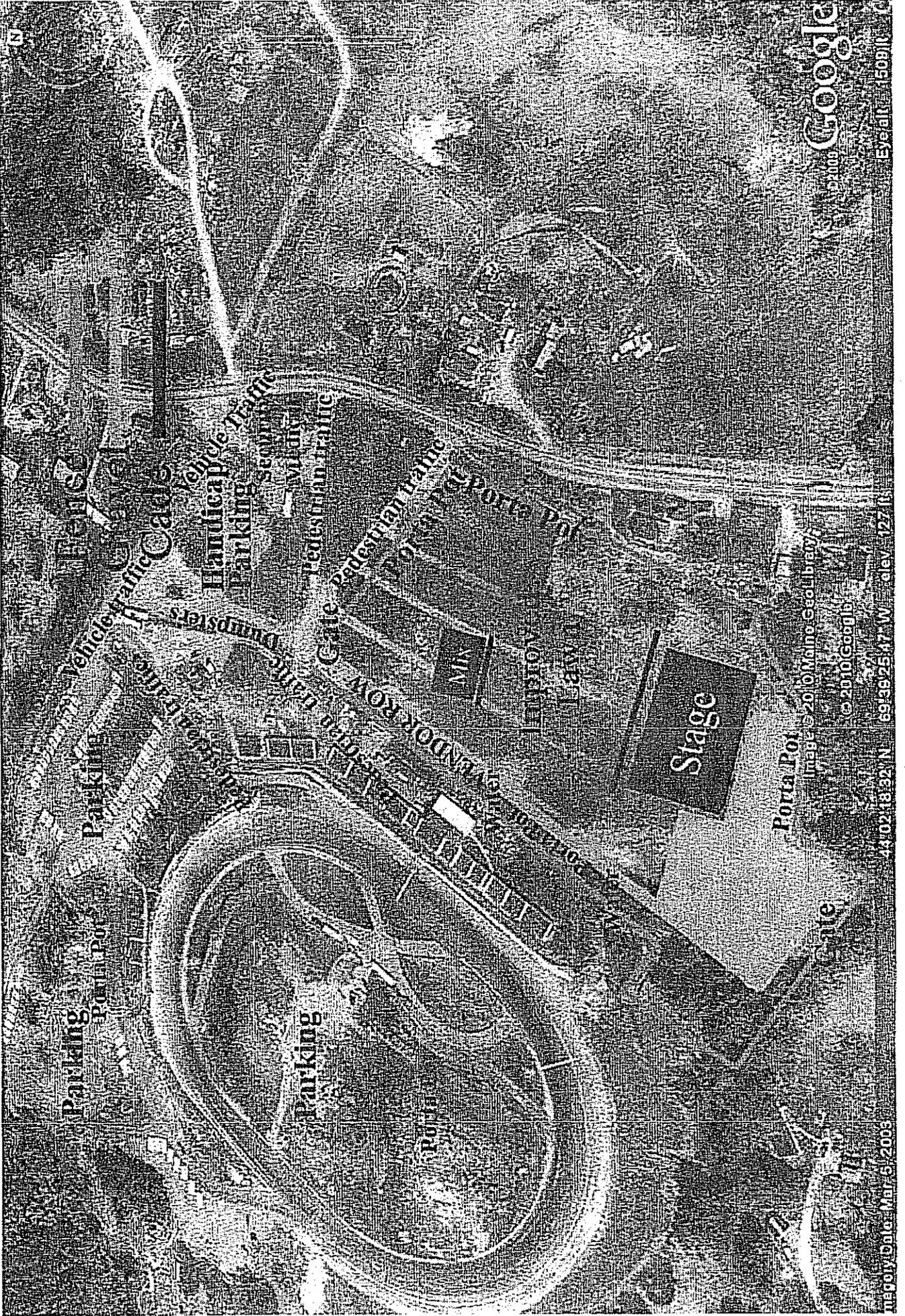
Delete Reply Forward Spam Move...

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Select Message Encoding

Full Headers

Wiscasset Raceway Concert Plot Plan



Wiscasset Raceway Large Event Plan

Submitted by: Doug White Owner/Wiscasset Raceway

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beginning immediately after the end of the special event.

c) Water

⑩ There will be two water stations provided inside the large event grounds. They will be located on either end of the vendors and will be clearly marked.

⑩ Water will be available to Maine state standards of 1 gallon per every 2 people attending the large event.

⑩ Water test results from the raceway will be provided on request.

4. Noise

⑩ The noise levels of the large event will comply with any town noise ordinance.

5. Alcohol

⑩ Any and all alcohol served at Wiscasset Raceway events will comply with all state liquor laws and standards.

⑩ All service areas will be licensed, inspected and approved by Craig McCabe, Public Safety Inspector of the Department of Public Safety.

⑩ The serving of alcohol will stop at least 2 hours prior to the end of the event.

⑩ All serving areas shall be provided with professional security.

12 A.

BID SHEET
182 ALNA ROAD
WISCASSET, ME. 04578

The cleanup consists of the removal of 4 old mobile homes, 2 buildings (one collapsed, one partially collapsed), 12 plus junk vehicles, miscellaneous junk, scrap wood and trash. All items must be deposited of in approved sites and done in a workmanship manner.

Cleanup of the site shall be completed prior to April 1, 2011. Final inspection will be performed by the Town of Wiscasset's Codes Enforcement Officer prior to payment.

I (_____) have visited the site and fully understand the scope of the work.

BID THE SUM OF \$ _____ FOR THE CLEANUP OF THE ABOVE PROPERTY

SIGNATURE

DATE

COMPANY / ADDRESS

ACCEPTED:

Laurie Smith Town Manager

DATE

Laurie Smith

From: Stefan Mehrl <mehrl@roadrunner.com>
Sent: Sunday, November 28, 2010 7:50 PM
To: 'Laurie Smith'; 'Lisa Garman'; 'Constance Schumann'; 'Evan Goodkowsky'; 'Greg Hammond'; 'Mark Johnson'; 'Phil Di Vece'; 'Richard Hanson'; 'Sherri Dunbar'; 'Stefan Mehrl'; 'Steve Jarrett '
Subject: Questions the Budget Committee would like share conversation with the Auditor on 12/16/10

The Budget Committee requests the Auditor meet with the Budget Committee, for several of our members this is the first or second exposure to the Audit Report (other than viewing a report in a past Town Report) and I think all would benefit from greater explanation of the report.

As requested; below is a table exhibiting page numbers and questions about the Audit Report the Budget Committee assembled that we would like to share conversation with the Auditor on 12/16/10.

Page	Area	Related pages and fields
	Areas of Wiscasset Town Audit Report, 30 June 2010, areas of requested clarity	
4 & 5	Definitions - review - critical to understanding report	
6	To enable a better understanding of figures represented, walk audience from the number to the page where the numbers are derived from e.g. Current and other assets are shown on ? A explanation of Capital Assets of 14,989,942 is shown on page 10	
6	Link current Liabilities and Long term Debt and explain origin of each. Explain the following areas under Net Assets - Net of Related Debt, Restricted Endowments (examples), Special revenues, Unrestricted Net Assets and why General Fund is 0	
7	Revenues - is the decrease of Intergovernmental funding of \$5,776,085 to reflect funding now going to the RSU? This also related to the Expenses question below.	
7	Revenues - Explain the relationship of Other revenue increasing while State of Maine on-behalf payments decreased	
7	Expenses - Draw attention to the Education Line decreasing by 5,000,000 due to Tuition and EPS going to the RSU	
7	Expenses - clarify the decrease in Capital Outlay of \$347,831	
7 & 13	Transfer of assets, net of related debt to RSU12 \$1,673,794 - is this for outstanding loans for the Middle School?	See page 37 Note 12 Extraordinary Item, for additional explanation
8	Non-Major Funds - show where these monies come from	

9	Budgetary Highlights - point out why the an overage of \$1,021,649 is an OK result for the year	
9	Capital Assets - is the current year depreciation expenses of \$566,028 due in large part to the revaluation of Point East properties?	
10	Net of Depreation - Buildings and improvements shows a loss of \$1,589,817 - show where this number comes from or what it represents	
10	The debt addressed on page 6 as Long-term Debt Outstanding and the numbers on page 10 for Debt do not match?	More informaiton on page 34
11	Assets - Leins \$606,178 - what areas does this cover?	
11	Liabilities - define Accrued compensated absences	Explained on page 29.
11	Net Assets - what schedule shows Unrestricted assets?	
16	Statement E -Explain Capital Outlay Non Major funds for \$347,805	
16	Statement E - Other Financing Sources - Operating transfers out Non Major Funds for \$157,617	
32	Note 4 - Capital Assets - Changes - Machinery and Equipment Disposals (1,870,077) What did the town get rid of? Building Disposals (\$5,291,900.00) is this the schools? Vehicles (\$987,369) and then all this less accumulated depreciation?	
?	Designated fund balance	See page 35 balances carried forward also shows PEG money of \$24,758
39	Health and sanitation is showing a variance of \$109,509 Alna and WI payments for the last quarter were received in July - why were they not adjusted into received?	
43	Wiscasset School Department - Applied revenue, expenditures and carried forward, discuss	

Stefan Mehrl
Cell 207 837 1401

**AFFIDAVIT CORRECTING LOCAL GOVERNMENT RECORD
(5 M.R.S.A. § 95-B)**

City/Town of Wiscasset

NOW COMES Susan M. Varney, who,
being duly sworn, deposes and says as follows: [name]

1. I am the Assessors' Agent
of the City/Town of Wiscasset [position]

2. I am responsible for the preparation of Municipal Tax Commitment,
which is a local government record within the scope of 5 M.R.S.A. § 95 et seq. [name of record]

3. On or about Sept. 23, 2009 I prepared a Mun. Tax Commitment
and it has come to my attention that said record contains an error/omission, specifically: [identify the error/omission and briefly explain how it occurred]
[date] [record]

Error in TIF Financing Plan amount

4. The record should properly state: \$50,611.31
[state correct information]

5. I make this affidavit in order to correct the error or omission identified above.

Date: 11/24/2010

Susan M. Varney
(Signature)

Susan M. Varney
(Printed name)

STATE OF MAINE
Lincoln, ss.
[COUNTY]

Personally appeared before me the above-named Susan M. Varney,
who swore that the facts recited in the foregoing affidavit are true of his/her own knowledge or
were stated to be on information and belief he/she has such information and believes it to be true
and reliable; and who executed the same in my presence.

Date: 11/24/2010

Christine L. Wolfe
(Notary Public/Attorney)

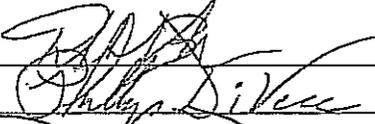
(SEAL)

MY COMMISSION EXPIRES:
Christine L. Wolfe
(Printed name)

ASSESSORS' CERTIFICATION OF ASSESSMENT

WE HEREBY CERTIFY, that the pages herein, numbered from 1 to 356 inclusive, contain a list and valuation of Estates, Real and Personal, liable to be taxed in the Municipality of WISCASSET for State, County, District, and Municipal Taxes for the fiscal year 07/01/2009 to 06/30/2010 as they existed on the first day of April 2009.

IN WITNESS THEREOF, we have hereunto set our hands at WISCASSET this 23 day of September, 2009.









Municipal Assessor(s)

MUNICIPAL TAX ASSESSMENT WARRANT

State of Maine Municipality WISCASSET County Lincoln
To James H. George, Tax Collector

In the name of the State of Maine you are hereby required to collect of each person named in the list herewith committed to you the amount set down on said list as payable by that person.

Assessments:

1. County Tax	468,244.03	
2. Municipal Appropriation	4,801,554.00	
3. TIF Financing Plan Amount	50,611.31	
4. Local Educational Appropriation	5,063,790.00	
5. Overlay (Not to Exceed 5% of "Net To Be Raised" (see tax rate calculation #16)	54,533.53	
6. Total Assessments		10,384,199.34

Deductions:

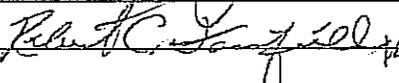
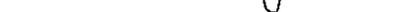
7. State Municipal Revenue Sharing	350,000.00	
8. Homestead Reimbursement	83,825.39	
9. BETE Reimbursement	16,467.71	
10. Other Revenue	3,548,975.00	
11. Total Deductions		3,898,975.00
12. <u>Net Assessment for Commitment</u>		6,485,224.34

You are to pay to James H. George, the Municipal Treasurer, or to any successor in office, the taxes herewith committed, paying on the last day of each month all money collected by you, and you are to complete and make an account of your collections of the whole sum on or before 04/23/2010.

In case of the neglect of any person to pay the sum required by said list until after 10/23/2009 & 04/23/2010; you will add interest to so much thereof as remains unpaid at the rate of 7.00 percent per annum, commencing 10/24/2009 & 04/24/2010 to the time of payment, and collect the same with the tax remaining unpaid.

Given under our hands, as provided by a legal vote of the Municipality and Warrants received pursuant to the Laws of the State of Maine, this 09/23/2009.


_____ Assessor(s) of: WISCASSET

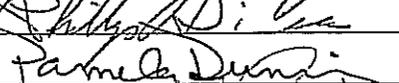
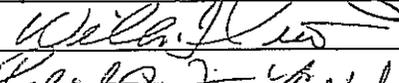
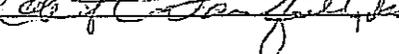
_____ Pamela Dunning

_____ Wilbur J. King

_____ Robert C. Langford

CERTIFICATE OF COMMITMENT

To James H. George the Collector of the Municipality of
WISCASSET , aforesaid.

Herewith are committed to you true lists of the assessments of the Estates of the persons wherein named; you are to levy and collect the same, of each one their respective amount, therein set down, of the sum total of \$6,485,224.34 (being the amount of the lists contained herein), according to the tenor of the foregoing warrant.

Given under our hands this 09/23/2009


_____ Assessor(s) of: WISCASSET

_____ Pamela Dunning

_____ Wilbur J. King

_____ Robert C. Langford

Complete in Duplicate. File original with Tax Collector. File copy in Valuation Book

**CERTIFICATE OF ASSESSMENT TO BE RETURNED TO MUNICIPAL TREASURER
STATE OF MAINE**

County Lincoln, ss.

We hereby certify, that we have assessed a tax on the estate, real and personal liable to be taxed in the Municipality of WISCASSET for the fiscal year 07/01/2009 to 06/30/2010, at 14.45 mils on the dollar, on a total taxable valuation of \$445,637,700

Assessments:

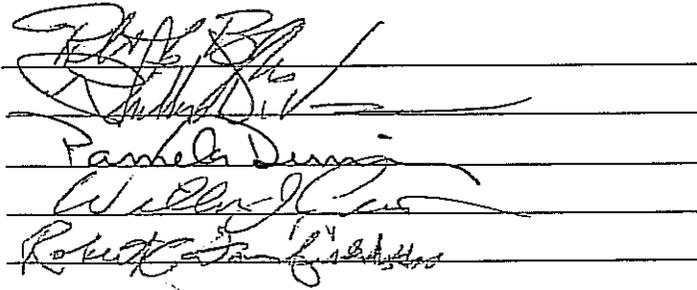
1. County Tax	468,244.03	
2. Municipal Appropriation	4,801,554.00	
3. TIF Financing Plan Amount	50,611.31	
4. Local Educational Appropriation	5,063,790.00	
5. Overlay (Not to Exceed 5% of "Net To Be Raised" (see tax rate calculation #16)	54,533.53	
6. Total Assessments		10,384,199.34

Deductions:

7. State Municipal Revenue Sharing	350,000.00	
8. Homestead Reimbursement	83,825.39	
9. BETE Reimbursement	16,467.71	
10. Other Revenue	3,548,975.00	
11. Total Deductions		3,898,975.00
12. <u>Net Assessment for Commitment</u>		6,485,224.34

Lists of all the same we have committed to James H. George, Tax Collector of said Municipality, with warrants in due form of law for collecting and paying the same to James H. George, Municipal Treasurer of said Municipality, or the successor in office, on or before such date, or dates, as provided by legal vote of the Municipality and warrants received pursuant to the laws of the State of Maine. (Title 36 MRSA, section 712)

Given under our hands this 09/23/2009



Municipal Assessor(s)

Complete in Duplicate. File original with Tax Collector. File copy in Valuation Book

2009 MUNICIPAL TAX RATE CALCULATION STANDARD FORM

Municipality: Wiscasset

BE SURE TO COMPLETE THIS FORM BEFORE FILLING IN THE TAX ASSESSMENT WARRANT

1. Local Taxable Real Estate Valuation.....	1	\$439,407,980 <small>(should agree with Page 1, line 6)</small>
2. Local Taxable Personal Property Valuation.....	2	\$6,229,720 <small>(should agree with Page 1, line 10)</small>
3. Total Taxable Valuation (Line 1 plus line 2).....	3	\$445,637,700 <small>(should agree with Page 1, line 11)</small>
4. (a) Total of all Homestead Exempt Valuation	4(a)	\$11,602,130 <small>(should agree with Page 1, line 14f)</small>
(b) Homestead Exempt Reimbursement Value.....	4(b)	\$5,801,065 <small>(line 4(a) divided by 2)</small>
5. (a) Total of all BETE Exempt Valuation.....	5(a)	\$1,266,260 <small>(should agree with Page 2, line 15a)</small>
(b) Standard BETE Reimbursement Value	5(b)	\$1,139,634 <small>(line 5(a) multiplied by 0.9)</small>

**** For municipalities requesting Enhanced BETE Reimbursement, please contact MRS for Enhanced Tax Rate Calculator Form**

6. Total Valuation Base (Line 3 plus line 4(b) plus line 5(b)).....	6	\$452,578,399
---	---	----------------------

ASSESSMENTS

7. County Tax.....	7	468,244.03
8. Municipal Appropriation.....	8	4,801,554.00
9. TIF Financing Plan Amount.....	9	50,611.31
10. Local Educational Appropriation (Local Share/Contribution).. <small>(Adjusted to Municipal Fiscal Year)</small>	10	5,063,790.00
11. Total Assessments (Add lines 7 through 10).....	11	\$10,384,199.34

ALLOWABLE DEDUCTIONS

12. State Municipal Revenue Sharing.....	12	350,000.00
13. Other Revenues: (All other revenues that have been formally appropriated to be used to reduce the commitment such as excise tax revenue, tree growth reimbursement, trust fund or bank interest income, appropriated surplus revenue, etc... (Do Not Include any Homestead or BETE Reimbursement))	13	3,548,975.00
14. Total Deductions (Line 12 plus line 13).....	14	\$3,898,975.00
15. Net to be raised by local property tax rate (Line 11 minus line 14).....	15	\$6,485,224.34

16. \$6,485,224.34 x 1.05 = \$6,809,485.56 Maximum Allowable Tax <small>(Amount from line 15)</small>
17. \$6,485,224.34 ÷ \$452,578,399 = 0.01433 Minimum Tax Rate <small>(Amount from line 15) (Amount from line 6)</small>
18. \$6,809,485.56 ÷ \$452,578,399 = 0.01505 Maximum Tax Rate <small>(Amount from line 16) (Amount from line 6)</small>
19. \$445,637,700.00 x 0.01445 = \$6,439,464.77 Tax for Commitment <small>(Amount from line 3) (Selected Rate) (Enter on Page 1, line 13)</small>
20. \$6,485,224.34 x 0.05 = \$324,261.22 Maximum Overlay <small>(Amount from line 15)</small>
21. \$5,801,065 x 0.01445 = \$83,825.39 Homestead Reimbursement <small>(Amount from line 4b) (Selected Rate) (Enter on line 8, Assessment Warrant)</small>
22. \$1,139,634 x 0.01445 = \$16,467.71 BETE Reimbursement <small>(Amount from line 5) (Selected Rate) (Enter on line 9, Assessment Warrant)</small>
23. \$6,539,757.87 - \$6,485,224.34 = \$54,533.53 Overlay <small>(Line 19 plus lines 21 and 22) (Amount from line 15) (Enter on line 5, Assessment Warrant)</small>

(If Line 23 exceeds Line 20 select a lower tax rate.)

Results from this completed form should be used to prepare the Municipal Tax Assessment Warrant,
Certificate of Assessment to Municipal Treasurer and Municipal Valuation Return.



14 B.

Human Resource Office

November 17, 2010

To: Laurie Smith, Town Manager

From: Sue Varney, Human Resource Officer *SV*

RE: Vision Plan (VSP) offered to municipal employees

I am not sure if you are aware or not but Maine Municipal Employees Health Trust is offering a voluntary vision plan that would cover eye exams and eye hardware for municipal employees participating in the health trust insurance plans. The plan is offered to employees with 100% of the premium paid by the employee. There is no cost to the employer and no minimum group participation requirements.

I wonder if proposing the plan for Board of Selectmen approval could be done for the next budget process.

Earlier this year I spoke to Debbie Bridges, who is our field representative to see what the Town of Wiscasset would have to do in order to offer the plan to their employees. She said that if the Board of Selectmen agreed to allow employees to participate then a letter would need to be sent to her at MMA stating an effective date. The approval probably should be a vote at a future selectman's meeting. After receiving the letter Debbie said that we would set up an employee meeting to explain the plan, answer any questions and sign up anyone that wanted to join.

She said the letter could be as simple as this:

The Town of Wiscasset will be offering the VSP vision plan to its employee's effective _____ 1, 2011. (The effective date is the first of any month.

Let me know if there is anything further you would like me to do to assist with this matter.



Town of Wiscasset

MEMORANDUM

To: Board of Selectmen
Fr: Laurie Smith, Town Manager
 Lt. Jon Allen
Re: Streetlights
Dt: November 29, 2010

At the November 16th Selectmen's meeting streetlights were discussed twice during the public comment period.

The first issue was the number and placement of streetlights throughout town. The question was whether the Town could reduce the number of lights in town and hence the impact on the budget. The second issue was the lack of a streetlight at the corner of Fore Street and Fort Hill.

Lt. Allen discussed this issue with the other officers and had Off. Williams and Off. Simmons assess the Town and evaluate the need for lights. In regards to the Fore St. and Fort Hill St. intersection, the Police believe it is unnecessary at that location. Although there would be a benefit to lighting the area where vehicles come around the curve by Whites Island, in general most people who drive in that area know where they are going. The police researched historical records and determined that there have only been 2 serious accidents there in 26 years. Both incidents involved people who were familiar with the area and were charged with various offenses because of impairment.

Regarding the issue of reducing the number of streetlights, the Police have reported that the majority of street lights are on the outskirts of town and are mostly located at the intersections. The lights allow people to find the roads they are searching for. The intown lights are located where the majority of pedestrian traffic tends to be and hence are used often.



Town of Wiscasset

14 G.

MEMORANDUM

TO: Board of Selectmen
FR: Laurie Smith, Town Manager
RE: DRAFT Budget Schedule FY 12
DT: December 2, 2010

As the holidays approach it is common for a Town Manager's thoughts to turn to the budget schedule and process. I am proposing the following draft schedule and would like your feedback and thoughts in order to use our time wisely.

December: I am meeting with all departments to develop a list of challenges, opportunities, and goals which will help drive our budget process

January:

- The Selectmen would meet to develop their list of challenges, opportunities and goals.
- Department budgets are due by January 21st.
- Town Manager works with Departments on refining budgets

February:

- Town Manager works with Departments on refining budgets
- Finalize budget documents
- Meet regarding the Capital Improvement Plan

March:

- Budget is presented to Board and Budget Committee
- Six evening budget workshops *or* two Saturday workshops.

April:

- Selectmen accept draft budget and warrant
- Budget committee makes recommendations
- Sign final warrant and post.

January 2011 Search Budget FY11 (Col-E)

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
12/26 - 31	Dec 26	27	28	29	30	31	Jan 1, 11
1/2 - 7	2	3	4	5	6	7	8
	DEPARTMENT BUDGET PREPARATION						
	SELECTMEN MEETING						
1/9 - 14	9	10	11	12	13	14	15
	DEPARTMENT BUDGET PREPARATION						
	SELECTMEN GOAL MT.						
1/16 - 21	16	17	18	19	20	21	22
	DEPARTMENT BUDGET PREPARATION					BUDGETS DUE	
	SELECTMEN MEETING						
1/23 - 28	23	24	25	26	27	28	29
	TOWN MANAGER MEETS WITH DEPARTMENT BUDGETS						
1/30 - 7/15	30	31	Feb 1	2	3	4	5
	TOWN MANAGER MEETS WITH DEPARTMENT BUDGETS						
	SELECTMEN MTG						

February 2011 Search Budget FY11 (Col-E)

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1/30 - 7/15	Jan 30	31	Feb 1	2	3	4	5
	TOWN MANAGER MEETS WITH DEPARTMENT BUDGETS						
	SELECTMEN MTG						
2/6 - 11	6	7	8	9	10	11	12
	TOWN MANAGER MEETS WITH DEPARTMENT BUDGETS						
	CAPITAL PROGRAM I						
2/13 - 18	13	14	15	16	17	18	19
	BUDGET PREPARATION						
	SELECTMEN MTG						
2/20 - 25	20	21	22	23	24	25	26
	BUDGET PREPARATION						
2/27 - 3/4	27	28	Mar 1	2	3	4	5
	BUDGET OVERVIEW			BUDGET MTG - 1			
	SELECTMEN MTG						

March 2011 Search Budget FY 12 (Ctrl-E)

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
3/27 - 3/28	Feb 27	28	Mar 1	2	3	4	5
			BUDGET OVERVIEW SELECTMEN MTG		BUDGET MTG - 1		
3/6 - 11	6	7	8	9	10	11	12
			BUDGET MTG - 2		BUDGET MTG - 3		
3/13 - 18	13	14	15	16	17	18	19
			SELECTMEN MTG		BUDGET MTG - 4		
3/20 - 25	20	21	22	23	24	25	26
			BUDGET MTG - 5		BUDGET MTG - 5		
3/27 - 3/28	27	28	29	30	31	Apr 1	2
			BUDGET MTG - 6				

April 2011 Search Budget FY 12 (Ctrl-E)

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
3/27 - 4/3	Mar 27	28	29	30	31	Apr 1	2
			BUDGET MTG - 6				
4/3 - 8	3	4	5	6	7	8	9
			VOTE DRAFT WARRANT SELECTMEN MTG		BUDGET COMMITTEE DELIBERATIONS		
4/10 - 15	10	11	12	13	14	15	16
			BUDGET COMMITTEE DELIBERATIONS				
4/17 - 23	17	18	19	20	21	22	23
			VOTE FINAL WARRANT SELECTMEN MTG VOTE FINAL WARRANT		FINAL WARRANT AND TOWN REPORT PREPARATIONS		
4/24 - 29	24	25	26	27	28	29	30
			FINAL WARRANT AND TOWN REPORT PREPARATIONS			POST TOWN WARRANT	

Assessing	1
Community Organizations	1
Elections	1
Finance	1
Town Clerk	1
Code Enforcement	1
Planning	1
Cemeteries	2
Highway	2
Shellfish	2
Waterfront	2
Transfer	3
Wastewater	3
Airport	3
Recreation	4
Senior Center	4
Celebrations	4
Admin	5
Boards & Committees	5
Contingency	5
Contractual	5
General Assistance	5
Insurance/Debt	
Service/Utilities	5
Selectmen	5
Animal Control	6
Emergency Medical	6
Fire	6
Police	6
Capital Projects	7