

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
APRIL 3, 2012

Preliminary Minutes

Tape recorded meeting

Present: Chair Judy Colby, Bill Curtis, Pam Dunning, Vice Chair David Nichols, Ed Polewarczyk, and Town Manager Laurie Smith

1. Call to Order

Chair Judy Colby called the meeting to order at 7:02 p.m.

2. Pledge of Allegiance to the Flag of the United States of America

3. Approval of Treasurer's Warrant: March 27, 2012 and April 3, 2012

**Pam Dunning moved to approve the Treasurer's Warrant of March 27, 2012. Vote 5-0-0.
Pam Dunning moved to approve the Treasurer's Warrant of April 3, 2012. Vote 5-0-0.**

4. Approval of Minutes: March 19, 2012 and March 20, 2012

Judy Colby moved to approve the minutes of March 19, 2012. Vote 3-0-2. Ed Polewarczyk moved to approve the minutes of March 20, 2012 as amended. Vote 5-0-0.

5. Special Presentations or Awards

A. Sharon Nichols to present information sheet for voters

Sharon Nichols addressed the confusion over the June 2012 warrant article on forming a committee to begin the withdrawal process from RSU 12, caused in part by the non-binding referendum in November 2011 and by the mandate itself, which is complicated and misleading. She said residents are concerned about having adequate information to make an informed decision on the warrant article to be voted on in June and should understand that a vote in favor of the article does not mean that Wiscasset has decided to withdraw from the RSU. It means that a committee will be appointed to begin the withdrawal process. Because of the future impact of the vote, she said WERP had prepared an information sheet and asked that the Board of Selectmen pay for a direct mailing to be sent on the first of May to all residents.

Pam Dunning said that articles in the newspapers would be more effective than a bulk mailing.

Ed Polewarczyk said in talking with residents he found that they understood what the article means -- that the town is beginning the withdrawal process. He said he would like other questions answered on the information sheet such as the potential tax increase or change. He further said that it should be clarified that the committee to be formed will have 90 days to negotiate an agreement to withdraw from the RSU.

Bill Curtis said he had explained to residents that the wording, although confusing, was required by law and no answers about costs would be forthcoming until after the article is passed, the committee is formed, and their work is completed.

Pam Dunning recommended that an easy to read time line with bulleted actions be included in the information

It was the consensus that a selectman, WERP representative and resident work on the information sheet (letter) which would include a time line, and which would be brought back for approval by the selectmen. It was suggested that the letter be included with absentee ballots and

available at the polls. The cost to send the letter to each property in Wiscasset would be approximately \$500.

B. Peter Arnold to present update on Tidal Power Project

Arnold, as project manager for Wiscasset on the Tidal Power Project, said following the study on the six most promising locations for potential tidal power in the study area, the study of the most promising site identified by the first study revealed that the current velocities were not high enough to make electricity. Studies performed during the test period on endangered species, sturgeon and salmon, produced good data that will be published as will a study that documents the opinion of residents and governmental officials of Wiscasset about a potential tidal power installation in the Sheepscot River. The information gained will be presented at Ocean Energy 2012 conference in Boston

He recommended that Wiscasset not apply, for either an extension of the FERC Preliminary Permit or the next level of licensure, a Pilot License. He suggested that the information about a tidal source might be useful to the town or may interest other companies as the capabilities of hydrokinetic equipment improves. Within the last two weeks, Arnold was approached by a local company called Blue Power Dynamics which has a relationship with a British company called Soil Machine Dynamics. The former is interested in developing a new generation of machinery that can make tidal power at lower velocities and plans to build its plant in Boothbay. Because SMD is looking for a place to test its equipment, Arnold recommended it apply for the permit and that the town consider supporting its application. Arnold also said that SMD is connected with a Norwegian company, Statoil, which has applied for a permit for an offshore wind farm in federal waters near Wiscasset. SMD builds and runs equipment that trenches power lines and could conceivably be the company bringing power to Maine Yankee power lines. **Pam Dunning moved to let the permit lapse and send a note to Blue Power Dynamics. Vote 5-0-0.**

6: Appointments - None

7. Public Comment

Doug Smith, WERP Chairman, confirmed a rumor that the Superintendent of RSU 12 has resigned following the resignation six months ago of the Assistant Superintendent. RSU 12 has a budget shortfall of \$3 million, Wiscasset's share is \$900,000. Smith said RSU 12 has discussed closing the Wiscasset primary School without consideration of the four conditions under which a closing may occur as required by state law or the voters' approval. He added that the RSU was aware of the 2007-2008 report in which the consultants recommended that the middle school be closed. Smith said the middle school was not large enough and structural changes would be necessary for a K-8 school. In response to Bill Curtis' question, Smith said that the architect who conducted in the study in 2008 had estimated repairs to the middle school would cost \$3 million.

George Green expressed concern with the future of the town. He commented on the number of properties for sale on Route 1, houses for sale on Federal Street and declining real estate values. He urged the board to determine what actions should be taken to attract buyers and preserve the town.

Greg Wood asked for financial assistance from the town to send a group of students to the Odyssey of the Mind international competition at Iowa State University at the end of May. Wiscasset Middle School students competed and came in second among 119 teams from Maine. Fifty thousand students from the United States and 27 foreign countries will compete in Iowa. He estimated it would cost \$11,000 to send five students, one coach and two chaperones to the competition. The students are attempting to raise money but more will be needed. There was a consensus that the town manager be directed to look for available funding and report at the next meeting.

8. Department Head or Committee Chair Report

A. Sue Varney - TIF Correction

Sue Varney asked for the board to approve forwarding the corrected document to the state. She said as a result of the correction, the state valuation would be \$1,126,361 less. **Judy Colby moved to authorize Susan Varney to submit the documentation as attached to Maine State Revenue Service. Vote 5-0-0.**

9. Unfinished Business - None

10. New Business

A. Contract between the Town of Wiscasset and CMP regarding Montsweag Dam

Attorney Dennis Jumper explained the three documents required for the town to take possession of the dam: the agreement, the declaration and the deed. The agreement calls for a closing date of December 1, 2012 and the transfer of \$100,000 from CMP to the town for stewardship and monetary obligations. The agreement is contingent up voter approval on or before July 1, 2012 and on the selectboard's satisfaction with the results of inspections of the dam and title. The declaration allows the town to keep the dam and flooding rights as well as to develop walking bridges, pedestrian bridges and a small parking lot but prohibits ATVs or dirt bikes. There are other stipulations if the town removes the dam, or if CMP needs the water level lowered to work on its equipment. Under the agreement, the town cannot use its ownership of the dam as a basis to object to CMP actions on abutting land.

In response to David Nichols' question, Jumper said that Woolwich was not included in the agreement because Wiscasset would own land on both sides of the dam, including that portion within the town of Woolwich.

CEO Rick Lang reported that the MEMA inspector, Tony Fletcher, would be sending a report to the town on the condition and recommendations for maintenance of the dam.

Ed Polewarczyk asked to meet with Dennis Jumper and Laurie Smith on questions he had on the documents. Any changes will be brought to the board at the next meeting and a vote to place the question on the warrant will then be taken.

B. Article I Ordinance changes for inconsistencies with State law and Town Ordinances

At the Town Manager's request, Attorney Dennis Jumper had reviewed Article I to see if there were inconsistencies with state law or other town ordinances and he had made minor revisions. He said with regard to certain actions of the CEO being appealed, changes had been made to comply with state law. **Judy Colby moved to place the amendments on the June warrant.** Pam Dunning recommended that the number of members on the Budget Committee be reconsidered, as it was hard to find nine members and that number made it difficult to obtain a quorum. She recommended a five-person board. Constance Schumann suggested that meetings with the committees be held before making any changes to the ordinance. She also cautioned the board on dealing with CMP which is now owned by a Spanish company. Laurie Smith said additional changes could be made and if necessary the ordinances could be put on the ballot in November. **Vote 5-0-0.**

C. Open 2011 Town Report Bid

The following bids were submitted:

Lincoln County Publishing	\$3,182.00
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Walch Publishing

\$2,156.00

David Nichols moved to authorize the Town Manager to award the bid to the lowest qualified bidder. Vote 5-0-0

D. Open Cupola Bid

The following bids were submitted:

Ed Gould Builder	\$4,200.00 to remove and save cupola or for removal only
Chesterfield Associates	\$4,650.00 to remove and save cupola or for removal only

Following discussion on whether to keep the cupola, **Pam Dunning moved to remove and discard the cupola and to authorize the Town Manager to award the bid to the lowest qualified bidder. Vote 5-0-0.**

11. Town Manager's Report

A. Harbormaster Boat: Smith said the Harbormaster's boat is being put in the water for the season.

B. Koehling Property: The bidders have requested to terminate the contract with the town because of concerns about DEP requirements for the soil management plan. Smith said staff would be willing to review the requirements, costs and possible reduction in purchase price with the bidders. Bill Curtis recommended contacting environmental attorney Sarah McDaniel for her opinion. Smith said the risk for the buyer is that even if the property meets DEP regulations, the DEP remains involved.

D. Time Warner: A letter had been received from Time Warner regarding a new franchise agreement; the current agreement expires in 2013.

E. Updated Budget Schedule: The updated schedule had been distributed.

F. Old Bath Box Lot: Smith asked what minimum bid the Board would accept on this 30-acre property which is assessed at \$35,000. The lot is 5000 feet from Route 27 and there is no power to the property. There is also access from Dorr Road. An abutter had expressed interest in the land which was tax-acquired by the town in 1952. Sue Varney had suggested a \$20,000 minimum bid. **Judy Colby moved to put the property out to bid with no minimum. Vote 5-0-0.**

G. Spaulding Property: Smith said taxes on the Spaulding property had been paid in full. **Ed Polewarczyk moved to sign the release deed for the Spaulding property. Vote 5-0-0.**

H. Draft Warrant: Smith asked the board to consider whether a shorter warrant would be used this year. The previous year's warrant was 12 pages, which required the rental of an additional ballot box at a cost of \$1600.

12. Other Business - none

13. Adjournment

At 9:25 p.m., **Pam Dunning moved to adjourn. Vote 5-0-0.**

COPY

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. 6, 2011 I prepared a Municipal 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 \$ 68,086.24
[state correct information]

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

Date: 3/20/2012

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: 3/20/2012

Christine L. Wolfe
(Notary Public/Attorney)

(SEAL)

MY COMMISSION EXPIRES:
April 6, 2013
(Printed name)
Christine L. Wolfe

ASSESSORS' CERTIFICATION OF ASSESSMENT

COPY

WE HEREBY CERTIFY, that the pages herein, numbered from to 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 07/01/2011 to 06/30/2012 as they existed on the first day of April 2011.

IN WITNESS THEREOF, we have hereunto set our hands at WISCASSET this 6 day of September, 2011.

Judith R. Cokey
William J. Co
Daniel R. Poll
Pamela D.
Edward J. Colerough

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	491,658.00	
2. Municipal Appropriation	4,908,586.00	
3. TIF Financing Plan Amount	51,021.87	68,086.24
4. Local Educational Appropriation	4,849,627.00	
5. Overlay (Not to Exceed 5% of "Net To Be Raised" (see tax rate calculation #16)	52,865.40	35,801.03
6. Total Assessments		10,353,758.27

Deductions:

7. State Municipal Revenue Sharing	260,000.00	
8. Homestead Reimbursement	72,677.58	
9. BETE Reimbursement	12,031.37	
10. Other Revenue	3,218,989.00	
11. Total Deductions		3,563,697.95
12. <u>Net Assessment for Commitment</u>		6,790,060.32

COPY

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 07/01/2011 to 06/30/2012, at 15.15 mils on the dollar, on a total taxable valuation of \$448,188,800

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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 09/06/2011

Quidich P. Coakley Municipal Assessor(s)
William J. King
David R. Smith
Pamela D. King
Edward J. Colverney

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

2011 MUNICIPAL TAX RATE CALCULATION STANDARD FORM

COPY

Municipality: Wiscasset with TIF Value

District 1 District 2

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

1. Local Taxable Real Estate Valuation.....	1	\$441,595,400 <small>(should agree with Page 1, line 6)</small>	1,972,901	471,320
2. Local Taxable Personal Property Valuation.....	2	\$6,593,400 <small>(should agree with Page 1, line 10)</small>	1,399,400	
3. Total Taxable Valuation (Line 1 plus line 2).....	3	\$448,188,800 <small>(should agree with Page 1, line 11)</small>		
4. (a) Total of all Homestead Exempt Valuation	4(a)	\$9,594,400 <small>(should agree with Page 1, line 14f)</small>		
(b) Homestead Exempt Reimbursement Value.....	4(b)	\$4,797,200 <small>(line 4(a) divided by 2)</small>		
5. (a) Total of all BETE Exempt Valuation.....	5(a)	\$1,134,500 <small>(should agree with Page 2, line 15a)</small>	650,520	9,855.36
(b) Statutory standard reimbursement value for 2011 is 70%...	5(b)	\$794,150 <small>(line 5(a) multiplied by 0.7)</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	\$453,780,150		
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ASSESSMENTS

7. County Tax.....	7	491,658.00		
8. Municipal Appropriation.....	8	4,908,586.00		
9. TIF Financing Plan Amount.....	9	68,086.24	\$4,494,141.00	
10. Local Education Appropriation (Local Share/Contribution)... <small>(Adjusted to Municipal Fiscal Year)</small>	10	4,849,627.00		
11. Total Assessments (Add lines 7 through 10).....	11	\$10,317,957.24		

ALLOWABLE DEDUCTIONS

12. State Municipal Revenue Sharing.....	12	260,000.00		
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	3,218,989.00		
14. Total Deductions (Line 12 plus line 13).....	14	\$3,478,989.00		
15. Net to be raised by local property tax rate (Line 11 minus line 14).....	15	\$6,838,968.24		

16. \$6,838,968.24 x 1.05 = \$7,180,916.65 Maximum Allowable Tax <small>(Amount from line 15)</small>				
17. \$6,838,968.24 ÷ \$453,780,150 = 0.01507 Minimum Tax Rate <small>(Amount from line 15) (Amount from line 6)</small>				
18. \$7,180,916.65 ÷ \$453,780,150 = 0.01582 Maximum Tax Rate <small>(Amount from line 16) (Amount from line 6)</small>				
19. \$448,188,800.00 x 0.01515 = \$6,790,060.32 Tax for Commitment <small>(Amount from line 3) (Selected Rate) (Enter on Page 1, line 13)</small>				
20. \$6,838,968.24 x 0.05 = \$341,948.41 Maximum Overlay <small>(Amount from line 15)</small>				
21. \$4,797,200 x 0.01515 = \$72,677.58 Homestead Reimbursement <small>(Amount from line 4b) (Selected Rate) (Enter on line 8, Assessment Warrant)</small>				
22. \$794,150 x 0.01515 = \$12,031.37 BETE Reimbursement <small>(Amount from line 5b) (Selected Rate) (Enter on line 9, Assessment Warrant)</small>				
23. \$6,874,769.27 - \$6,838,968.24 = \$35,801.04 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.

Tax Increment Financing (TIF) Calculation Breakdown

Original COPY

District 1 (Rynel Lot) 100% Sheltered

	Valuation		Subtotal	Mill Rate	TIF Tax	
Map R-8 Lot 6/2	Land 346,320	Building 1,667,100	Personal 398,600	2,412,020	40,519	0.01515
2004 Base Value					2,371,501	35,928.24
Total Captured Assessed Value						
Note: Rynel owns personal prop.						

BETE value has been subtracted

District 2 (3 Lots) 50% Sheltered

	Land	Building	Personal	Subtotal	Mill Rate	TIF Tax
Map R-8 Lot 6/1 (CMP lot)	53,100	772,500	0	825,600	0.01515	13,730.14
Map R-8 Lot 6/3	48,100	0	0	48,100	0.01515	6,865.07
Map R-8 Lot 6/4	54,900	0	0	54,900	0.01515	8,228.56
Subtotal				928,600		22,320
2004 Base Value (3 lots)				906,280		13,730.14
Total Captured Assessed Value				453,140		6,865.07
50% Sheltered Valuation						

Total Valuation Base (TVB): Line 6 of Tax Rate Calculation Form
 Minus Sheltered TIF Valuation (STV) 453,934,100
 Total Taxable Val. minus Sheltered Val. (TTV-STV) 2,824,641
 Net Commitment Before TIF (line 15 on TRC Form w/o Line 9) 6,901,819

TIF District 1 Sheltered Tax 35,928.24
 TIF District 2 Sheltered Tax 6,865.07
 BETE exempt value within TIF * 65% retained 8,228.56
 TIF Financing Plan Amount to put on Line 9 on Tax Rate Calc. Form 51,021.87

* = Debt Service for \$937,500 original principal balance on Infrastructure G.O. bond to be paid by TIF District 1 debt service split (40%) and District 2 debt service split (25%). Any remaining balance to be paid by Ferry Road Development Co, LLC.

TIF District 1 Funding Split

Rynel Lot (35%)	* Debt Service (40%)	Econ. Dev. (25%)
12,574.88	14,371.30	8,982.06

TIF District 2 Funding Split

Debt Service (50%)
6,865.07

Total Funding for Debt Service

21,236.37

General Fund (60%)

6,865.07

This is 50% of the sheltered tax

Tax Increment Financing (TIF) Calculation Breakdown

COPY

REVISED 3/20/2012

District 1 (Rynel Lot) 100% Sheltered

	Land	Building	Personal	Subtotal	Mill Rate	TIF Tax
Map R-8 Lot 6/2	346,320	1,667,100	1,399,400	3,412,820		
2004 Base Value				40,519		
Total Captured Assessed Value				3,372,301	0.01515	51,090.36

Note: Rynel owns personal prop.

BETE value has been subtracted

District 2 (3 Lots) 50% Sheltered

	Land	Building	Personal	Subtotal	Mill Rate	TIF Tax
Map R-8 Lot 6/1 (CMP lot)	53,100	772,500	36,360	861,960		
Map R-8 Lot 6/3	48,100	0	0	48,100		
Map R-8 Lot 6/4	54,900	0	0	54,900		
Subtotal				964,960		
2004 Base Value (3 lots)				22,320		
Total Captured Assessed Value				942,640	0.01515	14,281.00
50% Sheltered Valuation				471,320	0.01515	7,140.50

Total Valuation Base (TVB): Line 6 of Tax Rate Calculation Form
 Minus Sheltered TIF Valuation (STV) 453,780,150
 Total Taxable Val. minus Sheltered Val. (TTV-STV) 3,843,521
 Net Commitment Before TIF (line 15 on TRC Form w/o Line 9) 449,936,529
 6,770,882

TIF District 1 Sheltered Tax 51,090.36
 TIF District 2 Sheltered Tax 7,140.50
 BETE exempt value within TIF * 65% retained 9,855.38
 TIF Financing Plan Amount to put on Line 9 on Tax Rate Calc. Form 68,086.24

TIF District 1 Funding Split

Rynel Lot (36%)	* Debt Service (40%)	Econ. Dev. (25%)
17,881.63	20,436.14	12,772.59

TIF District 2 Funding Split

Debt Service (50%)
7,140.50

Total Funding for Debt Service 27,578.84

General Fund (50%) 7,140.50

* = Debt Service for \$937,500 original principal balance on Infrastructure G.O. bond to be paid by TIF District 1 debt service split (40%) and District 2 debt service split (50%). Any remaining balance to be paid by Ferry Road Development Co, LLC.

Revised 2/2/12

This is 50% of the sheltered tax

WISCASSET BOARD OF SELECTMEN,
BOARD OF ASSESSORS AND OVERSEERS OF THE POOR
APRIL 10, 2012

Preliminary Minutes

(tape recorded meeting)

Present: Chair Judy Colby, Bill Curtis, Pam Dunning, Vice Chair David Nichols, Ed Polewarczyk and Town Manager Laurie Smith

1. 6:30 p.m. Call to Order

Judy Colby called the meeting to order at 6:30 p.m.

2. Pledge of Allegiance to the Flag of the United States of America

3. Senior Center Budget Workshop

4. 7 p.m. Budget Meeting

Chair Judy Colby called the meeting to order at 7 p.m. There were no questions or comments regarding the budget from those present. Colby thanked the selectmen, budget committee members and department heads for their attendance and work at the workshop on Saturday, April 7.

5. Budget Direction for Town Manager

Town Manager Laurie Smith addressed previous questions and decisions were made by the selectmen as follows:

- Article 6 regarding selectmen's salaries had been reworded.
- Insurance on the Harbormaster's boat is expensive because of its size. Boats more than 25 feet cannot be carried in the MMA risk pool; MMA has put the insurance out for private coverage. Value of boat is \$43,000 and insurance covers not only property damage, but also liability for the operator and liability for the actions of the operator. Because the boat is not in daily use, MMA will see what other options are available. Cost of boat insurance has been placed in the Waterfront Budget, which is \$38,775.
- EMA funding will remain under Contractual Services.
- A note following Article 13 explains that cardiac monitors will be leased for five years at \$12,000 per year.
- Roland Abbott reported that according to Wiscasset Ford a larger engine cannot be put in the ambulance but recommended replacing the chassis - \$75,000 in budget for this purpose.
- LCTV funding will be moved from General Government to its own question.
- The town is currently spending \$18,000 per year on landfill monitoring. Decision on hiring an environmental attorney was postponed to a later date.
- An increase of funds for upweller replacement was not approved.
- The Waterfront budget was adjusted to include the Harbormaster's stipend of \$5,000 plus FICA and Medicare.
- Because of a shortage of electrical power on the pier, the electrical panel will be upgraded. The budget will remain at \$43,317 (estimated cost to upgrade the panel is \$3,000 to \$5,000).
- The Wastewater budget was reduced by decreasing the sewer line to \$800 and the uniform line to \$400.
- \$2,000 will be left in the planning budget for software; Global Mapper may be a cheaper alternative to current GIS, but training and compatibility need to be explored.
- Contingency was reduced to one line item.

- The \$55,000 for RSU withdrawal will be raised and appropriated.
- An article to sell the superintendent's office will be added.
- The individual amounts for capital improvements will not be shown, only the total, \$399,000. However, individual amounts may not be exceeded unless other line items come in under budget, leaving a surplus.
- The revenues for the Transfer Station have been updated.
- The notes for Articles 15 and 16 indicate the state and federal grant matches. The \$33,333, the town's share toward the pier grant, has been carried forward from last year's Waterfront budget.
- An additional article for funds needed if a sewer grant/loan is received was not included because of lack of particulars. \$10,000 is included in the Wastewater budget for an interest payment if a loan is required for the match. A loan would require an additional vote.
- Article 3 will be left as is in spite of arguments that it gave voters no choice to vote on individual articles.
- A second budget will be prepared with Articles 5, 8, and 12 broken down by line item for comparison with current budget.
- The town has foreclosed on the Point East properties and selectmen are reviewing other legal options. The taxes are still being assessed to the previous owner. If the town took the properties valued at \$6 million, there would be a significant impact on taxes. It was suggested that the town reconfigure and reassess the properties.

The selectmen will vote on the budget on April 17 and, following the budget committee vote, the warrant will be presented to the selectmen on April 24 for signatures.

6. Adjourn

At 8:30 p.m., Bill Curtis moved to adjourn. Vote 5-0-0.



Town of Wiscasset

Pursuant to: Title 21-A section 503

April 17, 2012

The undersigned municipal officers of the Town of Wiscasset do hereby vote to appoint and confirm the following list of Election Clerks, such appointment to be effective from May 1st 2012 until May 1st 2014.

Republican:

Joan Barnes
Donald Jones
Katharine Martin-Savage
Belinda Haggett
Maureen Smith
Joan Grondin
Lynn Lincoln
Judith Colby
Cindy Collamore
Constance Schumann
Dudley Leavitt
H. Karl Olson
Zoe Bigley
Robert Bickford Sr.
Kerry Leeman
Linda Winterberg

Democratic:

Sara George
Patricia Bridgham
Susan Hammond
Judy Flanagan
Donald Blagden
Susan Blagden
Peter Rines
Natalie Demeny
Lorie Merry
Chris Almasi
Natalie Allen
Diane Baldwin
Paul Cronin
James George
Susan Varney

Unenrolled:

Anna Ranta
Susan Van Alsenoy
Susan Rattigan
Warren Harbison
Christopher Dilts

Judith Colby, Board of Selectman, Chair

David Nichols, Board of Selectman, Vice Chair

William Curtis, Board of Selectman

Edward Polewarczyk, Board of Selectman

Pamela Dunning, Board of Selectman

Given under our hands on this 17th day of April, 2012.

On the June 12, 2012 Town Warrant the voters will be **officially** voting to begin the 2 step withdrawal process from RSU 12. Voters will have an opportunity to vote on warrant Article # 4 to approve the formation of a committee to evaluate the possible withdrawal of Wiscasset from RSU 12.

The warrant article will read: **“Do you favor filing a petition for the withdrawal with the Board of Directors of Regional School Unit 12 and with the Commissioner of Education authorizing the withdrawal committee to expend \$55,000 for this purpose?”**

People want to know what it’s going to cost to withdraw from the RSU as well as what school structure will meet the needs of our children. Until the negotiating stage is complete and the withdrawal agreement is developed the costs can’t be finalized. To help the voters better understand the timeline for the withdrawal we want to clarify the responsibilities of the Selectmen, the voters and the withdrawal committee.

There are steps in the withdrawal process that have to be followed:

1. The Selectmen appoint an official withdrawal committee consisting of: a selectman, a Wiscasset citizen, a representative of the group who filed the petition (WERP) and the RSU board will appoint a representative from Wiscasset to serve on the committee.
2. The responsibilities of the withdrawal committee are:

- a. Develop a detailed educational plan and prepare an agreement to be submitted to the Commissioner of Education for approval.

- i. Within the plan items that need to be addressed but are not limited to are: Disposition of buildings, transportation services, collective bargaining agreements, administrative staff, teachers/support staff, withdrawal costs, costs to develop the chosen school structure as well as a proposed budget for Wiscasset’s schools operational expenses.

- b. Prior to the **final** vote the municipal officers will hold a public hearing and present the withdrawal agreement to the voters of Wiscasset.

- c. At the public hearing the voters of Wiscasset will be provided with a financial analysis of all associated expenses in withdrawing from RS 12 as well as projected costs of joining or establishing a new school system.

3. The final warrant article must read:

“Do you favor the withdrawal of Wiscasset from Regional School Unit 12 subject to the terms and conditions of the withdrawal agreement dated (insert date)?”

- a. Subject to a final vote by Wiscasset voters.

4. **It is anticipated if the final vote is positive Wiscasset will have the opportunity to join another existing school system, establish a new school system with adjoining towns or a stand- alone school system by the beginning of school year 2013 or at the latest 2014.**

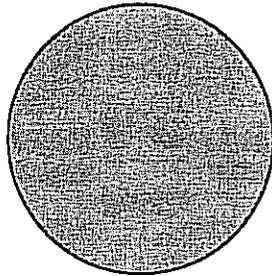
TOWN OF WISCASSET ENDOWMENT FUND
 MARY BAILEY FUND

TOWN OF WISCASSET
 51 BATH ROAD
 WISCASSET ME 04578

Account Number: 5990984953
 Report Period: 02/01/2012 - 02/29/2012
 Portfolio Manager: Daniel M Lay
 Administrator: Jenny L Robinson
 207-772-3761

Diversification Summary

	Market Value as of		% of Total
	01/31/2012	02/29/2012	
Miscellaneous Assets	254,988.65	264,414.78	100.00
Total Account	254,988.65	264,414.78	100.00



Miscellaneous Assets 100.00%

Wiscasset, Maine
SPECIAL TOWN MEETING
DECEMBER 11, 1953

Pursuant to the warrant on page 189 a special Town Meeting was held at Memorial Gymnasium at 7:30 o'clock in the evening, Monday, December 1, A.D. 1953. The meeting was called to order by the Town Clerk and Harry L. Bradford was chosen Moderator and was sworn by the Clerk.
The Lord's Prayer was repeated ~~xxxx~~ a salute to the Flag was given.

Article 2 being under consideration, it was voted to accept from the estate of Joseph G. Bailey, late of Braintree, Mass., the bequest of \$59,560.74 according to a decree in Equity granted by the Probate Court of the Commonwealth of Massachusetts, in Norfolk County, Condition as follows:
"To be held in accordance with the provision of Section 92 of Chapter 92A of the revised Statutes of Maine, revision of 1944, with the provision that the net income therefrom be used under the direction of the Selectmen of the Town of Wiscasset, Maine, for the purpose of improving the free High School of said Town of Wiscasset and for the purpose of establishing new courses in advanced training and for such other educational purposes in connection with the School System in said Town of Wiscasset as the Selectmen of said Town of Wiscasset may deem advisable. It is further ordered and decreed that the funds received by said Town of Wiscasset from the estate of the Testator be known as "the Mary E. Bailey Fund".

Article 3, being under consideration, it was voted to take from surplus the sum of \$300.00 to defray the cost of extra transportation required under new shorter hours program proposed by the Mothers' Club for the Pre-Primary grade in the Red Brick School.

Article 4, being under consideration, there being no further business it was voted to adjourn. Adjourned at 7:50 o'clock.

A true copy,
Attest:

Charles S. Leonard
Town Clerk.

Office of the Selectmen, Assessors and Overseers of the Poor

Wiscasset, Maine December 10, 1953

We have this day appointed Robert Sutter a Police Officer for the term of one year.

Harold A. Campbell (Selectmen
Earl R. Colby) of the Town
LeRoy E. Farmer (of Wiscasset, Me.

Attest: *Charles S. Leonard* Town Clerk

December 11, 1953

Personally appeared Robert Sutter and took the oaths necessary to qualify him to act as Police Officer for the term of one year.

Before me,

Charles S. Leonard

Town Clerk.

New England Tel. and Tel. Co. (public phone) Received from State of Maine	112.06
For Licenses	4.00
Refund on Dog Tax	30.20
Bank Stock Tax	313.02
Railroad Tax	61.01
Flood Damage	117.72
Town Roads	2,253.29
Snow	934.92
Poor Account	117.88
Common Schools	9,230.54
Public Library	56.00
Received from Cemetery Trust Fund	
Joseph Wells Estate	200.00
Harriet Merrill, Hiers	300.00
Mable Gibbs Estate	200.00
Mary B. Whitten	200.00

Total Cash Receipts

Paid Out on Warrants No. 1 to 52

Cash on Hand

\$237,231.94
222,331.10
\$ 14,920.84

MARY E. BAILEY FUND

Received from:

Wm. P. Sheppard, Executor of the Will
of Joseph G. Bailey

TAX LIENS

	1952	1952	Total
Bath Box Company	\$ 26.40	\$ 26.40	\$ 26.40
Beane, Charles E.	35.00	46.20	81.20
Frank T.	20.00	26.40	46.40
Cain, Dorothy	7.50	7.50	7.50
Kenneth	50.00	50.00	50.00
Carolan, Lawrence and Ruth		39.60	39.60
Dowling, Joseph B., Hrs.		19.80	19.80
Dunton, Kendall		13.20	13.20
Dunkling, Ran and Orilla		75.00	75.00
Foye, Mary E., Hrs.	75.00	3.30	5.80
Frazier, Fannie Mae	2.50	2.44	14.44
Grover, Alex G.	12.00	72.60	127.60
	55.00		

Leavitt, Clyde	39.60	39.60
Lester, Jean	27.50	27.50
Main, Carl J.	46.20	46.20
*Rines, Charles L.	19.80	19.80
Sprague, Arthur and Mary	7.50	7.50
Total		\$674.54

* Paid After Books Closed.

TOWN OWNED PROPERTY

Augusta Savings Bank — 1939	\$ 5.32
Bath Box Company — 1946-1949	49.96
Bean Frank T. — 1950	2.40
Blodgett & Company — 1936-1937-1938	11.07
Cain, Dorothy — 1949-1950	20.83
Cain, Kenneth — 1950	57.58
Carolan, Lawrence & Ruth — 1949-1950	73.48
Colby, Lillian D. — 1947	37.18
Chubbuck, Elton — 1949	20.98
Daley, Nellie — 1944	4.50
Delong, Jasper — 1947	21.28
Dorr, Clifford P. — 1946	40.70
Dowling, J. B., Hrs. — 1948-1949	40.86
Dutton, Kendall — 1947-1948-1949-1950	54.19
Dorr, Henry Chester — 1949	6.23
Foye, Mary E., Hrs. — 1949	6.23
Foye, Robert H. — 1949	4.76
Greenleaf, Robert T., Jr.	
1942-1943-1944-1945-1946-1947-1948-1949	90.69
Guarantee Realty & Mortgage Co. — 1936-1937-1938	11.07
Grover, Alex — 1950	33.80
Hilton, Charles R. — 1946	9.90
Hosmer, Ida F. — 1936-1937-1938	37.35
Hassen, George — 1949	23.93
Larrabee, C. et al. — 1936	8.78
Loring, Charles — 1940	10.70
Malcolm, Allen, Sr. — 1949-1950	96.40
Marble, Charles B., Hrs. — 1937	61.00
McDonald, Fred P. — 1936-1937-1938	76.77
Patterson, Alice — 1942	9.70
Powers, Charles T. — 1936-1937-1938	30.78



Office of Planning & Codes

TO: Wiscasset Selectboard
FROM: Misty Gorski, Town Planner
DATE: April 12, 2012
SUBJECT: Proposed Ordinance Amendments for June

Enclosed, please find a copy of the proposed ordinance amendments the ORC is recommending for the June warrant. On Monday, April 9th, the Planning Board held a public hearing, as required by M.R.S.A 30-A §4352, on the proposed ordinance changes. The proposed changes were well received, and therefore, are being recommended for the June warrant.

As part of the proposed changes, we are proposing the implementation of the Village 1 and Village 2 district, as well as an expansion of the Commercial district. These proposed changes are consistent with our adopted comprehensive plan and would further bring our ordinances into compliance with the plan, as required by law. As part of the proposed changes, we are recommending the removal of the requirement of 1 business per acre in all zoning districts except the rural zone. This change is included in the Village 1 and Village 2 districts proposed amendments. This requirement has proven to be an unnecessary burden on our local businesses and property owners. Additionally, the Village 1 proposed ordinance will provide property owners, such as the Ledges, with opportunities to utilize their buildings in a manner that is compatible with the commercial activity in the downtown while also maintaining the historic integrity of the downtown. The proposed development standard for Village 1 and Village 2 (Article VI, Section 9) addresses many of the concerns voiced about expanding the boundary of commercial activity in the downtown. The feedback received on this development standard to date has been positive.

The expansion of the commercial district along Bath Rd will hopefully provide new opportunities for business owners along this economically important corridor. Business owners currently located along Bath Rd in the rural district have been bound to a 2 acre per business requirement. With this proposed district expansion, these property owners should be able to utilize their properties in a more cost effective manner. An example of one business owner that would be helped is Barry Meite. Meite's property consists of an office building hosting several tenants. Because each tenant is considered one business, he is required to have 2 acres for each tenant space he rents out. Currently, he can only rent to three tenants since he only has six acres. This leaves him with a substantial amount of vacant land and tenant space that he cannot use. If the proposed ordinance changes pass, he will have more opportunity to utilize the available spaces in his commercial building.

The proposed ordinance changes will help a number of businesses and property owners here in Wiscasset. At this time, it is our hope the Selectboard will consider the proposed changes for June's warrant.

AMENDMENT TO ARTICLE III, SECTION 16.1, SIGN ORDINANCE, OF THE TOWN OF WISCASSET ORDINANCES

Be it hereby proposed, by the Town of Wiscasset, Maine, as recommended by the Wiscasset Ordinance Review Committee, that Article III, Sign Ordinance, of the Town of Wiscasset Ordinances be amended as follows:

16.1 General sign calculation standards

- A. The sign area shall include all lettering, wording and accompanying design symbols, together with the background 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 shall not exceed one hundred fifty (150) square feet, except for those properties and uses provided under Section 13, Common Signs, and Section 12.7, Signs within the Downtown Sign District, of this Ordinance. Signs exempted under Section 7, Exempted Sign, of this Ordinance shall not be included when determining total square footage.
- E. The maximum sign area bearing the name of a single building, mall, plaza, or office park in which are located separate business tenants shall be 32 sq. ft.; the maximum sign area bearing the name of each business tenant on the same sign shall be 8 sq. ft. In addition to the shared sign, each unit located within the building, mall, plaza or office park may have signage up to 64 sq. ft. on its premises.

ATTEST: A True Copy

Christine Wolfe, Wiscasset Town Clerk

ARTICLE VI - ZONING

1. STATEMENT OF PURPOSE

The purpose of this Ordinance is to further the rights of each and every person to life, liberty and the pursuit of happiness; to promote the general health and safety of the community; to provide the greatest possible latitude of individual choice for land use while maintaining the character and objectives of the community as determined by its citizens and outlined in its Comprehensive Plan, to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish aquatic life, bird and other wildlife habitat; control building sites, placement of structures and land uses; conserve shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty; and finally to protect the community as a whole and the individual persons therein from unreasonable acts by others. [6/74, 6/88]

2. GENERAL PROVISIONS

2.1 This ordinance separates patterns of land use into several Districts. It outlines the types of land use permitted in each District and pertains to all of the land area within the jurisdiction of the Town of Wiscasset. [6/74, 6/88]

2.2 The effective date of this ordinance is June 27, 1991, and as amended. [6-91]

2.3 That part of the ordinance relative to the 250 foot Shoreland District, which was adopted at the June 27, 1991, Town Meeting shall not be effective unless approved by the Department of Environmental Protection. A certified copy of that portion of the ordinance, attested and signed by the Town Clerk shall be forwarded to the Department of Environmental Protection for approval. If the Department of Environmental Protection fails to act on the ordinance with forty-five (45) days of the Board's receipt of the ordinance it shall be deemed approved. Upon approval of the 250 foot Shoreland District portion of the ordinance the Shoreland Zoning Ordinance previously adopted at the June 1988 Town Meeting is repealed. [3-92]

2.4 Any application for a permit in the 250 foot Shoreland District submitted to the municipality within the forty-five (45) day period shall be governed by the terms of this ordinance if the ordinance is approved by the Department of Environmental Protection. [3-92]

2.5 APPLICABILITY OF SHORELAND ZONING

Those portions of this article relating to shoreland apply to all land areas within 250 feet, horizontal distance, of the normal high-water line of Gardiner Pond, the Sheepscot River or any salt water body; within 250 feet, horizontal distance of the upland edge of a coastal or freshwater wetland; and within 75 feet horizontal

- FG. Village Waterfront District
- GH. Commercial District
- HI. Nequasset Watershed District
- J. Rural District
- K. Shoreland Business II District
- L. Marine Overlay District

4.2 The official Zoning Maps and all future amendments thereto are hereby made a part of and incorporated into this ordinance.

4.3 District boundary lines are property lines, the center lines of streets, roads and rights-of-way, and the boundaries of the Shoreland Area as defined herein: however, if a district boundary is ~~specifically and clearly~~ legally described in another manner, such as a deed description, such description shall be used. Where uncertainty exists as to exact location of District boundary lines, the Appeals Board shall be the final authority as to location. Shoreland applies to all land within 250 feet, horizontal distance, of the normal high water line of the Sheepscot River, Gardiner Pond and any tidal water; within 250 feet, horizontal distance of the upland edge of a coastal or freshwater wetland; and within 75 feet, horizontal distance, of the normal high water line of a stream. [6-91]

- 4.4 If amendments are made in the District Boundaries or other matter portrayed on the Official Zoning Maps such changes shall be made on the Official Zoning Maps within thirty days after the amendment has been adopted by the Town or in the event of shoreland areas after approval by the Department of Environmental Protection. [3-92]

5. NON-CONFORMANCE IN-G USES OUTSIDE THE SHORELAND DISTRICTS [6-12]

5.1 Purpose

It is the intent of this Section to promote land use conformities, except that legal non-conforming conditions that existed before the effective date of this Ordinance shall be allowed to continue, subject to the requirements set forth in this Section.

5.2 General

5.2.1 Continuance

The lawful use of any building, structure or land that is made non-conforming by reason of the enactment of this Ordinance, or which shall be made non-conforming by reason of a subsequent amendment, may be continued, subject to the provisions of this Ordinance.

5.2.2 Transfer of Ownership

5.5.1 A non-conforming use is a use of premises, parcel of land or structure which was in lawful existence at the effective date of the adoption or amendment of this ordinance but which currently does not comply with the applicable use regulations of the zoning district in which it is located.

5.5.2 Expansion of a Non-conforming, Non-residential Use: The Planning Board may issue approval for an expansion of a non-conforming, non-residential use up to a maximum of an additional thirty (30) percent of the original floor area of the existing structure, or in the case of an outdoor use, an additional thirty (30) percent of the original land area used for the activity, according to the criteria for site plan review contained in Article 8, Site Plan Review Ordinance, provided that the expansion meets the dimensional requirements and other provisions of this Ordinance. The expansion of a non-conforming use shall not be for the purpose of changing that use to another non-conforming use, except as provided in section 5.5.4, below.

5.5.3 A non-conforming use may not be renewed after it has been changed to a conforming use or after it has been discontinued for a period of 12 consecutive months.

5.5.4 A non-conforming use may be changed to another non-conforming use only with a permit from the Board of Appeals. The Board of Appeals shall issue such a permit only upon a finding that all the following are met:

5.5.4.1 The new use will not generate more vehicular traffic in the immediate area surrounding the premises than the former use; and

5.5.4.2 There will be no additional structures, or expansion of existing structures, to accommodate the new use; and

5.5.4.3 There will be a minimum of 3 off-street parking spaces for each conforming and non-conforming use on the lot; and

5.5.4.4 The daily hours of operation of the new use will be no earlier than 8:00 a.m. and no later than 7:00 p.m.; and

6. NON-CONFORMANCE IN THE SHORELAND DISTRICTS [3-91, 9-03, 6-12]

6.1 Intent

This Ordinance is intended to promote land use conformities, except that non-conforming conditions that existed before the effective date of this Ordinance shall be allowed to continue, subject to the requirements set forth in this section. (See Glossary for the definitions of shoreland non-conforming structures, non-conforming uses and non-conforming lots.)

6.2 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.

6.3 Repair and Maintenance

This Ordinance allows, without a permit, the normal upkeep and maintenance of non-conforming uses and structures including repairs or renovations which do not involve expansion of the non-conforming use of structure, and such other changes in a non-conforming use or structure as federal, state, or local building and safety codes may require.

6.4 Expansion of non-conforming structures

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. Any such expansion must comply with the following requirements:

6.4.1 After January 1, 1989 if any portion of a structure is less than the required setback from the normal high-water line of a water body or upland edge of a wetland that portion of the structure shall not be expanded in floor area or volume, by 30% or more, during the lifetime of the structure.

6.6.1 Any non-conforming structure which is located less than the required setback from the normal high-water line of a water body, tributary stream, or upland edge of a wetland and which is removed, or damaged or destroyed 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 one year of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water setback requirement to the greatest practical extent as determined by the Planning Board 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.

6.6.2 Any non-conforming structure which is damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place with a permit, from the code enforcement officer.

6.6.3 In determining whether the building reconstruction or replacement meets the water setback to the greatest practical extent the Planning Board shall consider in addition to the criteria in paragraph 6.5 above, the physical condition and type of foundation present, if any.

6.7 Changes of use of a non-conforming structure

6.7.1 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 adjacent water body or wetland, or on the subject or adjacent properties and resources than the existing use.

6.7.2 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, flood plain management, archaeological

6.9.2 Contiguous Built Lots: If two or more contiguous lots or parcels within a shoreline zone are in a single or joint ownership of record at the time of adoption of this Ordinance, if all or part of the lots do not meet the dimensional requirements of this Ordinance, and if a principal use or structure exists on each lot, the non-conforming lots may be conveyed separately or together, provided that they are in compliance with the State Minimum Lot Size Law and Subsurface Wastewater Disposal Rules.

If two or more principal uses or structures existed on a single lot of record on the effective date of this ordinance, each may be sold on a separate lot provided that the above referenced law and rules are complied with. When such lots are divided each lot thus created must be as conforming as possible to the dimensional requirements of this Ordinance.

6.9.3 Contiguous Lots - Vacant or Partially Built: If two or more contiguous lots or parcels in the shoreland zone are in single or joint ownership of record at the time of or since adoption or amendment of this Ordinance, if any of these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements. [3-91]

6.9.3.1 Existing lots of record as of June 27, 1983, which have at least 100 feet of shore frontage, 20,000 square feet of lot area, and can meet State plumbing code requirements for on-site sewage disposal need not be combined with adjoining lots in the same ownership in order to meet revised shoreland lot standards. [3-92]

6.9.3.2 Existing adjoining lots in the same ownership, which do not individually meet the above standards, to be combined and redivided consistent with the above standards. [3-92]

~~conforms to all setback requirements to the greatest practical extent as determined by the Planning Board, and provided that the applicant demonstrates that the present subsurface sewage disposal system meets the requirements of State law and the State of Maine Subsurface Wastewater Disposal Rules (Rules), or that a new system can be installed in compliance with the law and said Rules. In no case shall a structure be relocated in a manner that causes the structure to be more non-conforming.~~

~~6.5.2 In determining whether the building relocation meets the setback to the greatest practical extent, the Planning Board shall consider the size of the lot, the slope of the land, the potential for soil erosion, the location of other structures on the property and on adjacent properties, the location of the septic system and other on-site soils suitable for septic systems, and the type and amount of vegetation to be removed to accomplish the relocation.~~

~~6.6 Reconstruction or Replacement of non-conforming structures~~

~~6.6.1 Any non-conforming structure which is located less than the required setback from the normal high water line of a water body, tributary stream, or upland edge of a wetland and which is removed, or damaged or destroyed 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 one year of the date of said damage, destruction, or removal, and provided that such reconstruction or replacement is in compliance with the water setback requirement to the greatest practical extent as determined by the Planning Board 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.~~

~~6.6.2 Any non-conforming structure which is damaged or destroyed by 50% or less of the market value of the structure, excluding normal maintenance and repair, may be reconstructed in place with a permit, from the code enforcement officer.~~

~~6.6.3 In determining whether the building reconstruction or replacement meets the water setback to the greatest practical extent the Planning Board shall consider in addition to the criteria in paragraph 6.5 above, the physical condition and type of foundation present, if any.~~

~~6.7 Changes of use of a non-conforming structure~~

~~6.7.1 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~~

~~6.9.2 Contiguous Built Lots: If two or more contiguous lots of parcels within a shoreline zone are in a single or joint ownership of record at the time of adoption of this Ordinance, if all or part of the lots do not meet the dimensional requirements of this Ordinance, and if a principal use or structure exists on each lot, the non-conforming lots may be conveyed separately or together, provided that the State Minimum Lot Size Law and Subsurface Wastewater Disposal Rules are complied with.~~

~~If two or more principal uses or structures existed on a single lot of record on the effective date of this ordinance, each may be sold on a separate lot provided that the above referenced law and rules are complied with. When such lots are divided each lot thus created must be as conforming as possible to the dimensional requirements of this Ordinance.~~

~~6.9.3 Contiguous Lots – Vacant or Partially Built: If two or more contiguous lots or parcels in the shoreland zone are in single or joint ownership of record at the time of or since adoption or amendment of this Ordinance, if any of these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendments, and if one or more of the lots are vacant or contain no principal structure the lots shall be combined to the extent necessary to meet the dimensional requirements. [3-91]~~

~~* Existing lots of record as of June 27, 1983, which have at least 100 feet of shore frontage, 20,000 square feet of lot area, and can meet State plumbing code requirements for on-site sewage disposal need not be combined with adjoining lots in the same ownership in order to meet revised shoreland lot standards. [3-92]~~

~~* The law allows existing adjoining lots in the same ownership, which do not individually meet the above standards, to be combined and redivided consistent with the above standards. [3-92]~~

7. BUFFER STRIP APPLICATION

The Planning Board may require a buffer strip when a zoning boundary is located adjacent to a different type of zoning area where separation is desirable. [3-81, 3-97]

8. ADMINISTRATION

8.1 VARIANCES AND APPEALS

8.1.1 The Board of Appeals may, upon written application of the affected landowner, grant a variance from the strict application of this Ordinance for lot area, coverage by structure, and setback. A variance shall not be granted to permit a use or structure otherwise prohibited. [3-81]

9.1.2 The design of additions or modifications to an existing building shall be compatible with the architectural style of the existing building. The Planning Board shall have the authority to make the determination described in this subsection and, at its discretion, may seek the advice of a consultant or other authority at the applicant's expense.

9.2 Conversion of existing residences to non-residential use

9.2.1 If any portion of an existing residential building is proposed to be converted all or in part to non-residential use, the existing residential appearance of the building shall be maintained with the exception of signage, parking and access as may be required by applicable provisions of the Wiscasset Ordinance.

9.3 Prohibited uses. The following uses are prohibited in the Village 1, Village 2 and Village Waterfront Districts.

9.1.1 Drive-thru facilities

9.1.2 Formula restaurants

9.1.3 Franchise signage*

*Except that franchise signage existing as of the date of enactment of this section may be replaced by other franchise signage as long as the area of franchise signage is not increased.

9.4 Buffering for Village 2.

The following shall apply to Village 2 only:

Non-residential buildings in Village 2 that are developed on lots adjacent to lots in residential use shall be adequately buffered and screened. The buffering and screening required under this section is such buffering or screening as the Code Enforcement Officer or Planning Board, as the case may be, deems necessary to protect all adjacent residential uses from adverse impacts from noise, odor, glare, dust, vibration, or visual impacts materially impairing the quiet and beneficial use and enjoyment of the residential uses. These measures can include, but are not limited to, a landscaped buffer strip provided to create a visual screen between the uses. Where no natural vegetation can be maintained or due to varying site conditions, the landscaping screen may consist of fences, walls, tree plantings, hedges or combinations thereof. The buffering and screening shall be sufficient to minimize the impacts of any kind of potential use such as: loading and unloading operations, outdoor storage areas, vehicle parking and waste collection areas. Where a potential safety hazard to small children would exist, physical screening

SUMMARY OF PERMITTED USES

Schedule of Uses- Land Use Matrix

1. Activity categories. The various land uses contained in the matrix are organized into the following activity classifications: Open Space; Residential; Institutional; Commercial; Industrial; and Other.

2. Symbols used in schedule of uses. The following symbols contained in the Schedule of Uses have the following meanings:

- Yes - No permit required (must comply with land use standards)
- CEO - Permitted uses which require a building permit or other type of permit from the Code Enforcement Officer
- PB - Uses requiring approval from the Planning Board in accordance with the requirements of Article VIII. Site Plan Review.
- 1,2, etc. - Numbers adjacent to letter symbols refer to notes at the end of the Schedule of Uses which contain additional requirements.
- Blank - Not permitted

3. Matrix

<u>Use</u>	<u>Proposed</u>		<u>Existing Districts</u>								
	<u>Village 1</u>	<u>Village 2</u>	<u>Residential</u>	<u>Commercial</u>	<u>Rural</u>	<u>Negussset Watershed</u>					
<u>Open Space Uses</u>	-	-	-	-	-	-					
Community garden, greenhouse, nursery or similar agricultural use	-	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>					
Agriculture	-	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>					
Park, playground	<u>Yes</u>	<u>Yes</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>					
Parking lot	<u>Yes</u> ³	<u>Yes</u> ³		<u>PB</u> ³	<u>PB</u> ³	<u>PB</u> ³					
Public park	<u>Yes</u>	<u>Yes</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>					
Campgrounds, commercial	-	-			<u>PB</u>	<u>PB</u>					
Cemeteries	-	-			<u>PB</u>	<u>PB</u>					
Confined feeding operations	-	-			<u>PB</u>	<u>PB</u>					
Storage of fishing, clamming and similar gear	-	-	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>	<u>Yes</u>					
Golf course/driving range	-	-		<u>PB</u>	<u>PB</u>	<u>PB</u>					
Commercial outdoor recreation	-	-		<u>PB</u>	<u>PB</u>	<u>PB</u>					
Timber harvesting	-	-			<u>PB</u>	<u>PB</u>					
Aquaculture	-	-			<u>PB</u>	<u>PB</u>					
<u>Residential Uses</u>	-	-									
Single-family dwelling	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>	<u>CEO</u>					

<u>Use</u>	<u>Proposed</u>		<u>Existing Districts</u>			
	<u>Village 1¹</u>	<u>Village 2¹</u>	<u>Residential</u>	<u>Commercial</u>	<u>Rural</u>	<u>Nequasset Watershed²</u>
Recreational use such as a bowling alley, theater, dance hall	<u>PB</u>			<u>PB</u>	<u>PB</u>	<u>PB</u>
Retail business unless otherwise listed	<u>PB</u>	<u>PB²</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Retail and wholesale outlet				<u>PB</u>	<u>PB</u>	<u>PB</u>
Service establishment such as a bank, barbershop, tailor, Laundromat	<u>PB</u>	<u>PB²</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Adult bookstore/adult video store				<u>PB</u>	<u>PB</u>	<u>PB</u>
Adult entertainment facility				<u>PB</u>	<u>PB</u>	<u>PB</u>
Airports					<u>PB</u>	<u>PB</u>
Bed and breakfast	<u>PB</u>	<u>PB</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Race track					<u>PB</u>	<u>PB</u>
Farm market/farm stand	<u>PB</u>	<u>PB</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Grocery store	<u>PB</u>	<u>PB²</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Kennel/Dog daycare				<u>PB</u>	<u>PB</u>	<u>PB</u>
Small engine repairs	<u>PB</u>	<u>PB²</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Vehicle body shops				<u>PB</u>	<u>PB</u>	<u>PB</u>
Vehicles sales and/or service	<u>PB</u>			<u>PB</u>	<u>PB</u>	<u>PB</u>
Auction barn				<u>PB</u>	<u>PB</u>	<u>PB</u>
Boat building and repair				<u>PB</u>	<u>PB</u>	<u>PB</u>
Veterinary clinic	<u>PB</u>	<u>PB²</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Shopping center				<u>PB</u>	<u>PB</u>	<u>PB</u>
Redemption center				<u>PB</u>	<u>PB</u>	<u>PB</u>
Recycling facility					<u>PB</u>	<u>PB</u>
Transportation facilities	<u>PB</u>			<u>PB</u>	<u>PB</u>	<u>PB</u>
Spas, health clubs	<u>PB</u>	<u>PB²</u>		<u>PB</u>	<u>PB</u>	<u>PB</u>
Indoor/outdoor boat storage				<u>PB</u>	<u>PB</u>	<u>PB</u>
Agricultural/lawn equipment sales and service	<u>PB</u>			<u>PB</u>	<u>PB</u>	<u>PB</u>
Lumber yard				<u>PB</u>	<u>PB</u>	<u>PB</u>
<u>Industrial Uses</u>						
Gravel pits					<u>PB</u>	<u>PB⁶</u>
On-site manufacturing				<u>PB</u>	<u>PB</u>	<u>PB</u>
Trucking/distribution terminal					<u>PB</u>	<u>PB</u>
Industrial					<u>PB</u>	<u>PB</u>
Light industrial					<u>PB</u>	<u>PB</u>
Abattoir					<u>PB</u>	<u>PB</u>
Auto graveyards/junkyards					<u>PB</u>	<u>PB</u>
Bottling facility					<u>PB</u>	<u>PB</u>
Breweries and distilleries				<u>PB</u>	<u>PB</u>	<u>PB</u>
Microbreweries and brew pubs	<u>PB</u>			<u>PB</u>	<u>PB</u>	<u>PB</u>

SUMMARY OF PERMITTED USES IN THE SHORELAND DISTRICTS

A. SHORELAND RESOURCE PROTECTION DISTRICT.

A.1 Permitted Uses:

A.1.1 Harvesting a wild crop such as salt marsh hay or berries.

A.1.2 Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking.

A.1.3 Wildlife management practices.

A.1.4 Motorized vehicular traffic on roads and trails, and snowmobiling. [6-74, 6-78]

A.1.5 Forest management activities: timber cruising and other forest resources evaluation activities, management planning activities, insect and disease control, timber stand improvement, pruning, regeneration of forest stands, and other similar associated activities, but not the construction or creation of roads. [6-74, 6-88]

A.1.6 Fire prevention activities. [6-88]

A.1.7 Soil and water conservation practices and archaeological sites. [3-92]

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. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and other similar intensive land uses, shall require a soils report based on an on-site investigation and be prepared by state-certified professionals. Certified persons may include Maine Certified Soils Scientists, Maine Registered Professional Engineers, Maine State Certified Geologists. The report shall be based upon the analysis of the characteristics of the soil and surrounding land and water areas, maximum ground water elevation, presence of ledge, drainage conditions, an other pertinent data which the evaluator deems appropriate. The soils report shall include recommendations for a proposed use to

A.2 After review and approval of the Planning Board on finding that the proposed use is not incompatible with use of the surrounding area; the proposed use is not harmful to natural resources or scenic values in the area of proposed use; and the proposed use will not degrade the air, water or soil, the following uses may be permitted by Special Exception Permit:

A.2.1 Agriculture and Aquaculture in Shoreland Areas. [3-91]

a. All spreading or disposal of manure shall be accomplished in conformance with the Maine Guidelines for Manure and Manure Sludge Disposal on Land published by the University of Maine Soil and Water Conservation Commission in July, 1972.

b. Manure shall not be stored or stockpiled within seventy-five (75) feet horizontal distance of water bodies, tributary streams, or wetlands. Within five (5) years of the effective date of this ordinance all manure storage areas within the shoreland zone must be constructed or modified such that the facility produces no discharge of effluent or contaminated storm water. Existing facilities which do not meet the setback requirement may remain, but must meet the no discharge provision within the above five (5) year period.

c. Agricultural activities involving tillage of soil greater than forty thousand (40,000) square feet in surface area, or the spreading, disposal or storage of manure within the shoreland zone shall require a Soil and Water 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. Assistance in preparing a soil and water conservation plan may be available through the local Soil and Water Conservation District office.

d. There shall be no tilling of soil within seventy-five (75) feet, horizontal distance, from water bodies; nor within twenty-five feet, horizontal distance, of tributary streams, and wetlands Operations in existence on the effective date of this ordinance and not in conformance with this provision may be maintained.

e. After the effective date of this Ordinance, newly established livestock grazing area shall not be permitted within seventy-five (75) feet horizontal distance of water bodies, nor; within twenty-five (25) feet horizontal distance, of tributary streams, and 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 Soil and Water Conservation Plan. [3-91]

e. Road 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 subsection Q.

f. Road grades shall be no greater than ten (10) percent except for short segments less than two hundred (200) feet. [3-93]

g. In order to prevent road surface drainage from directly entering water bodies, roads 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 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. Road surface drainage which directed to a unscarified buffer strip shall be diffused or spread out to prompt infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip. [3-93]

h. Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strip before the flow in the road or ditches gains sufficient volume or head to erode the road or ditch. To accomplish this, the following shall apply:

* Ditch relief culverts, drainage dips and associated water turnouts shall be spanned along the road at intervals no greater than indicated in the following table:

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

* Drainage dips may be used in place of ditch relief culverts only where the road grade is ten (10) percent or less.

* On road sections having slopes greater than ten (10) percent, ditch relief culvert shall be placed across the road at approximately a thirty(30) degree angle downslope from a line perpendicular to the centerline of the road.

body or within a wetland shall be converted to residential dwelling units in any district. [3-91]

g. Structures built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland shall not exceed twenty (20) feet in height above the pier, wharf, dock or other structure. [3-92]

h. Permanent structures projecting into or over water bodies shall require a permit from the Department of Environmental Protection pursuant to the Natural Resources Protection Act, Title 38 M.R.S.A., Section 480-C. [3-91]

A.2.7 Public utilities, including sewage collection and treatment facilities. [6-88]

A.2.8 Filling or other earth-moving activity of more than 10 cubic yards, which shall be conducted in such manner to prevent to the maximum extent possible erosion and sedimentation of surface waters. On slopes greater than 25% there shall be no grading or filling within 100 feet of the normal high water mark except to protect the shoreline and prevent erosion. [6-88]

a. A person performing any dredging, bulldozing, removal or displacing soil, sand, vegetation or other materials shall require a permit from the Department of Environmental Protection pursuant to Title 38 MRSA, Section 480-C, if the activity occurs in, on, over or adjacent to any freshwater or coastal wetland, great pond, river, stream or brook and operates in such a manner that material or soil may be washed into them. [3-91, 3-93]

b. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall 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: [3-91]

* Mulching and revegetation of disturbed soil.

* Temporary runoff control features such as hay bales, silt fencing or diversion ditches.

* Permanent stabilization structures such as retaining walls or riprap.

c. 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

c. Each tree removed is to be marked for cutting by either a private consulting forester or a State forester who will supervise the cutting and removal of same.

d. Selective cutting of no more than forty (40) percent of the total volume of trees four (4) inches or more in diameter measured at 4 1/2 feet above ground level on any lot in any ten (10) year period is permitted. In addition:

- * Within seventy-five (75) feet, horizontal distance, of the normal high-water line of water bodies, tributary streams, or the upland edge of a wetland, there shall be no clear-cut openings and well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.
- * At distances greater than seventy-five (75) feet, horizontal distance, of the normal high-waterline of water bodies or the upland edge of a wetland harvesting operations shall not create single clear-cut openings greater than ten-thousand (10,000) square feet in the forest canopy. Where such openings exceed five thousand (5000) square feet they shall be at least one hundred (100) feet apart. Such clear-cut openings shall be included in the calculation of total volume removal. For the purposes of these standards volume may be considered to be equivalent to basal area.
- * The Planning Board may approve timber harvesting in excess of the 40% limitation upon a clear showing, including a forest management plan signed by a Maine licensed professional forester, that such exemption is necessary for good forest management and is carried out in accordance with the purposes of the Act. The planning board must also notify the Department of Environmental Protection of any permits issued for timber harvesting in excess of 40 percent. [3-92]

e. Areas in the Shoreland Resource Protection District beyond 250 feet from the high water mark will not require a permit by the Code Enforcement Officer, but each tree removed is to be marked for cutting by either a private consulting forester or a State forester who will supervise their removal and see that all slash is disposed of in accordance with existing State laws.[3-93]

f. No accumulation of slash shall be left within fifty (50) feet of the normal high-water line of a water body. In all other areas slash shall either be removed or disposed of in such a manner that it lies on the ground and no part there extends more than four (4) feet above the ground.

necessity, such as piers, docks and retaining walls, nor to other functionally water-dependent uses. [3-91]

b. Principal or accessory structures and expansions of existing structures shall be governed by the provisions of the Building Laws, Article II, Section 3, Requirements for Building Exteriors. [3-93]

c. The first floor elevation or openings of all buildings and structures including basements 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 some types identified as recent flood plain soils. [3-91]

d. The total area of all structures, parking lots and other non-vegetated surfaces within the shoreland zone shall not exceed (20) percent of the lot or portion there of, located within the shoreland zone including land area previously developed. [3-91]

e. Notwithstanding the requirements stated above, stairways or similar structures may be allowed with a permit from the Code Enforcement Officer, to provide shoreland access in areas of steep slopes or unstable soils provided; that the structure 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 wetland, (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, Title 38, Section 480-C); and that the applicant demonstrates that no reasonable access alternative exists on the property. [3-91]

A.3.3 Clearing of Vegetation for Development [3-91]

a. Within a shoreland area zoned for Resource Protection abutting Gardiner 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.

b. Elsewhere, in any Resource Protection District the clearing of vegetation shall be limited to that which is necessary for uses expressly authorized in that district.

c. Except in areas as described in A.3.3.a, above, and except to allow for the development of permitted uses, within a strip of land extending to a great pond and seventy-five (75) feet, horizontal distance, from any water body, tributary stream, or the upland edge of a wetland, a buffer strip of vegetation shall be preserved as follows:

period, selective cutting of not more than forty (40) percent of the volume of trees four (4) inches or more in diameter, measured 4 1/2 feet aboveground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards volume may be considered to be equivalent to basal area.

f. In no event shall cleared openings for development, including but not limited to principal and accessory structures, driveways and sewage disposal areas, exceed in the aggregate, 25% of the lot area or ten thousand (10,000) square feet, whichever is greater, including land previously developed. This provision shall not apply to the General Development or Commercial Fisheries/Maritime Activities District.

g. Cleared openings legally in existence on the effective date of this Ordinance may be maintained, but shall not be enlarged, except as permitted by this Ordinance.

h. Fields which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of this section.

A.3.4 Temporary (remaining in the water less than 7 months in any year) piers, docks, floats, wharves, breakwaters, causeways, marinas, bridges over 20 feet in length and uses projecting into water bodies provided that, in addition to federal or state permits which maybe required they shall conform to A.2.6 a-h above. [6-88, 3-91]

A.3.5 Filling or other earth-moving activity of less than 10 cubic yards, subject to the provisions in A.2.8 above. [6-88]

A.4 Individual Private Campsites [3-91]

A.4.1 Individual, private campsites not associated with campgrounds are permitted provided the following conditions are met:

a. One campsite per lot existing on the effective date of this Ordinance, or thirty thousand (30,000) square feet of lot area within the shoreland zone, whichever less, may be permitted.

b. Campsite placement on any lot, including the area intended for a recreation vehicle or tent platform, shall be set back one hundred (100) feet 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 from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland.

c. The proposed location of all buildings, sewage disposal systems and other improvements are:

- * Located on natural ground slopes of less than 20; and
- * Located outside the floodway of the 100-year floodplain along rivers and artificially formed great ponds along rivers and outside the velocity zone in areas subject to tides, based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps; all buildings, including basements, are elevated at least one foot above the 100-year floodplain elevation; and the development is otherwise in compliance with any applicable municipal floodplain 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 floodplain. For purposes of this subparagraph, "floodway" means 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 more than one foot in height and "velocity zone" means 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.

d. The total ground-floor area of all principal and accessory structures is limited to a maximum of 1,500 square feet.

e. All structures, except functionally water dependent structures, are set back from the normal high-waterline or upland edge of a wetland to the greatest practical extent, but not less than 75 feet. 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 floodplain and its proximity to moderate-value and high-value wetlands.

B. SHORELAND RESIDENTIAL DISTRICT.

B.1 The following are permitted without permit from either the Planning Board or Code Enforcement Officer.

B.1.1 Any use permitted in the Resource Protection District without permit. [3-93]

addition to federal or state permits which may be required they shall conform to A.2.6 a-h above. [6-88,3-91]

B.3.3 Filling or other earth-moving activity of more than 10 cubic yards subject to the provisions in A.2.8 above.[6-88]

B.4 The following is allowed only with a permit from a Licensed Plumbing Inspector:
[6-88]

Private sewage disposal systems, provided that all subsurface sewage disposal systems shall be located in areas of suitable soil of at least 1,000 square feet in size and shall be setback no less than 100 horizontal feet from the normal high water mark of a water body. This requirement shall not be reduced by variance. All subsurface sewage disposal systems shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules. Subsurface waste disposal systems shall require a soils report, prepared by a State-Certified soil scientist or geologist based on an on-site investigation. Suitability considerations shall be based primarily on criteria employed in the National Cooperative Soil Survey as modified by on-site factors such as depth to water table and depth to refusal. [6-88]

B.5 The following are not permitted in the Shoreland Residential Districts:

B.5.1 Commercial structures. [6-88]

B.5.2 Multifamily dwelling units, municipal use, charitable or educational institutions, convalescent or rest homes, nursing homes, day nurseries, and professional buildings or Elderly Congregate Housing. [3-01]

B.5.3 Industrial structures. [6-88]

B.5.4 Institutional structures. [6-88]

B.5.5 Structures within 75 feet of normal high water mark, except those permitted within the Shoreland Resource Protection District or those which require direct access to the water as an operational necessity, such as piers, docks and retaining walls. [6-74, 6-88]

B.5.6 Timber Harvesting, except that authorized by Section A.3.1. [3-91]

B.5.7 Dwelling units in Shoreland area on lots of less than 150 feet shore frontage, measured in a straight line between the points of intersection of the side lot lines with the shoreline at the normal high water elevation; excepting those Lots or Deeds or Plans of Record on the effective date of this ordinance.

d. 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.

e. If more than one residential dwelling unit or more than one principal commercial or industrial structure is constructed on a single parcel, all dimensional requirements shall be met for each additional dwelling unit or principal structure.

f. Clustered housing is permitted within the shoreland zone provided that the overall dimensional requirements, including frontage and lot area per dwelling unit are met. When determining whether dimensional requirements are met, only land area within the shoreland zone shall be considered. [3-91]

C. SHORELAND BUSINESS DISTRICT.

C.1 The following uses are allowed without permit from the Planning Board or the Code Enforcement Officer.

C.1.1 Any use permitted in the Shoreland Resource Protection District or in the Shoreland Residential District without permit.

C.1.2 Structures accessory to permitted uses, provided all such structures shall conform to the criteria set forth in A.3.2 above. [6-88, 3-93]

C.2 The following are permitted with Planning Board permit and must conform to land use standards set forth in B.5.9 above. [3-91]

C.2.1 Residential dwelling units. [6-88]

C.2.2 Commercial structures. [6-88]

C.2.3 Industrial structures. [6-88]

C.2.4 Government structures. [6-88]

C.2.5 Institutional structures. [6-88]

C.2.6 Campground, provided they conform to B.2.2 above.[3-91]

C.2.7 Permanent piers, docks, wharves, breakwaters, causeways, marinas, bridges over 20 feet in length and uses projecting into water bodies provided that, in addition to Federal or State permits which may be

~~D.2.4 Convalescent or rest home, or nursing home or Elderly Congregate Housing. [3-01]~~

~~D.2.5 Day nursery.~~

~~D.2.6 Professional building.~~

~~E. BUSINESS DISTRICT~~

~~E.1 The following uses, and building or use customarily accessory, are permitted:~~

~~E.1.1 Any building or use permitted in the Resource Protection or Residential District.~~

~~E.1.2 Parking lot.~~

~~E.1.3 Eating place.~~

~~E.1.4 Clinic, medical or dental.~~

~~E.1.5 Retail and wholesale outlet.~~

~~E.1.6 Service establishment such as bank, barbershop, tailor, laundromat.~~

~~E.1.7 Recreational use such as bowling, theater, dance hall.~~

~~E.1.8 Funeral home.~~

~~E.1.9 Office building.~~

~~E.1.10 Any retail business or service involving manufacturing on the premises, and employing not more than 4 persons, the products of which are principally for sale at retail on the premises.~~

~~E.1.11 Antique shop.~~

~~FD. VILLAGE WATERFRONT DISTRICT~~

~~FD.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.~~

FD.2.3.0 The following uses are permitted with Planning Board approval in the Village Waterfront District, provided development is in compliance with all applicable laws, rules and regulations:

Commercial:

- (a) Professional, business and general offices;
- (b) Restaurants, eating establishments and drinking establishments;
- (c) Retail and service establishments, but excepting establishments with automobile gas pumps;
- (d) Banking and financial services;
- (e) Indoor recreation and family amusement establishments;
- (f) Intermodal transportation facilities;
- (g) Off-street parking lots;
- (h) Personal services;
- (i) Business services;
- (j) Communication studios, broadcast and receiving facilities, excluding Wireless Telecommunication Facilities;
- (k) Spa, health club or similar facility;
- (l) Museum art gallery or similar facility;
- (m) Convenience store; and,
- (n) Hotels, motels and ancillary uses.

Marine:

- (a) Marine products wholesaling and retailing;
- (b) Marine repair services and machine shops;
- (c) Harbor and marine supplies and services and ship supply;
- (d) Boatbuilding and facilities for construction, maintenance and repair of vessels;
- (e) Marinas with ancillary services customary to the primary use;
- (f) Marine museums and aquariums;
- (g) Indoor boat storage facilities;
- (h) Permanent piers, docks, wharfs, bridges and other structures and uses extending over or below the upland edge of a coastal wetland or within a wetland;
- (i) Functionally water-dependent structures are 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.

The following dimensional requirements shall apply within the Village Waterfront District provided development is in compliance with all applicable laws, rules and regulations:

- (a) Minimum lot size:
 - 1. Residential: None
 - 2. Non-residential: None
- (b) Minimum frontage:
 - 1. Water: None
 - 2. Road/Street: None
- (c) Minimum setback requirements:
 - 1. Front setback: None
 - 2. Side setback: None
 - 3. Rear setback: None
- (d) Minimum water body setback:
 - i. There shall be a minimum setback of twenty-five (25) feet, horizontal distance, from the normal high water line. There shall be no minimum setback for roads or structures that require direct water access as an operational necessity including, but not limited to, piers, docks, wharfs and bridges; buildings in existence as of the effective date of this ordinance; buildings, structures, or permissible uses of land for public benefit/use; seasonal, non-attached buildings or structures on existing piers. Any enlargement of these existing buildings must comply with all applicable setback requirements in this ordinance.
- (e) Maximum lot coverage: The total of all non-vegetated surface areas shall be no more than seventy percent (70%).
- (f) Maximum height of structures: Principle or accessory structures and expansions of existing structures shall not exceed thirty-five (35) feet in height from finished grades averaged on all sides. This provision shall not apply to structures such as transmission towers, small wind energy conversion systems, antennas, and similar structures having no floor area.

FD.5.0.0 General Land Use Standards

All land use activities in the Village Waterfront District shall conform to the following standards, if applicable.

- (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.

FD.5.2.0 Roads and Driveways.

The following standards shall apply to the construction of roads and/or driveways and drainage systems, culverts and other related features.

- (a) Roads and driveways shall be set back at least twenty-five (25) feet from the upland edge of a coastal wetland, excepting roads which require access to the shoreline.

On slopes greater than twenty (20) percent the road and/or driveway setback shall be increased by ten (10) feet for each five (5) percent increase in slope above twenty (20) percent.

This subsection shall apply neither to approaches to water crossings nor to roads or driveways that provide access to permitted structures and uses.

- (b) Existing public roads may be expanded within the legal road right-of-way regardless of its setback from a water body.
- (c) Road 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 subsection F.5.5.0.
- (d) Road grades shall be no greater than ten (10) percent except for short segments of less than two hundred (200) feet.
- (e) In order to prevent road surface drainage from directly entering water bodies, roads shall be designed, constructed, and maintained where feasible to empty onto an unscarified buffer strip at least twenty-five (25) feet plus two times the average slope in width between the outflow point of the ditch or culvert and the upland edge of a coastal wetland or normal high-water line. Road 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.
- (f) 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 in the road or ditches gains sufficient volume or head to erode the road or ditch. To accomplish this, the following shall apply:

FD.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:
1. Scale. Plans shall be drawn to a scale of not more than 30 feet to the inch on sheets not exceeding 24 by 36 inches.
 2. Contents. All plans shall illustrate with sufficient detail the location of all proposed construction including driveways, parking areas, curbs, sidewalks, utility lines, utility easements, structures, and landscape areas. Landscape areas shall indicate the type, quantity and dimensions of all proposed vegetation and shall be illustrated at their mature growth. Landscape material proposed must comply with the standard industry planting practices.

FD.5.5.0 Erosion and Sedimentation Control

- (a) All activities which involve filling, grading, excavation or other similar activities which result in unstable soil conditions and which require a permit shall 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:
1. Mulching and re-vegetation of disturbed soil;
 2. Temporary runoff-control features such as hay bales, silt fencing or diversion ditches; and,
 3. Permanent stabilization structures such as retaining walls or riprap.
- (b) 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, high cuts and fills shall be avoided wherever possible, and natural contours shall be followed as closely as possible.

FD.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.

FD.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 public way and from abutting properties by a fence at least six (6) feet in height or by a solid evergreen planting strip. All waste shall be stored in covered containers that do not leak or otherwise permit liquids or solids to escape from the container. All food processing waste shall be stored within a completely enclosed structure. Outdoor storage of refuse or debris shall be in an appropriate container or located within a designated, screened area.
- (b) Noise: The level of sound, measured by a sound level meter with frequency weighting network (manufactured according to standards prescribed by the American National Standards Institute, Inc.), inherently and recurrently generated within the Village Waterfront District shall not exceed seventy (70) decibels on the A scale at the boundaries of any lot between the hours of 7:00 AM and 9:00 PM and fifty (50) decibels between the hours of 9:00 PM and 7:00 AM. In measuring sound levels under this section, sounds with a continuous duration of less than sixty (60) seconds shall be measured by the maximum reading on a sound level meter set to the A weighted scale and the fast meter response (L maxfast). Sounds with a continuous duration of sixty (60) seconds or more shall be measured on the basis of the energy average sound level over a period of sixty (60) seconds (LEQ1). The following activities and use shall be exempted from the above-mentioned noise requirements:
 1. Construction and maintenance activities between the hours of 7:00 AM and 8:00 PM;
 2. The noises of safety signals, warning devices, emergency pressure relief valves, and other emergency devices;
 3. Traffic noise on public and private roads;

hire, at the developer's expense, its own consultants to evaluate the developer's plans and studies.

- (k) Waiver: The Planning Board may modify or waive any of the Performance Standards F.6.0.0 (a) – F.6.0.0 (j), stated above, when the applicant clearly establishes and documents that the standard would not be applicable.

FD.7.0.0 Applicability of Article VII – Subdivision Ordinance

When the Planning Board is reviewing any application for a subdivision in the Village Waterfront District, the Planning Board may modify or waive any Subdivision requirement or performance standard when the applicant clearly establishes and documents that the requirement or standard would not be applicable. Additionally, the following provisions of Article VII – Subdivision Ordinance shall apply as follows:

- (a) Section 2.3.3(n), single-family and multiple family-dwellings minimum lot size requirements do not apply; and,
- (b) Section 2.3.5, street and road construction requirements shall not apply, provided the applicant submits documented proof to the Planning Board that all road and street construction meets the design criteria established by the American Association of State Highway and Transportation Officials based upon projected land uses and traffic volumes.

FD.8.0.0 Applicability of Article VIII – Site Plan Review Ordinance

When the Planning Board is reviewing a proposal that requires Site Plan Review in the Village Waterfront District, the following provisions of Article VIII – Site Plan Review shall apply as follows:

- (a) Section 6.8.3, minimum parking space requirements shall not apply.
- (b) Section 7.1, waiver standards shall be replaced with: The Planning Board may modify or waive any Site Plan Review requirement or performance standard when the applicant clearly establishes and documents that the requirement or standard would not be applicable.

FD.9.0.0 Applicability of Article II – Building Laws

When the Planning Board or Code Enforcement Officer is reviewing an application for Subdivision, Site Plan Review or building permit in the Village

~~J.2 Any other building or use, unrestricted.~~

K.E. SHORELAND BUSINESS II/ MARINE OVERLAY DISTRICTS

KE.1.0.0 Purpose

The purpose of the Shoreland Business II and Marine Overlay Zoning Districts, hereinafter referred to as the Districts, is to provide geographic areas on the +/- 33.19-acre Birch Point peninsula (which was formerly used as an industrial site) where a mixture of uses, including residential, marine, commercial, related ancillary business, and low-impact industrial is encouraged. The Districts are designed to provide and maintain safe and healthy living conditions; prevent degradation of the natural environment; protect and promote marine industries; conserve shoreland vegetation and harmonize commercial, marine business, low-impact industrial and residential uses with the surrounding built and natural environment. The Districts are also intended to allow uses that provide housing and services for their residents and opportunities for economic growth. In addition, the Districts are designed to co-exist with the existing Electric Utility Substation and Facilities located adjacent to and within the Districts.

The Shoreland Business II and Marine Overlay Zoning Districts, as of the effective date of this ordinance, are characterized by an existing, heavily-developed lot with potential for high density, clustered housing, marina facilities, mixed-use development as well as the environmentally-friendly reuse of existing land and buildings. Any mixed use development shall rely on shared infrastructure systems including electrical, telecommunications, water and sewer services, parking lots, transportation facilities, stormwater management, and driveways.

The Special Setback Area is bounded and described as follows: A tract of land at Birch Point in the Town of Wiscasset, being a part of the former Mason Station Property shown on a plan entitled "Shoreland Business District II & Marine Overlay Districts Zoning Map" dated February 28, 2005 bounded and described as follows: Beginning at an iron rod set labeled "F" on the above mentioned Zoning Map on the northerly line of the land now or formerly of Central Maine Power Company; thence N 51°24'15" W along the northerly line of the land of Central Maine Power Company 51.79' to an unmonumented point at the high water mark of Hilton Cove labeled "A" on the above mentioned Zoning Map; thence northeasterly, easterly, and southeasterly by the high water mark of Hilton Cove and Sheepscot River to an unmonumented point that lies S 86°04'44" W 13.94' from a drill hole in ledge set labeled "H" on the above mentioned Zoning Map; thence S 86°04'44" W 126.43' to an unmonumented point; thence S 41°13'35" W 198.61' to an unmonumented point; thence S 06°32'42" W 55.56' to an unmonumented point; thence S 16°01'17" E 32.63' to an unmonumented point at the center of the railroad spur; thence S 73°50'02" W along the center of the railroad spur 151.17' to an unmonumented point; thence S 72°46'31" W along the center of the railroad spur 53.16' to an unmonumented point; thence S 69°51'14" W along the center of the railroad spur 60.04' to an

or formerly of Central Maine Power Company 47.86' to the point of beginning. Bearings mentioned above are oriented towards Grid North (NAD 83) as shown on the above mentioned Zoning Map.

Impervious Surface Fifty Percent (50%) Area: All areas of the Shoreland Business II and Marine Overlay Districts not included in the Impervious Surface Ninety Percent (90%) Area.

KE.2.0.0 Definitions – The following definitions apply only to the Shoreland Business II District and the Marine Overlay District. All other definitions contained in Wiscasset Ordinances, to the extent they are not in conflict with the following definitions, also apply to the Shoreland Business II District and the Marine Overlay District.

Aquaculture: The growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.

Business service: 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.

Clinic: 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.

Community Center: A building used for recreational, social, educational, health, culture, or similar activities and services, usually owned and operated by a public or nonprofit group or agency.

Community Hall: A building or portion of a building, used for social, recreational, artistic, civic, or educational community functions. Such a facility would be open to the public for such functions, which, for example, could include but not be limited to performances, dances, exhibitions, cultural exchange, training programs and workshops, neighborhood meetings or gatherings. As part of these functions and activities, it shall be permissible to serve food, subject to other applicable codes and ordinances.

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

Day care facility: A facility which, for consideration, provides regular care and protection for children under the age of sixteen (16) for any part of the day and is required to be licensed by the state.

Personal services: Services provided to a person such as laundering of apparel, photography, beauty and barber care, but excluding commercial or industrial laundering of apparel and dry cleaning.

Private club: A nonprofit social or recreational facility that is open exclusively to members and their guests. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facilities are available.

Professional office: An office maintained by an individual or firm for the practice of a professional such as physician, dentist, lawyer, engineer, architect, teacher, accountant, realtor, insurance broker or other professional.

Recreational area: A place designed and equipped for sports, leisure time activities and/or other customary and usual recreational activities.

Recreational trail: A trail open to the public, established for walking, hiking, non-motorized biking, snow-shoeing, or cross-country skiing, with a tread path no more than twelve (12) feet in width and an overall width including trail side-slopes of twenty (20) feet or less. No motorized vehicles are permitted on a recreational trail except electrically and solar-operated vehicles and similar transportation-related equipment used by persons with limited physical or mental abilities, and vehicles necessary for trail maintenance and emergency purposes.

Restaurant: An establishment with a food preparation area, dining area, and persons to prepare and serve food and drinks to guests in consideration of payment.

Retail establishment: Any shop or store offering goods, services or merchandise to the general public for direct consumption and not for resale.

Service drop: 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.

~~KE~~.3.2.0 The following uses are permitted with Code Enforcement Officer approval in the Shoreland Business II District, provided development is in compliance with all applicable laws, rules and regulations:

- (k) Accessory uses and structures except for those that are accessory to uses and structures requiring Planning Board approval;
- (l) Structures for any use permitted in the Shoreland Business II District which remain for less than seven months in any period of twelve consecutive months;
- (m) Service drops, as defined, to approved development;
- (n) Signs subject to applicable sign ordinances;
- (o) Structural development not exceeding 500 sq. ft. that is accessory to and located within a recreational area approved by the Planning Board;
- (p) Non-residential facilities for educational, scientific, or nature interpretation purposes not exceeding 500 sq. ft., provided facility is accessory to development approved by the Planning Board;
- (q) Retaining walls set back a minimum of twenty-five (25) feet from the upland edge of a coastal wetland or the normal high water line of Hilton Pond;
- (r) Driveways; and,
- (s) Clearing of vegetation for development that does not require Planning Board approval.

~~KE~~.3.3.0 The following uses are permitted with Planning Board approval in the Shoreland Business II District, provided development is in compliance with all applicable laws, rules and regulations:

Commercial:

- (o) Professional, business and general offices;
- (p) Restaurants, eating establishments and drinking establishments;
- (q) Meeting and convention halls;
- (r) Hotels and motels and ancillary services customary to the primary use;
- (s) Low-impact industrial uses;
- (t) Retail and service establishments, but excepting establishments with automobile gas pumps;
- (u) Theaters;
- (v) Banking and financial services;
- (w) Laundry services ancillary to the primary use of another permitted use such as hotel and/or marina, but excluding independent commercial laundry facilities and dry cleaning facilities;
- (x) Indoor recreation and family amusement establishments;
- (y) Intermodal transportation facilities;
- (z) Off-street parking lots and garages;
- (aa) Personal services;
- (bb) Business services;
- (cc) Communication studios, broadcast and receiving facilities;

- (k) Studios for artists and craftspeople;
- (l) Accessory uses or structures customarily incidental and subordinate to the location, function and operation of uses or structures permitted by the Planning Board;
- (m) Parking areas;
- (n) Roads;
- (o) Essential Services;
- (p) Recreational trails;
- (q) Recreational areas;
- (r) Structural development exceeding 500 sq. ft. in a recreational area;
- (s) Principal non-residential facilities for educational, scientific, or nature interpretation purposes;
- (t) Non-residential facilities for educational, scientific, or nature interpretation purposes exceeding 500 sq. ft.;
- (u) Retaining walls within twenty-five (25) feet of the upland edge of a coastal wetland or the normal high-water line of Hilton Pond;
- (v) Filling or earth-moving activity of more than ten (10) cubic yards;
- (w) Electric distribution facilities, telecommunication facilities, including but not limited to, communications equipment, overhead and underground distribution lines, cables and poles; and,
- (x) Clearing of vegetation for development uses requiring Planning Board approval.

KE.3.4.0 The following uses are permitted with Code Enforcement Officer approval in the Marine Overlay District, provided development is in compliance with all applicable laws, rules and regulations:

- (a) Signs, subject to applicable sign ordinances;
- (b) Structures for any use permitted in the Marine Overlay District which remain for less than seven (7) months in any period of twelve(12) consecutive months;
- (c) Service drops;
- (d) Structural development not exceeding 500 sq. ft. that is ancillary to functionally water-dependent recreational areas; and,
- (e) Driveways to permitted uses.

KE.3.5.0 The following uses are permitted with Planning Board approval in the Marine Overlay District provided development is in compliance with all applicable laws, rules and regulations:

- (a) Marinas with ancillary services customary to primary use;
- (b) Marine repair services;

~~K~~E.4.0.0 Prohibited Uses

Uses which are not enumerated in sections K.3.1.0 – K.3.5.0 as permitted uses are prohibited in the Shoreland Business II and Marine Overlay Zoning Districts.

~~K~~E.5.0.0 Dimensional Requirements

The following dimensional requirements shall apply within the Shoreland Business II and Marine Overlay Zoning Districts provided development is in compliance with all applicable laws, rules and regulations:

(a) Minimum lot size: None.

(e) Minimum frontage: None.

(f) Minimum setback requirements:

1. Front setback: None required;
2. Side setback: None required; and,
3. Rear setback: None required.

(g) Minimum water body setback:

1. Shoreland Business II District:

- i. There shall be no minimum setback for roads or structures that require direct water access as an operational necessity including, but not limited to, piers, docks, wharfs and bridges, or for buildings in existence as of the effective date of this ordinance. Any enlargement of these existing buildings must comply with all applicable setback requirements in this ordinance;
- ii. In the Special Setback Area, there shall be a minimum setback of fifty (50) feet from the upland edge of a coastal wetland for one- and two-family dwelling units and their accessory structures, for parking areas and driveways, for structures in a recreational area, for educational, scientific, or nature interpretation non-residential facilities, for clearing of vegetation for approved development, and for signs and service drops. For all other structures located in the Special Setback Area, there shall be a minimum setback of seventy five (75) feet from the upland edge of a coastal wetland; and,

- (d) The first 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.
- (e) 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.
- (f) 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 a maximum of 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.

KE.6.2.0 Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Beyond the Upland Edge of a Coastal Wetland or Within a Wetland.

- (f) Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.
- (g) The location shall not interfere with existing developed natural beach areas.
- (h) The facility shall be located so as to minimize adverse effects on fisheries.
- (i) The facility shall be no larger in dimension than necessary to carry on permitted land use activities.
- (j) 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, or as a permitted use under the provisions of K.3.4.0 and K.3.5.0.

(m) 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 in the road or ditches gains sufficient volume or head to erode the road or ditch. To accomplish this, the following shall apply:

i Ditch relief culverts, drainage dips and associated water turnouts shall be spaced along the road at intervals no greater than indicated in the following table:

Road Grade (Percent)	Spacing (Feet)
0-3	250
3-6	200-135
6-11	100-80
11-16	80-60
16-21	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.

(n) 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.

KE.6.5.0 Storm Water Runoff

(c) 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.

(d) Stormwater runoff control systems shall be maintained as necessary to ensure proper functioning

measured 4 ½ feet above ground level. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards, volume may be considered to be equivalent to basal area.

- (d) Cleared openings legally in existence on the effective date of this Ordinance may be maintained but shall not be enlarged except as permitted by this Ordinance.
- (e) Fields which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of this section.
- (f) In addition to the clearing of vegetation for development standards stated herein, the maintenance of a seventy five-(75) foot vegetated buffer where one currently exists shall be required, except for the area where approved construction occurs.
- (g) Notwithstanding the above provisions, to the extent a DEP-approved remediation plan requires the removal of vegetation in excess of the limits stated herein, the developer shall submit to the Planning Board and Code Enforcement Officer a plan to re-vegetate the area in a manner consistent with the regulations for the clearing of vegetation for development as stated herein.

KE.6.7.0 Erosion and Sedimentation Control

- (f) All activities which involve filling, grading, excavation or other similar activities which result in unstable soil conditions and which require a permit, shall 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:
 - 4. Mulching and re-vegetation of disturbed soil;
 - 5. Temporary runoff-control features such as hay bales, silt fencing or diversion ditches; and,
 - 6. Permanent stabilization structures such as retaining walls or riprap.
- (g) 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, high cuts and fills shall be avoided wherever possible, and natural contours shall be followed as closely as possible.
- (h) Erosion and sedimentation-control measures shall apply to all aspects of the proposed project involving land disturbance and shall be in

appropriate. The soils report shall include recommendations for a proposed use to counteract soil limitations where they exist.

KE.6.9.0 Water Quality

- (b) 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.

KE.6.10.0 Archaeological Site

- (l) 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 prior to action being taken by the permitting authority. The permitting authority shall consider comments received from the commission before rendering a decision on the application.

KE.7.0.0 Performance Standards

All uses in the Shoreland Business II/Marine Overlay Districts shall comply with the following standards:

- (b) Outdoor storage of materials: Outdoor storage of materials accessory to normal conduct of business shall be suitably screened from the public way and from abutting properties by a fence at least six (6) feet in height or by a solid evergreen planting strip. All waste shall be stored in covered containers that do not leak or otherwise permit liquids or solids to escape from the container. All food processing waste shall be stored within a completely enclosed structure. Outdoor storage of refuse or debris shall be in an appropriate container or located within a designated, screened area;
- (m) Noise: The level of sound, measured by a sound level meter with frequency weighting network (manufactured according to standards prescribed by the American National Standards Institute, Inc.), inherently and recurrently generated within the Shoreland Business II/Marine Overlay Districts shall not exceed seventy (70) decibels on the A scale at the boundaries of any lot between the hours of 7:00 AM and 9:00 PM and fifty (50) decibels between the hours of 9:00 PM and 7:00 AM. In measuring sound levels under this section, sounds with a continuous duration of less than sixty (60) seconds shall be measured by the maximum reading on a sound level meter set to the A weighted

Floodplain Management rules and Town of Wiscasset Floodplain Ordinance;

- (r) 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 Article and glare generated from sources directly associated with safety and security of the site;
- (s) 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;
- (t) To mitigate potential adverse impacts between the Shoreland Business II District and the existing Utility Substation and Facilities, the Planning Board may require a buffer strip of not more than twenty five (25) feet in width contiguous to that portion of the Rural District and the Shoreland Business District on which the utility substation is located as of the effective date of this ordinance. In the buffer strip, the Planning Board may require non-residential uses, physical barriers or design features that mitigate potentially adverse visual, sound, safety and security impacts. Non-residential uses or physical barriers may include, but are not limited to, vegetation, commercial structures, berms, fences, walls, and other similar structures. The responsibility for implementing such non-residential uses, physical barriers or design features in the buffer strip shall rest with the owner of the property being developed;
- (u) Road and street construction shall meet the design criteria established by the American Association of State Highway and Transportation Officials based upon projected land uses and traffic volumes;
- (v) Except in the Marine Overlay District, all new electric or telecommunications distribution lines shall be installed underground;
- (w) All structures requiring water and sewer shall be connected to public water and public sewer; and,
- (x) 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. The Planning Board shall have authority to require that any developer bear the expense to investigate and prepare studies deemed necessary by the

the most recent edition of the Parking Generation Manual published by the Institute of Traffic Engineers; and,

- (e) Section 7.1, waiver standards shall be replaced with: The Planning Board may modify or waive any Site Plan Review requirement or performance standard when the applicant clearly establishes and documents that the requirement or standard would not be applicable.

KE.10.0.0 Applicability of Article II – Building Laws

When the Planning Board or Code Enforcement Officer is reviewing an application for Subdivision, Site Plan Review or building permit in the Shoreland Business II/Marine Overlay Districts, the following provisions of Article II – Building Laws shall not apply:

- (d) Sections 2.1 – 2.17, lot size and setback requirements.
- (e) Section 3.2, height.
- (f) Section 7.9, State lot size for water and sewer lines and disposal regulations.

AA.6 From the intersection of King and U.S. Gypsum land, northerly along Chewonki Creek and thence southerly to the intersection of the Chewonki and Gould property on said creek.

AA.7 From the southerly property line of Chewonki and Gould, northerly to the property line of Brackett.

AA.8 From a line 130 feet north of the property line of Sewall with Maine Yankee to the southerly center of Gorham Road.

AA.9 One hundred (100) feet around the entire shore of Gardiner Pond, as a possible future source of town water.

AA.10 All islands and ledges lying within the Town of Wiscasset except Foxbird Island and the Town property on Cow Island are Shoreland Resource Protection District.

AA.11 Stream resource protection areas. The following subparagraphs relate to activities in these areas.

- A.2.1 Agricultural activities
- A.2.2 Roads and Driveways
- A.2.8 Filling and earth-moving activities
- A.3.1 Timber harvesting
- A.3.2 Structures
- A.3.3 Clearing of vegetation
- A.4.1 Campsites
- B.2.2 Campgrounds
- B.5 Structures

AA.11.1 Polly Creek Stream Protection. From the point of confluence of two perennial streams located within lot R-5-74, presently owned or previously owned by Brun and lot R-5-76 presently owned or previously owned by J. Sutter thence flowing through the following properties to the point where it joins the existing Shoreland zone at its outlet into the Sheepscot River.

<u>LOT NUMBER</u>	<u>PRESENTLY OWNED OR PREVIOUSLY OWNED BY</u>
R-5-75	Fuegen
crosses Route #218	
R-5-96	Central Maine Power
R-5-95A	Sannella
R-5-92	----
R-5-95	Owen
R-5-94	Morrell

R-2-16	Colby
R-2-17F	Mullins
R-2-17D	Thayer
R-2-17B	Sproul
R-2-17A	Connors
R-2-17E	Delorme
R-2-18A	House
R-2-39	R. & S. Construction
R-2-18	Mank
R-2-19A	T. Barnes
R-2-19B	J. Barnes
R-2-19	F. Barnes
R-2-21	Crocker
R-2-28	Stinson
R-2-22	Hall
R-2-26	Belanger
R-1-12	Amirault
R-1-12A	Delano
R-1-13	Heineck
R-1-9	S. Jones
R-1-14	Leavitt
R-1-15C	Savage
R-1-15E	J. Jones
R-1-16	Ames
R-1-15	Rumrill Pres. Group
R-1-17	Chancellor
R-1-2A	Colby
R-1-1A	C.M.P
R-1-1	L. Colby
R-1-26A	Erskine
R-1-25	Titcomb
R-6-43	Hanson
R-7-87	Maine Yankee
R-7-75-5	Lane
R-7-75-6	Lane
R-7-75-3	Harvey
R-7-74A	Banker
R-7-74	Kinney
R-7-75	Harvey
Gorham Road	

AA.11.3 Nequasset Lake Watershed. All streams and ponds, regardless of size, within the Watershed District.

BB. SHORELAND RESIDENTIAL DISTRICT

CC.4 All land lying within 250' of normal high-water mark of any pond, river or saltwater body and not part of the Shoreland Resource Protection District or the Shoreland Residential District.

DD. RESIDENTIAL DISTRICT

Beginning at the intersection of Willow Lane and Churchill Street westerly along the centerline of Willow Lane to the eastern boundary of parcel R6 lot 36; thence southwesterly along the western boundary of parcel R6 lot 49 and U5 lot 9 to Rocky Ridge Drive; thence south along Rocky Ridge Drive to the Bradford Road, thence south along the western boundary of parcel U7 lot 1; thence southeasterly following the southern boundary of parcels abutting Bradford Road (and including U6 lot 3 and U6 lot 4A) to US Route 1.

Parcels U6 lot 19, U6 lot 20, U6 lot 21 and U6 lot 22 in their entirety at the time of this Ordinance.

Contained within a line beginning at the intersection of the center line of the northerly end of the Old Bath Road and the westerly line of Haggat Road R/W, thence southerly along the westerly line of Haggat Road R/W and Parcel U9 lot 8-1 following a line 500 feet from the centerline of US Route 1 south through parcel U9 lot 6; thence southerly along the western boundary of parcel U9 lot 5 to the northerly boundary of CMP transmission line property, R7 lot 58, thence southerly along a line 500 feet from the center line of U.S. Route One following the northern boundary of the Route 1 Commercial District to the Old Bath Road; thence westerly along the center line of the Old Bath Road to its intersection with the southerly line of Aponte (R-8-1-2), extended, thence westerly to the southern property line, extended, of Fogg (R-8-1A), thence westerly to the center line of Montsweag Brook (Town Line), thence northerly along the center line of the Brook to the northern boundary, extended, of R. Clarke (R-7-90-3), thence easterly along the northerly property lines of Dentico (R-7-90-4), and Ames (R-7-91) to its intersection with the Central Maine Power Company northerly property line, extended, thence northerly along the Central Maine Power Company property line to its intersection with the southerly line of M. Rafter(U-9-14), thence easterly along the M. Rafter property line, extended, to its intersection with the center line of the Old Bath Road, thence easterly along the center line of the Old Bath Road to the point of beginning. [6-91, 6-12]

DD.2—Contained within a line beginning at the intersection of the center line of the northerly end of the Old Bath Road and the westerly line of Curtis (U-9-9), extended, thence southerly along the westerly line of Curtis and Wahlstrom (U-9-8) to its intersection with the northerly line of J. Haggett (U-9-8-2), thence easterly to the westerly line of Nichols (U-9-7), thence southerly along Nichols' westerly line to the southeast corner of C. Haggett (U-9-8-1), thence westerly along the southerly line of C. Haggett to a point 350 feet from the center line of U.S. Route One, thence southerly along a line 350 feet from the center line of U.S. Route One to its intersection with the northerly line of Hill (U-10-29) thence southerly along the westerly line of Hill to the southwest corner of Hill, thence westerly along the southerly line of Hill, extended, to a point 350 feet from the centerline of U.S. Route One, thence southerly along a line 350 feet from the center line of U.S. Route One to its intersection with the center line of the Birch Point Road, (abandoned), thence easterly to the westerly line of Dalton (U-10-26), extended, thence southerly along the westerly line of Dalton, Grover (U-10-25) and G. Huber (U-11-22) to its southwest corner, thence westerly along the northerly line of S. Huber (U-11-21) to a point 350 feet from the center line of U.S. Route One, thence southerly along a line 350 feet from the center line of U.S. Route One to its intersection with the northerly line of Morse (U-11-20), thence easterly to the northwest corner of Brooks (U-11-19), thence southerly along the westerly line of Brooks to its intersection with the northerly line of Coastal Towel, Inc. (U-11-18), thence southerly along the westerly line of Coastal Towel, Belanger (U-11-17) and (U-11-16), extended, to its intersection with the center line of Page Avenue, thence westerly along the center line of Page Avenue to a point 350 feet from the center line of U.S. Route One, thence southerly along a line 350 feet from the center line of U.S. Route One to its intersection with the northerly line of Benner (U-11-6), extended, thence easterly to the northwesterly corner of Benner, thence southerly along the westerly line of Benner to its intersection with the northerly line of Onorato (U-11-6A), thence around the westerly line of Onorato to its intersection with the northwesterly corner of Green (U-13-31-7), thence along the westerly line of Green (U-13-31-7 and U-13-31-6), extended, to its intersection with the center line of Ward Brook Road, thence southeasterly along the center line of Ward Brook Road to its intersection with the northerly line of Wiley (U-13-31A), extended, thence westerly and southerly along the westerly line of Wiley to its intersection with the northerly line of the Bible Baptist Church (U-13-30A), thence easterly to a point 350 feet from the center line of U.S. Route One, thence southerly along a line 350 feet from the center line of U.S. Route One to its intersection with the center line of Beechnut Hill Road, thence westerly to its intersection with the center line of Pinewood Drive thence southerly to its intersection with the northerly line of Norsworthy (U-13-3), thence easterly to its intersection with the westerly line of I.O.O.F. (U-13-1), thence southerly along the westerly line of I.O.O.F. and Parsons (U-13-

EE.2 — Commencing at the northwesterly boundary of the Lincoln County Courthouse southerly along the extension of Lowndes property line (Lot 167, Map U 1) to its intersection with property of Gardiner Savings Institution; thence in a southwesterly direction along the property of Gardiner Savings Institution to its intersection with Hutchins property; thence westerly along Gardiner Savings Institution property line to its intersection with the properties of Helie and Sewall; thence westerly and southwesterly along the extension of the property of Helie to its intersection with the center of Lee Street; thence westerly along the center of Lee Street to its intersection with the center of Route One; thence northerly along the center line of Route One to its intersection with the extension of the northwesterly boundary of the Lincoln County Courthouse.

EE.3 — Beginning at the center line of Hooper Street at its intersection with the Gardiner Road; thence easterly by Hooper Street to the northerly extension of the easterly property line of Benedix; thence southerly by Benedix to land of Shorey; thence easterly by Shorey to land of the Town of Wiscasset; thence southerly, easterly and southerly by Shorey's easterly bounds to land of Tims; thence easterly by Tims and land of First National Bank of Damariscotta to the northeast corner of the land of First National Bank of Damariscotta; thence southerly by First National Bank of Damariscotta and land of Petrie to Petrie's southeast corner and land of Doering; thence westerly by Petrie, to the corner of the Gardiner Road; thence northerly by the center of the Gardiner Road to the point of the beginning.

EE. VILLAGE I DISTRICT

Commencing on the northerly tip of parcel formerly identified as Map U2 lot 56; continuing southerly to Lincoln Street then southerly to the intersection of Water Street and southerly to Fore Street; thence along the southern boundary of parcel U1 lot 74; thence north along the eastern side of Middle Street to Bradbury Street; continuing along the southern edge of parcels U1 lot 100 and U1 lot 101; thence northerly along Fort Hill Road to the southern boundary of parcels U1 lot 121, U1 lot 122, U1 lot 131, U1 lot 132, U1 lot 133, U1 lot 134; thence along the northern boundary of parcels U1 lot 142 and U1 lot 143; thence across High Street to the northern boundary of parcel U1 lot 164; thence north along the easterly boundary of U1 lot 165 A and U1 lot 65; thence southwesterly along the southern boundary of the Lincoln County Courthouse, parcel U1 lot 166; thence south along the easterly edge of U1 lot 168 and U1 lot 169; and thence westerly along the parcel U1 lot 170 to the Bath Road.

southeast along the northwest boundary of parcels R6 lot 28 C, R6 lot 28, U4 lot 16, R6 lot 28A, R6 lot 28B, U3 lot 10A, U3 lot 10, U3 lot 18, U3 lot 20A, and U3 lot 20 to the point of the beginning.

All land between Churchill Street, Gardiner Road and Washington Street (U4 lot 1, U4 lot 5, U5 lot 23, U5 lot 24, U5 lot 25, U5 lot 25A, U5 lot 26, U5 lot 26A, U5 lot 26B, U5 lot 27, U5 lot 28, U5 lot 29).

Beginning from the intersection of Fore Street and Middle Street traveling westerly along Fore Street to the southern corner of U1 lot 128; thence along the western boundary of U1 lot 128 to the northeastern corner of U1 lot 148; thence south along U1 lot 148 to the Sheepscot River; thence southerly along the Sheepscot River to the southern corner of parcel U8 lot 4; thence following the southern boundary of parcel U8 lot 4 for to a distance of 500' from US Route 1; thence southwesterly 500' south of US Route 1 to the northern boundary of the CMP Transmission Line Parcel, U10 Lot 5; thence northwesterly to US Route 1. Continuing northwesterly across Route 1 along the northern boundary of CMP Transmission Line Parcel, R7 Lot 58, thence along the western boundary of parcel U9 lot 5 to parcel U9 lot 6; thence westerly along the southern boundary of parcel U9 lot 6 to a distance of 500' from the centerline of Route 1; thence northeasterly at a distance of 500' from US Route 1 to the western boundary of parcel U9 lot 8-1; thence northeasterly along the western boundary of parcel U9 lot 8-1 and along the western boundary of the Haggat Road R/W to Old Bath Rd; thence rom the Old Bath Rd easterly to the corner of U9 lot 16; thence north along the western boundary of parcel U9 lot 16 to the northwestern corner of parcel U9 lot 15; thence easterly to the western boundary of parcel U6 lot 19; thence northeasterly along the southern boundary of parcel U6 lot 19 to US Route 1; thence traveling northeasterly to Lee Street; thence following the southern boundary of the Village 1 District to the intersection of Fore Street and Middle Street. [6-12]

FFGG. VILLAGE WATERFRONT DISTRICT

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;

HHI. NEQUASSET WATERSHED DISTRICT

All land in the Nequasset Lake Watershed.

JJ. RURAL DISTRICT

All land not listed in one of the above Districts (AA-HH, KK and LL).

KK. SHORELAND BUSINESS II DISTRICT

A tract of land at Birch Point in the Town of Wiscasset, being a part of the former Mason Station Property shown on a plan entitled "Shoreland Business District II & Marine Overlay Districts Zoning Map" dated February 28, 2005 bounded and described as follows: Beginning at an iron rod set at the assumed southerly sideline of a town way leading easterly from Birch Point Road to the former Mason Station property at the northeast corner of the land now or formerly of the Chewonki Foundation, Inc. and Thomas B. Stetson, Anne Tierney Stetson & Ethan F. Stetson; thence N 02°40'15" W along the end of the town way 13.35' to an iron rod set; thence N 09°25'15" W along the end of the town way 54.76' to an iron rod set; thence continuing N 09°25'15" W along the land now or formerly of Central Maine Power Company 64.16' to an unmonumented point at the high water mark of Hilton Pond labeled "M" on said Zoning Map; thence northeasterly and northwesterly along the high water mark of Hilton Pond and a concrete dam to a point at an old earth dam on the boundary of the land now or formerly of Central Maine Power Company; thence N 20°04'45" E along the land now or formerly of Central Maine Power through the old earth dam to the high water mark of Hilton Cove; thence northwesterly, easterly, southerly, and easterly along the high water mark of Hilton Cove to the land now or formerly of Central Maine Power Company at an unmonumented point at the high water mark of Hilton Cove labeled "L" on the above mentioned Zoning Map; thence S 51°24'15" E along the land now or formerly of Central Maine Power Company 172.82' to an unmonumented point; thence S 05°57'43" E along the land now or formerly of Central Maine Power Company 101.26' to an unmonumented point on the northerly side of the access road; thence N 84°02'17" E partly along the northerly edge of the access road 398.71' to an unmonumented point; thence N 05°57'43" W along the land now or formerly of Central Maine Power Company 97.21' to an unmonumented point; thence N 24°23'29" E along the land now or formerly of Central Maine Power Company 200.41' to an unmonumented point; thence N 65°16'49" W along the land now or formerly of Central Maine Power Company 31.33' to an unmonumented point; thence N 11°18'11" E along the land now or formerly of Central Maine Power Company 36.34' to an unmonumented point; thence N 32°23'50" W along the land now or formerly of Central Maine Power Company 110.13' to an unmonumented point; thence N 23°54'42" E along the land now or formerly of Central Maine Power Company 33.76' to an

thence N $86^{\square}04'44''$ E 25.00' to the high water mark of Sheepscot River; thence continuing N $86^{\square}04'44''$ E 13.94' to the point of beginning. Bearings mentioned above are oriented towards Grid North (NAD 83) as shown on the above mentioned Zoning Map.

(zoning map goes here)

ARTICLE II - BUILDING LAWS

1. BUILDING PERMITS

1.1 PERMITS ARE REQUIRED

1.1.1 Whoever intends to erect a building or structure, or locate a mobile home, or change the outside dimensions of a building or structure, make structural changes or repairs or do other work to a building or structure that requires compliance with specific state or federal codes or town ordinances, shall not begin until the ~~Building Inspector~~Code Enforcement Officer has issued a building permit. The ~~Building Inspector~~Code Enforcement Officer shall issue a building permit only if he has received a building permit application form stating the exact location, dimensions, height and other sufficiently detailed plans and specifications to enable him to determine that the proposed work will comply with applicable town ordinances and building codes and state and federal laws and building codes. Copies of all Building permits shall be on file at the Town Office in the Town Clerk's files and shall be available to the public during the clerk's working hours.[3-02]

1.1.2 No building permit is required for repairs, and/or maintenance, on existing buildings or structures such as, but not limited to: painting; replacement of rotten or weak wood or stonework, brickwork or masonry; replacement of doors or windows; replacement of siding or fire-resistant roofing; replacement of gutters, storm windows or blinds, so long as plumbing is not involved and no building permit is required pursuant to the immediately preceding paragraph. [6-86]

1.2 PERMIT FEES [3-99]

1.2.1 The fees for building permits shall be calculated upon the fair market value of the structure to be placed or erected upon a lot, the fair market value of the mobile home to be placed upon a lot, or the fair market value of the improvement to be made to an existing structure. The fees for building permits shall be:

1.2.1.1 For new non-commercial structures containing one or more residential dwelling units, and for mobile homes containing a dwelling unit, \$100.00 for the first \$1,000.00 of fair market value or part thereof, and \$3.00 for each additional \$1,000.00 of fair market value.[03-03]

1.2.1.2 For new non-commercial structures that do not contain residential dwelling units, and for the expansion of existing non-commercial structures which either do or do not contain residential dwelling units,

006-096 Chapter 691 of 16 September 1991 and subsequent revisions as authorized by Title 38, MRSA Section 561 and following. [6-92, 3-02]

1.3.3 All building permits shall be void unless work thereunder is commenced within one year from the date of issue. A building permit is valid for one year and must be renewed by the ~~Building Inspector~~ Code Enforcement Officer at the end of one year at no additional cost to the applicant. [3-69, 6-86]

1.3.4 All building permits shall be displayed in a conspicuous place on the premises, and shall not be removed until all work covered by the permit has been approved. [3-69]

2. LOT SIZE AND SETBACK REQUIREMENTS

Throughout this section, whenever "mobile home" or "mobile home park" is referred to, also see 30-A MRSA 4358.

2.1 The minimum lot size requirement shall be met for each dwelling unit located on a parcel of land with the following exceptions:

1) Two family homes shall be subject to the same minimum lot size requirement as a single-family dwelling:

2) Elderly Congregate Housing shall conform to section 2.12 of this ordinance. ~~Except in the downtown Business District no single family dwelling unit or multiple family dwelling units shall be built or placed upon any lot with a ratio of less than 43,560 square feet (one acre) per dwelling unit or mobile home unit, except for Elderly Congregate Housing.~~ [3-69, 3-70, 7-73, 6-83, 3-85, 3-86, 12-89, 3-90, 3-01, 3-02, 6-12]

2.2 No structure situated on a lot will be within ten feet of the adjoining property lines except in the ~~downtown village portion of the Business District~~ Village 1 District and the Village Waterfront District, Section EE.1 of Article VI. [6-83, 3-98, 6-12]

2.3 ~~Except in the downtown Business District~~ Village 1 District and the Village Waterfront District, each lot shall be provided with adequate off street parking. [6-83, 3-90, 3-02, 6-12]

2.4 UNDERSIZED LOTS

2.4.1 See Article VI, Sections 5 & 6. Non-conformance. [6-12] ~~A single lot of record, which on June 27, 1983 does not meet the area requirements, may be built upon~~

Side, Rear Setbacks	<u>None</u>	<u>10 ft</u>				
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1. 20.00 square feet with public water and sewer;
2. In the Rural Districts no business shall be built, placed or maintained upon a lot unless there is a ratio of at least 2 acres per business, except that if every business on the lot is served by Town water and Town sewer, the minimum ratio shall be one acre per business. For purposes of this section, each separate business tenant within a single structure shall constitute a separate business. When two or more uses are made of a particular lot, the lot size requirement for that lot shall equal the sum of the lot size requirements for each use treated individually; for example, the lot size requirement for a business and a single family dwelling unit on a single lot in the Rural District shall be a minimum of 3 acres of land.
3. Stairs, ramps, decks and enclosed porches not greater than 64 square feet in area may be located within said road setback zone as long as they are more than 60 feet from the centerline and meet all other sideline setback requirements. Those buildings and structures (established as of the effective date of this ordinance) which are closer to the road and which meet all other sideline setback requirements can be extended along but not closer to the road.

~~Any structure to be erected along Route One between Route 144 and the Birch Point Road shall be set back 75 feet from the center line of Route One except that stairs, ramps, decks and enclosed porches not greater than 64 square feet in area may be located within said setback zone as long as they are more than 60 feet from the centerline and meet all other sideline setback requirements. Those buildings and structures (established as of the effective date of this ordinance) which are closer to the road and which meet all other sideline setback requirements can be extended along but not closer to the road. [3-85,12-89, 3-97, 3-98]~~

~~2.6 In the Rural Districts no business shall be built, placed or maintained upon a lot unless there is a ratio of at least 2 acres per business, except that if every business on the lot is served by Town water and Town sewer, the minimum ratio shall be one acre per business. For purposes of this section, each separate business tenant within a single structure shall constitute a separate business. [3-86, 3-98]~~

~~2.7 In all business districts except for the downtown Business District, no business shall be built, placed or maintained upon a lot unless there is a ratio of at least 43,560 square feet (one acre) per business. For purposes of this section, each separate business tenant within a single structure shall constitute a separate business. [3-86, 3-90]~~

2.4411.1 Owners of all hotels and motels shall provide at least one on-premises, off-street parking space per rental unit. Such parking shall conform to the requirements of Article VIII Section 6.8 and shall be approved by the Wiscasset Planning Board. [3-95, 9-03]

2.4512 HOME OCCUPATIONS [3-95]

2.4512.1 A "home occupation" is a business or profession, which is carried on, in a dwelling unit, or other structure accessory to a dwelling unit, by a person residing in the dwelling unit. Home occupations shall not be considered in determining the minimum lot size requirements for the use or uses made of any lot.

2.4512.2 Any person may carry on one or more home occupations in any zoning district, provided:

- a. Such use or uses does not involve any modification of the dwelling unit, which will alter its outward appearance as a dwelling unit discernible from a public way;
- b. There is no outside storage of materials used in, or products resulting from, the home occupation discernible from a public way;
- c. The occupation does not generate noise, noxious odors, glare, vibrations, nor electrical interference beyond levels noted before the occupation existed and as discerned from abutting properties or from a public way;
- d. If the home occupation consists of renting rooms, whether as a bed and breakfast or otherwise, the owner must provide at least one off-street parking space on private property per rental unit. If more than seven rooms are rented, the business owner must comply with the requirements for Hotels and Motels.
- e. The occupation is registered with the Town Clerk in accordance with Article X Section 7.

2.4613 CERTIFICATE OF OCCUPANCY

2.4613.1 The Code Enforcement Officer must issue a certificate of occupancy before any non residential structures, buildings, accessory outbuildings or lands which required Planning Board or Appeals Board approval are occupied for that use for which the approval was given. The Code Enforcement Officer shall issue the certificate when the Code Enforcement Officer determines that the structure, building, accessory outbuilding or land, and the occupancy thereof, comply with the provisions of

3.2.2 The height of a habitable structure for industrial use may be increased by one foot for every five feet in excess of ten feet that the structure is set back from the nearest adjoining property line, to a maximum of 60 feet in height. [6-86, 12-03]

3.2.3 The maximum height of a non-habitable structure that transmits electrical power within existing transmission right-of-ways and is owned or operated by a Public Utility Company or Corporation for the sole purpose of providing service to the general public shall not exceed 130 feet in height. The maximum height of all other non-habitable structures, excluding wireless telecommunication facilities as regulated by Article XI and small wind energy conversion systems as regulated by Article X, shall be 60 feet provided that those structures exceeding 35 feet shall be constructed of non-combustible materials as determined in writing by the Fire Chief. [12-03, 11-08]

4. USE OF STREET TO DEPOSIT MATERIALS

4.1 When a permit is granted to erect or repair any building on land abutting the street, the Selectmen shall have power and authority to allot such portion on the street thereto adjoining as they shall deem necessary and expedient in which to deposit materials for the work, provided that not more than one-half the street shall be occupied, and no other part of said street shall be used for laying the materials for any such building or repairing, at such convenient time as the Inspector may direct, and in case of neglect or refusal to do so, it shall be removed by the ~~Commissioner of Streets~~Road Commissioner or some person authorized by the said Commissioner or the ~~Selectmen~~Selectboard at the expense of the person or persons so building or repairing and in all cases the portion so allotted shall be enclosed and lighted. [3-46, 6-12]

4.2 No person shall place or cause to be placed in any of the streets, alleys, squares or other public places of the village any lumber, stone, or building material of any kind and suffer the same to remain over six hours without the permission of the Selectmen or some person by them authorized. Whenever any permit is granted to occupy any portion of any street it shall be the duty of the holder of the permit to keep the gutters clean of obstructions. [3-46]

5. REQUIREMENTS FOR BUILDING CONSTRUCTION [3-00]

5.1 SUPPORT DURING CONSTRUCTION

Every portion of every structure in process of construction, alteration, repair or removal and every neighboring structure or portion thereof affected by such process or by an excavation shall be properly constructed and sufficiently

in combustible material, and no such flue shall be used for any other purpose. [3-46]

- 6.3 No boiler to be used for steam heat or motive power and no furnace or hot water heater shall be placed on any floor above the cellar floor unless the same is set on noncombustible beams and arches and in no case without a permit from the Building Inspector. No range, stove, oven or boiler shall be used for cooking in a hotel or restaurant or for manufacturing purposes until the same has been examined and approved by the ~~Inspector of Buildings~~ Code Enforcement Officer who shall report his findings to the Building Inspector. [3-46, 3-70, 6-12]

7. ADDITIONAL REQUIREMENTS [3-00]

7.1 STORAGE OF EXPLOSIVE, INFLAMMABLE OR COMBUSTIBLE MATERIALS

No explosive or inflammable compound or combustible material shall be stored or placed under any stairway of any building or used in any such place or manner as to obstruct or render egress hazardous in case of fire. [3-46]

7.2 CONSTRUCTION FOR PUBLIC SAFETY

Every structure and part thereof and appurtenance thereto shall be so constructed and maintained in such repair as not to be dangerous to public safety, and the owner of any premises upon notice from the ~~Inspector of Buildings~~ Code Enforcement Officer that such premises are dangerous shall forthwith remedy the danger by removal or repair. In case public safety requires immediate action, the ~~Inspector of Buildings~~ Code Enforcement Officer may forthwith by repair or temporary protection prevent danger or may, subject to appeal as provided for in Title 23, Section 3005, MRSA 1964 of the Revised Statutes of Maine remove the dangerous structure, and his reasonable and necessary expenses may be recovered by the town from the owner. [3-46, 3-70, 6-12]

7.3 ELECTRICAL WIRING

Every corporation or person proposing to place wires designed to carry a current of electricity within a building shall give notice thereof to the ~~Inspector of Buildings~~ Code Enforcement Officer before commencing the work and shall not turn the current onto wires that are to be used for electric lighting, heating or power until the permission to do so has been granted by said ~~Inspector~~ Code Enforcement Officer (CEO). The ~~Inspector~~ CEO shall be governed by the best electrical installation practice. All persons owning buildings containing wiring dangerous to public safety shall immediately have the same changed or have the electric current cut off from their buildings. [3-46, 6-12]

7.9 STATE LOT SIZE FOR WATER AND SEWER LINES AND DISPOSAL REGULATIONS

No person shall hereafter construct, maintain or occupy a dwelling in the Town of Wiscasset unless situated on a plot of ground the area of which is not less than the requirements of the State of Maine Water and Sewer Lines and sewer disposal regulations, and not less than 100 feet frontage unless setting back 100 feet from the highway. This subparagraph shall not apply to any lots or parcels of land in existence at the effective date of this subparagraph and which are described in deeds of record in valid and enforceable purchase and sales agreements.

7.10 FIRE RESISTIVE ROOFS

Every building hereafter erected in the town shall have a fire resistive roof. No existing wooden shingle roof, if damaged more than ten percent, shall be repaired or renewed with other than fire resistive material. [3-46]

7.11 HOT WATER TANKS

On all new or replacement installations of hot water tanks there shall be installed a combination temperature and pressure relief valve of a type approved by the ~~Building Inspector~~ Code Enforcement Officer. [3-46, 6-12]

7.12 HANDICAPPED ACCESS

Applicants for public access commercial projects before the Planning Board shall show evidence that applicable federal and state laws for handicapped access are met before building permits are granted. [6-92]

8. PENALTIES [3-95]

Any person, corporation or other entity who violates any provisions of this Article II (Building Laws) shall be subject to the provisions and penalties set forth in 30-A MRSA 4452, as the same may be amended from time to time.

9. VALIDITY/SEVERABILITY CLAUSE

The invalidity of any section of this Ordinance shall not be held to invalidate any other section or provision of this Ordinance. [3-69]

GLOSSARY

Throughout these Ordinances of the Town of Wiscasset:

The word "person" includes a firm, association, organization, partnership, trust, company, corporation, or any other legal entity, as well as an individual; the present tense includes the future tense; the singular includes the plural; the word "shall" is mandatory, and the word "may" is permissive; the words "used" or "occupied" include the words "intended", "designed", "arranged to be used", and "occupied"; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; and the word "lot" includes the words "plot" or "parcel". Terms not defined in the GLOSSARY shall have their customary dictionary meanings.

ABBATTOIR: Slaughterhouse [6-12]

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. [6-88, 3-91]

ACO: Animal Control Officer appointed by the Selectmen and supervised by the Police Chief. The ACO shall be appointed by the Selectmen in accordance with 7 MRSA Section 3947 as may be amended from time to time. [3-97]

ACTIVITY: The specific use or uses to which a premises is put.

ADJACENT GRADE: The natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

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. [3-91]

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. [3-91]

ANIMAL AT LARGE: Any animal off the premises of the owner and not under the control of any person by means of personal presence or physical restraint which will reasonably control the conduct of said animal. [3-97]

AQUACULTURE: The growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species. [6-12]

ANIMAL SHELTER: Any duly licensed facility for the care of animals where impounded animals are held pending legal disposition. [3-97]

AREA OF A SHALLOW FLOODING: A designated AO and AH zone on community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. [3-91]

AREA OF SPECIAL FLOOD HAZARD: The land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Hazard Boundary Map cited in Article I of the Flood Plain Management Ordinance.

AUTOMOBILE GRAVEYARD/JUNKYARD: a field, yard or other area used to store 3 or more unserviceable, discarded, worn-out or junked motor vehicles or parts of such vehicles. [9-2000]

AUTOMOBILE RECYCLING BUSINESS: the business premises of a person who purchases or acquires salvage vehicles or component parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles. [9-2000]

BASAL AREA: the area of cross-section of a tree stem at 4 1/2 feet above ground level and inclusive of bark. [6-12]

BASE FLOOD: The flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood.

BASEMENT: Any portion of a structure with a floor-to-ceiling height of 6 feet or more and having more than 50% of its volume below the existing ground level. [6-12]

~~BASEMENT: Any area of the building having its floor subgrade (below ground level) on all sides.~~

BOAT: Anything that floats capable of transporting a person on the water and of any size and shape and propelled by any means including drifting in the tide or wind. [3-86]

BOAT LAUNCHING FACILITY: A facility designed primarily for the launching and landing of watercraft, and which may include an access ramp, docking area, and parking spaces for vehicles and trailers. [6-12]

BREAKAWAY WALL: A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system. [3-91]

BUFFER STRIP: A visual and sound barrier consisting of evergreen trees and shrubs and may include a fence. This barrier is to divide different types of land use or different districts. [3-97, 3-98]

BUILDING: A structure having a roof supported by columns or walls used for the support, shelter housing or enclosure of persons, animals, goods or property of any kind. [3-70, 3-83]

BUILDING INSPECTOR: The legally designated building inspection authority of the Town of Wiscasset.

BUSINESS DIRECTIONAL SIGN: A sign which is located off the premises of the business and whose function is to direct the public to the specific location of the business.

BYLAWS: The phrase "Town Bylaws" is interpreted as "Town Ordinances".

CAMPGROUND: Any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters. [3-91]

CAMPGROUND OR RECREATIONAL VEHICLE PARK: Any premises established for overnight use for the purpose of temporary camping, and for which a fee is charged.

CERTIFICATE OF COMPLIANCE: A document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of the Flood Plain Management Ordinance.

CHANNEL: a clear area for navigation of a width and location to be determined by the Harbormaster. [3-94]

CLUSTER HOUSING: An alternative form of residential land development which permits single dwelling units in a subdivision to be grouped or clustered on smaller sites so that the residual land area shall be available for recreation and other outdoor living purposes.

COASTAL WETLANDS: All tidal and sub tidal lands; all lands below any identifiable debris line left by tidal action; all lands with vegetation present that is tolerant of salt water or estuarine habitat; and any swamp, marsh, bog, beach, flat or other contiguous low land which is subject to tidal action during maximum spring tide level as identified in tide

tables published by the National Ocean Service/Maine Department of Environmental Protection. Coastal wetlands may include portions of coastal sand dunes. [12-89, 6-12]

CODE ENFORCEMENT OFFICER - CEO: A person appointed by the Selectmen to administer and enforce the regulations of the Town of Wiscasset. [3-02]

COMMERCIAL FISHING ACTIVITIES: Activities directly related to commercial fishing and those commercial activities commonly associated with or supportive of commercial fishing such as the manufacture or sale of ice, bait and nets and the sale, manufacture, installation or repair of boats, engines and other equipment commonly used on boats. [12-89]

COMMERCIAL USE: The use of lands, buildings, or structures, other than a "home occupation," defined below, the intent and result of which activity is the production of income from the buying and selling of goods and/or services, exclusive of rental of residential buildings and/or dwelling units. [6-12]

COMMERCIAL VESSEL: any vessel from which the owner obtains a substantial portion of his income, or which is operated as part of a business enterprise whether owned or not owned by an individual. [3-94]

COMMUNITY LIVING ARRANGEMENT: A housing facility for 8 or fewer persons with disabilities that is approved, authorized, certified or licensed by the State. A community living arrangement may include a group home, foster home or intermediate care facility. [6-12]

COMPREHENSIVE PLAN: Any part or element of the overall plan or policy for development of the town, as defined by 30-A MRSA Sec. 4301(3) and any amendments thereto.

CONFINED FEEDING OPERATION: specialized livestock production enterprises with confined beef cattle or confined hog feeding or poultry or egg farms and accessory structures; and where pasture, crops, or other vegetation are not normally managed or sustained for grazing during the normal growing season. These operations have large animal populations restricted to small areas. [6-12]

CONGREGATE HOUSING: Residential housing consisting of private apartments and central dining facilities and within which a congregate housing supportive services program serves functionally impaired elderly occupants. [6-12]

CROSS-SECTIONAL AREA: The cross-sectional area of a stream or tributary stream channel is determined by multiplying the stream or tributary stream channel width by the average stream or tributary stream channel depth. The stream or tributary stream channel width is the straight line distance from the normal high-water line on one side of the channel to the normal high-water line on the opposite side of the channel. The average stream or

tributary stream channel depth is the average of the vertical distances from a straight line between the normal high-water lines of the stream or tributary stream channel to the bottom of the channel. [6-12]

DANGEROUS DOG: A dog which has bitten a person who was not a trespasser on the owner's premises at the time of the incident, or a dog which causes a reasonable person, acting in a peaceable manner outside the owner's premises, to be put in apprehension of imminent bodily harm. [3-97]

DAY CARE: Homes and centers licensed as such by the Maine Department of Health and Human Services for children or adults. [6-12]

DBH: The diameter of a standing tree measured 4.5 feet from ground level. [6-12]

DENSELY DEVELOPED AREA: Any commercial, industrial or compact residential area of 10 or more acres with a density of at least one principal structure per 2 acres. [12-89]

DEVELOPMENT: Any change caused by individuals or entities to improved or unimproved real estate, including but not limited to the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, or drilling operations; and the storage, deposition, or extraction of materials, public or private sewage disposal systems or water supply facilities.

DIMENSIONAL REQUIREMENTS: Numerical standards relating to spatial relationships including but not limited to setback, lot area, shore frontage and height. [3-91]

DISABILITY: Any infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; including the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services. [6-12]

DISCONTINUE: To stop or cease the use of a property.

DISPLAY ADVERTISING SIGN: Any painted, printed or stenciled advertising device whether erected on a frame structure or mounted or painted on a building conveying a message promoting a business enterprise of any kind.

DISRUPTION OF SHORELINE INTEGRITY: The alteration of the physical shape, properties, or condition of a shoreline at any location by timber harvesting and related activities. A shoreline where shoreline integrity has been disrupted is recognized by compacted, scarified and/or rutted soil, an abnormal channel or shoreline cross-section, and in the case of flowing waters, a profile and character altered from natural conditions. [6-12]

DOG DAYCARE: See KENNEL. [6-12]

DOMESTICATED ANIMAL: A mammal accustomed to home life, or tamed for man's use, such as dogs, cats, ferrets, livestock, and wildlife hybrids. [3-97]

~~**DOWNTOWN BUSINESS DISTRICT:** That contiguous portion of the Business District commencing at the Wiscasset sewage disposal plant and abutting the Village Waterfront District. This constitutes that portion of the Business District which is defined in Article VI, Section EE.1.~~

DRIVE-THRU FACILITY: A facility that allows customers to purchase products or conduct business transactions without leaving their vehicles. [6-12]

DRIVEWAY: (This definition applies only in Shoreland Districts A, B, &C.) A vehicular access-way less than five hundred (500) feet in length serving two lots or less. [3- 91]

DWELLING: A structure, whether or not affixed to the earth, containing one or more dwelling units. [3-69, 3-83, 3-97]

DWELLING UNIT: Any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multi-family housing, designed and equipped for use as living quarters for only one family, including provisions for living, sleeping, cooking and eating. The term shall include mobile homes but shall not include trailers or recreational vehicles. [3-69, 3-83, 6-89]

1. Single-family dwelling – any structure containing only one (1) dwelling unit for occupation by not more than one (1) family.
2. Two-family dwelling – A building containing only two (2) dwelling units, for occupation by not more than two (2) families.
3. Multi-family dwelling – A building containing three (3) or more dwelling units, such buildings designed exclusively for residential use and occupancy by three (3) or more families living independently of one another, with the number of families not exceeding the number of dwelling units. [6-12]

ELDERLY CONGREGATE HOUSING: a building or group of buildings on a single lot which provides housing for elderly households with shared community space and supportive facilities. Supportive facilities may include but are not limited to shared dining facilities, administrative facilities, care facilities, common areas, recreational spaces, maintenance facilities, and similar facilities necessary for the operation of the complex or the provision of services to the to the residents and may include residential accommodations for the staff that provides services or activities for the residents. An elderly congregate housing development shall include either or both dwelling units and residential care units. [3-01]

ELDERLY HOUSEHOLD: a household which includes at least one elderly person who is 55 years old or older, and no occupant less than 55 years of age unless such occupant is the spouse or companion of the elderly person. [3-01]

ELEVATED BUILDING: A non-basement building (1) built, in the case of a building in Zones A, AE, or X (see Flood Plain Management Ordinance) to have the top of the elevated floor, elevated above the ground level by means of pilings, columns, post, piers, or "stilts"; and (2) adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood. In the case of Zones A, AE, or X "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls less than three feet in height with openings sufficient to facilitate the unimpeded movement of flood waters. [3-91]

ELEVATION CERTIFICATE: An official form (FEMA Form 81-31, May 90 as amended) that (1) is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and (2) is required for purchasing flood insurance. [3-91]

EMERGENCY OPERATIONS: Operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings, property and livestock from the threat of destruction or injury. [6-12]

ENGINEER: Town Engineer or Professional Engineer licensed in the State of Maine.

ENTERTAINMENT: Any amusement, performance, exhibition or diversion for patrons or customers of the licensed premises whether provided by professional entertainers or by a full-time or part-time employee of the licensed premises whose incidental duties include activities with an entertainment value.

ERECT: Build, construct, assemble, affix, attach, create, paint or draw.

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. [3-91, 11-08]

EXPANSION OF A STRUCTURE: (This definition applies only in Shoreland Districts A, B, & C.) 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. [3-91]

EXPANSION OF USE: The addition of weeks or months to a use's operating season; additional hours of operation; or the use of more floor area or ground area devoted to a particular use. [3-91]

FEMA: Federal Emergency Management Agency

FLOOD, FLOODING: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in the preceding paragraph.[6-87]

FLOOD ELEVATION STUDY: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations. [3-91]

FLOOD HAZARD BOUNDARY MAP (FHBM): An official map of a community, on which the Administrator of the Federal Insurance Administration has delineated both the special hazard areas and the risk premium zones applicable to the community. [6-87, 3-91]

FLOOD INSURANCE STUDY: See "Flood Elevation Study". [3-91]

FLOODPLAIN, FLOOD-PRONE AREA: Any land area susceptible to being inundated by water from any source. (See FLOODING). [6-87]

FLOODPLAIN MANAGEMENT: The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations: [6-87]

FLOODPLAIN MANAGEMENT REGULATIONS: Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction. [6-87]

FLOOD PROOFING: Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. [6-87]

FLOODWAY: The channel of a river or other water course and the adjacent land areas that must be reserved to allow for the discharge of a 100-year flood without cumulatively increasing the water surface elevation of the 100-year flood by more than one foot. In

Zone A and AE (See Floodplain Management Ordinance) the channel of a river or other water course and the adjacent land area to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limits of the floodplain. [6-87, 12-89, 3-91]

FLOODWAY ENCROACHMENT LINES: The lines marking the limits of floodways on federal, state, and local floodplain maps. [6-87]

FLOOR AREA: (This definition applies only in Shoreland Districts A, B, & C.) 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. [3-91] Also see TOTAL FLOOR AREA [6-12]

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. [6-12]

FORESTED WETLANDS: Wetlands dominated by woody vegetation that is 6 meters (approximately 19.7 feet) tall or taller. [3-92]

FORMULA RESTAURANT: An eating place that is one of a chain or group of three (3) or more establishments and which satisfies at least two of the following three descriptions:

- a. It has the same or similar name, tradename, or trademark as others in the chain or group;
- b. It offers characteristics in a style which is distinctive to and standardized among the chain or group in exterior design or architecture;
- c. It offers characteristics in a style which is distinctive to and standardized among the chain or group in uniforms, except that a personal identification or simple logo will not render the clothing a uniform: [6-12]

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. [6-12]

FOUNDATION: The supporting substructure of a building or other structure including but not limited to basements, slabs, sills, posts or frostwalls. [3-91]

FRANCHISE SIGNAGE: Signage employing a distinct style, colors and/or other elements, including trademarked logos, commonly employed by a retail or other licensed franchise that serve to promote brand identity. [6-12]

FREEBOARD: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed, that could contribute to flood heights greater than the height calculated for a selected size flood and floodway condition: [6-87]

FRESHWATER WETLAND: Freshwater swamps, marshes, bogs and similar areas which are:

1. Of ten or more contiguous areas; 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. This definition of a wetland does not include a Forested Wetland. [3-91, 3-92]

FUNCTIONALLY WATER DEPENDENT USE: Those 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. The uses include, but are not limited to commercial and recreational fishing and boating facilities, excluding recreational boat storage buildings, finfish and shellfish processing, fish storage and retail and wholesale fish marketing facilities, waterfront dock and port facilities, shipyards and boat building facilities, marinas, navigation aids, basins and channels, retaining walls, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or processing water that can not reasonably be located or operated at an inland site, and uses that primarily provide general public access to coastal or inland waters. [6-12]

~~FUNCTIONALLY WATER DEPENDENT USE: A use which cannot perform its intended purpose unless for floodplain management purposes it is located or carried out in close proximity to water. The term included only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [3-91]~~

GARBAGE: All food wastes.

GRAVEL SURFACE: The layer of gravel which lies above the sub-grade and forms the traveled way.

GREAT POND: Any inland body of water which in a natural state has a surface area in excess of 10 acres and any inland body of water artificially formed or increased which has a surface area in excess of 30 acres except where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner. [12-89]

GREAT POND CLASSIFIED GPA: Any great pond classified GPA, pursuant to Title 38 Article 4-A Section 465-A. This classification includes some, but not all impoundments of rivers that are defined as great ponds. [3-91]

GROUND COVER: Small plants, fallen leaves, needles and twigs, and the partially decayed organic matter of the forest floor. [6-12]

GROUND SIGN: An outdoor sign which is directly and permanently supported and physically separated from any other structure.

GROUP HOME: A boarding care facility for more than eight (8) individuals wherein children under eighteen (18) years of age or adults over sixteen (16) years of age and not legally related to the operator are provided personal care, supervision and social or rehabilitative services. Uses within the meaning of this definition must be licensed by the State of Maine and may include, but are not limited to residential treatment homes but do not include foster family homes. Similar uses with eight (8) or fewer individuals shall be subject to 30-A- MRSA §4357-A: Community living arrangements. [6-12]

HARBOR: In the Port and Harbor Ordinance harbor shall include all tidal waters unless the context indicates otherwise. [3-94]

HAULER: Any person who collects, transports, or disposes of garbage, rubbish or waste material for a fee.

HARVEST AREA: The area where timber harvesting and related activities, including the cutting of trees, skidding, yarding, and associated road construction take place. The area affected by a harvest encompasses the area within the outer boundaries of these activities, excepting unharvested areas greater than 10 acres within the area affected by a harvest. [6-12]

HAZARDOUS MATERIAL: Any gaseous, liquid or solid materials, either in pure form or incorporated into other materials, designated as hazardous by the Maine Department of Environmental Protection. [6-12]

HEIGHT OF A HABITABLE STRUCTURE: Habitable structures include, but are not limited to, such structures as home, offices, barns, warehouses and similar structures designed to accommodate people living or working in them. The height of a habitable structure is the vertical distance between the average finished grade of the ground at the exterior base of the structure and the highest part of the structure, excluding any portion of the structure,

which is measured pursuant to the definition of "height of a non-habitable structure". [12-03]

HEIGHT OF A STRUCTURE: The vertical distance between the mean original grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances which have no floor area. [3-91]

HEIGHT OF NON-HABITABLE STRUCTURE: Non-habitable structures include, but are not limited to, such structures as chimneys, spires, towers, antennas and similar projects not designed for human occupancy, work, or storage of materials. The height of a non-habitable structure is the vertical distance between the average finished grade of the ground at the exterior base of the structure and the highest part of the structure. When a non-habitable structure is situated on a habitable structure, the base of the non-habitable structures shall be deemed to be the base of the habitable structure. [12-03]

HIGH-WATER ELEVATION, NORMAL: Along non-tidal waters, the elevation where vegetation changes from predominantly aquatic to predominantly terrestrial. Along tidal waters, the mean high-water elevation as established by U.S.C.G. Survey.

HIGH-WATER LINE: See Normal High Water Line.

HIGH-WATER MARK: See Normal High Water Line.

HISTORIC STRUCTURE: Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of are registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as are registered historic district. [3-91]

HOME OCCUPATION: An occupation or profession which is customarily conducted on or in a residential structure or property and which is 1) clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and 2) which employs no more than three (3) persons other than family members residing in the home. [6-12]

HOSPICE: A facility that provides special care, including relieving symptoms and providing quality of life and support, for people with a life expectancy of six months and for their families. [6-12]

HOTEL OR MOTEL: Any business which rents more than seven rooms on the premises whether or not the owner of the hotel or motel is dwelling on the premises.

IMPOUNDMENT: To seize and hold in legal custody, such as impoundment of an animal. [3-97]

INCREASE IN NON-CONFORMITY OF A STRUCTURE: Any change in a structure or property which causes further deviation from the dimensional standard(s) creating the nonconformity such as, but not limited to, reduction in water body, tributary stream or wetland setback distance, increase in lot coverage, or increase in height of a structure. Property changes or structure expansions which either meet the dimensional standard or which cause no further increase in the linear extent of nonconformance of the existing structure shall not be considered to increase nonconformity. For example, there is no increase in nonconformity with the setback requirement for water bodies, wetlands, or tributary streams if the expansion extends no further into the required setback area than does any portion of the existing nonconforming structure. Hence, a structure may be expanded laterally provided that the expansion extends no closer to the water body, tributary stream, or wetland than the closest portion of the existing structure from that water body, tributary stream, or wetland. Included in this allowance are expansions which in-fill irregularly shaped structures. [6-12]

~~INDUSTRIAL USE:~~ ~~The use of land, buildings or structures for assembling, fabricating, finishing, manufacturing, packing, shipping or processing goods or products.~~ [12-03]

INDIVIDUAL PRIVATE CAMPSITE: An area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals and which involves site improvements which may include but not be limited to gravel pads, parking areas, fire places, or tent platforms. [3-91]

INDUSTRIAL: The assembling, fabrication, finishing, manufacturing, packaging or processing of goods, or the extraction of minerals. [6-12]

INDUSTRIAL USE: The use of land, buildings or structures for assembling, fabricating, finishing, manufacturing, packing, shipping or processing goods or products. [12-03]

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. [6-12]

KENNEL: An establishment, in which more than four (4) dogs or four (4) cats are sold, housed, bred, boarded, or trained for a fee. [6-12]

LAND MANAGEMENT ROAD: A route or track consisting of a bed of exposed mineral soil, gravel, or other surfacing materials constructed for, or created by, the passage of motorized vehicles and used primarily for timber harvesting and related activities, including associated log yards, but not including skid trails or skid roads. [6-12]

LICENSED FORESTER: A forester licensed under 32 M.R.S.A. Chapter 76. [6-12]

LICENSEE: The holder of a license issued under the Alcoholic Beverages Statutes of the State of Maine, or any person, individual, partnership, firm, association, corporation or other legal entity, or any agent or employee of any such licensee and any person, individual, partnership, firm, association, corporation or other legal entity, or any agent of the same, who charges admission or fees to patrons or customers in or around the licensed premises.

LICENSED PREMISES: The building and/or land in or on which the licensee provides entertainment.

LIGHT INDUSTRIAL: Facilities and/or industrial activity involving the manufacturing, packaging, assembly or distribution of products from previously prepared materials including, but not limited to, the following: bakeries, breweries, bottling, printing and publishing, machine shops, assembly of electronic components, tool and die shops and the packaging of foods; and/or the manufacturing of: precision instruments, watches, musical instruments, toys and sporting goods, pottery and ceramics using only previously pulverized clay, wood products, jewelry. Light industrial uses do not include salvaging operations. [6-12]

LOCALLY ESTABLISHED DATUM: An elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National Geodetic Vertical Datum (NGVD) or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used. (See Floodplain Management Ordinance) [6-87]

LOT: These Ordinances rely in general on the definition of LOT found in 30-A MRSA 4401.

LOT AREA: (This definition applies only in Shoreland Districts A, B, & C.) 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. [3-91]

LOWEST FLOOR: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements in Article VI of the Floodplain Management Ordinance. [6-87]

MANUFACTURED HOME: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. [6-87]

MANUFACTURED HOME PARK OR SUBDIVISION: A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. [6-87]

MARINAS: 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, boat and tackle shops and marine fuel service facilities. [3-91]

MARINE ACTIVITIES: The construction, repair, storage, loading and unloading of boats, chandlery and other commercial activities designed and intended to facilitate maritime trade. [12-89]

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. [3-91]

MEAN SEA LEVEL: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929. [6-87]

MINERAL EXPLORATION: (This definition applies only in Shoreland Districts A, B, & C.) 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. [3-91]

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. [3-91]

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. [6-12]

MINOR STREET: A street which is used primarily for access to the abutting properties (in a subdivision).

MINOR SUBDIVISION: A subdivision of not more than 4 dwelling units each on its own lot. If subsequent minor subdivisions are situated relative to other(s) so that in combination they equal a regular subdivision in terms of dwelling units or lots within an area, then the requirements for a regular subdivision apply to the subsequent one(s). [6-89]

MOBILE HOME: A structure designed as a dwelling unit for location on a permanent foundation, and containing sleeping accommodations, a toilet, a tub or shower bath and kitchen facilities, including major appliances and furniture, with plumbing and electrical

connections provided for attachment to outside systems; and designed to be transported after fabrication on its own wheels. A mobile home shall contain not less than 450 square feet of gross floor area. [3-69, 3-83] (See Title 30-A MRSA Section 4358).

MOBILE HOME PARK: A plot of land laid out to accommodate at least three mobile homes. (See Title 30-A MRSA Section 4358).

MOBILE SIGN: A sign mounted on a movable chassis with or without wheels. [3-93]

MOORING: Any equipment used by a craft for anchoring purposes and which equipment is not carried aboard such craft when underway. [3-94]

MRSA: Maine Revised Statutes, as Amended

MULTI-FAMILY RESIDENTIAL: A residential structure containing three (3) or more residential dwelling units. [6-12]

NATIVE: Indigenous to the local environment. [6-12]

NEW STRUCTURE OR STRUCTURES: Any structure for which construction begins on or after September 23, 1988, or in the floodplain area on or after June 29, 1987 structures for which the start of construction commenced on or after the effective date of floodplain management regulations adopted by the community. The area included in the expansion of an existing structure is deemed to be a new structure. [3-91]

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. [6-12]

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. [3-91]

NON-CONFORMING STRUCTURE: (This definition applies only in Shoreland Districts A, B, & C.) 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. See Article VI. [3-91, 6-12]

NON-CONFORMING USE: (This definition applies only in Shoreland Districts A, B, & C.) Use of buildings, structures, premises, land or parts thereof which is not permitted 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. [3-91]

NORMAL HIGH-WATER LINE (NON--TIDAL): That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or

changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. Areas contiguous with rivers and great ponds that support non-forested wetland vegetation and hydric soils and that are at the same or lower elevation as the water level of the river or great pond during the period of normal high-water are considered part of the river or great pond. [6-12]

~~NORMAL HIGH WATER LINE: That line which is apparent from visible markings, changes in the character of soils due to prolonged action of the water or changes in vegetation, and which distinguishes between predominantly aquatic and predominantly terrestrial land. In the case of wetlands adjacent to rivers and great ponds, the normal high water line is the upland edge of the wetland, and not the edge of the open water. [12-89, 3-91]~~

~~NORMAL HIGH WATER OF COASTAL WATERS: That line on the shore of tidal waters reached by the shoreward limit of the rise of the medium tides between the spring and the neap. See Coastal Wetland [6-88, 6-12]~~

ONE HUNDRED YEAR FLOOD: See BASE FLOOD. [6-87]

OPEN SPACE USE: A use not involving: a structure; earth moving activity; or the removal or destruction of vegetative cover, spawning grounds of fish, aquatic life, bird and other wildlife habitat.

OUTDOOR SIGN: Any letter, symbol, number or combination of these which is visible from the traveled portion of the public way. A double faced sign shall be considered a single sign. [6-85]

OUTSTANDING RIVER SEGMENT: The Sheepscot River from the railroad bridge in Wiscasset northerly to the town line. [12-89]

~~OWNER: Any person or persons, firm, association or corporation owning, keeping or harboring a dog. (See Article IX, Dogs in Heat).~~

PARKS: Non-commercially operated recreation facilities open to the general public including, but not limited to playgrounds, monuments, green strips, open space. The term shall not include campgrounds, or commercial recreation and amusement centers. [6-12]

PARKING SPACE: A minimum area of two hundred (200) square feet exclusive of drives, aisles or entrances, fully accessible for the storage or parking of vehicles.

PERSON: An individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity. [3-91]

PERSON: (Article V, Public Dumps only) Any individual, corporation, partnership, association, municipality, state agency or any other group or legal entity.

PIERS: Docks, wharfs, bridges and other structures and uses extending over or beyond the normal high-water line or within a wetland:

Temporary: Structures which remain in or over the water for less than seven (7) months in any period of twelve (12) consecutive months.

Permanent: Structures which remain in or over the water for seven (7) months or more in any period of twelve (12) consecutive months. [3-91]

PLANNED RESIDENTIAL DEVELOPMENT: A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development often includes a mixture of uses and may include streets, buildings, open spaces and other site features. [6-12]

PLAYGROUND: See PARKS. [6-12]

POND: Any inland body of water which has a surface area at normal high water of 10 acres.

PREMISES: One or more parcels of land which are in the same ownership or are contiguous or separated only by a road or water body, including all buildings, structures and improvements.

PRINCIPAL USE: A use other than one which is wholly incidental or accessory to another use on the same premises. [3-91]

PRINCIPAL STRUCTURE: A building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises. [6-88, 12-89, 3-91]

PRIVATE CONSULTING FORESTER: Someone who holds a degree in Forestry from an accredited School of Forestry.

PROFESSIONAL BUILDING: A building maintained by an individual or firm for the practice of a profession such as physician, dentist, lawyer, engineer, architect, teacher, accountant, realtor, insurance broker and other professional occupations.

PROJECTING SIGN: An outdoor sign which is attached to a wall and extends more than 18 inches at a 90 degree angle from the wall and clears the ground or sidewalk by at least eight feet.

PUBLIC SEWER: Either a sanitary sewer or a storm sewer system. [3-98]

PUBLIC UTILITY: Any person, firm, corporation, municipal department, board or commission authorized to furnish gas, steam, electricity, waste disposal, communication facilities, transportation or water to the public. [6-12]

PUBLIC WAY: Any way designed for vehicular use and maintained with public funds.

QUARANTINE NOTICE: A legal order issued by the Police Department requiring the owner of an animal to comply with certain confinement, isolation, and observation procedures, or risk seizure of the animal. [3-97]

RECENT FLOOD PLAIN SOILS: The following soil series as described and identified by the National Cooperative Soil Survey. [3-91] [6-12]

<u>Fryeburg</u>	<u>Hadley</u>	<u>Limerick</u>
<u>Lovewell</u>	<u>Medomak</u>	<u>Ondawa</u>
<u>Alluvial</u>	<u>Cornish</u>	<u>Charles</u>
<u>Podunk</u>	<u>Rumney</u>	<u>Saco</u>
<u>Suncook</u>	<u>Sunday</u>	<u>Winooski</u>

RECREATIONAL FACILITY: A place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities. [6-12]

RECREATIONAL VEHICLE: A vehicle or attachment to a vehicle designed to be towed, and designed for temporary sleeping or living quarters for one or more persons, and which may include a pick-up camper, travel trailer, tent trailer, camp trailer, and motor home. In order to be considered as a vehicle and not as a structure, the unit must remain with its tires on the ground, and must be registered with the State Division of Motor Vehicles. [3-83, 3-91]

RECYCLING: Separating, collecting and/or reprocessing of manufactured materials or residues for reuse either in the same form or as part of a different product. [6-11]

REGULATORY FLOODWAY: See FLOODWAY.

RESIDENTIAL CARE UNITS: rooms in Elderly Congregate Housing designed with sleeping and sanitary facilities, but which do not include kitchen facilities. [3-01]

REPLACEMENT SYSTEM: A system intended to replace: 1.) an existing system which is either malfunctioning or being upgraded with no significant change of design flow or use of the structure, or 2.) any existing overboard wastewater discharge. [6-12]

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. The term shall include mobile homes, but not recreational vehicles.~~ [3-91]

RESIDENTIAL STRUCTURE: (See Dwelling Unit)

RESIDUAL BASAL AREA: The average of the basal area of trees remaining on a harvested site. [6-12]

RESIDUAL STAND: A stand of trees remaining in the forest following timber harvesting and related activities. [6-12]

RESUBDIVISION: The division of an existing subdivision or any change of lot size therein or the relocation of any street or lot in a subdivision.

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. [3-91]

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. [12-89, 3-91]

RIVERINE: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc. [6-87]

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. [3-91]

ROOF SIGN: An outdoor sign which is displayed above the eaves of a building.

RUBBISH: All non-food wastes.

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. [6-12]

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. [6-12]

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 or cable service

- a. the extension, regardless of length, will be made by the installation of 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. [6-12]

SANITARY SEWER: A sewer intended to only carry wastewater from homes, businesses and industries. [3-98]

SETBACK: The nearest horizontal distance from the normal high-water line of a water body or tributary stream, or upland edge of a wetland, or property line, to the nearest part of a structure, road, parking space, or other regulated object or area. [6-12]

~~SETBACK: The nearest horizontal distance from the normal high-waterline to the nearest part of a structure, road, parking space or other regulated object or area. [3-91]~~

SHARED COMMUNITY SPACE: Space designed to be used in common for the enjoyment and leisure of residents of Elderly Congregate Housing. [3-01]

SHARED DINING FACILITIES: a room or rooms designed for the serving of meals to residents sitting together, plus the kitchen and ancillary facilities required for meal preparation in conjunction with Elderly Congregate Housing. [3-01]

SHORE FRONTAGE: The length of a lot bordering on a water body measured in a straight line between the intersections of the lot lines with the shoreline at normal high-water elevation. [3-91]

SHORELAND AREA: Land within 250 feet, horizontal distance, of the normal high-water mark of any pond, river or salt-water body.

SHORELAND ZONE: The land area located within two hundred and fifty (250) feet, horizontal distance, of the normal high-water line of any great pond, river, or saltwater body; within 250 feet of the upland edge of a coastal or freshwater wetland, including all areas affected by tidal action; or within seventy-five (75) feet of the normal high-water line of a stream.[3-91][6-12]

SHORELINE: The normal high-water line, or upland edge of a freshwater or coastal wetland.
[6-12]

SIGN: A name, identification, description, display or illustration which is affixed to, or painted or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to an object, place, activity, person, institution, organization, or business. An outdoor sign. Markings on commercial vending machines shall not be deemed signs under this ordinance. [3-93]

SIGN AREA: The area of the smallest square, rectangle, triangle, circle or combination thereof which encompasses the lettering, numbering, picture, insignia, background, or border. The structural supports of a sign are to be excluded in determining the signable area. [3-93]

SKID TRAIL: A route repeatedly used by forwarding machinery or animal to haul or drag forest products from the stump to the yard or landing, the construction of which requires minimal excavation. [6-12]

SLASH: The residue, e.g., treetops and branches, left on the ground after a timber harvest. [6-12]

SOLID WASTE FACILITY: Area of town owned land used for the collection and disposal of town resident solid waste. This can mean any facility authorized and approved by State laws for solid waste.

START OF CONSTRUCTION: The date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. [6-87]

STORM SEWER: A sewer separate from the sanitary sewer that carries unpolluted drainage from storms, surface drains, cellar drains, foundation drains, industrial cooling water, roof leaders, sump pumps and street wash; but does not include any sanitary waste. [3-98]

STREAM: A free-flowing body of water from the outlet of a great pond or the point of confluence of 2 perennial streams as depicted on the most recent edition of a United States Geological Survey 7.5 minute series topographic map, or if not available, a 15-

minute series topographic map, to the point where the body of water becomes a river or joins another water body or wetland within a shoreland zone. [12-89, 3-92]

STREET: A way for vehicular traffic, however designated, serving more than one residential unit or more than one lot.

STRUCTURE: Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences, and poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors. The term includes structures temporarily or permanently located, such as decks, patios, and satellite dishes. [6-12]

~~**STRUCTURE:** A combination of materials forming a construction, such as buildings, platforms, radio and television and wireless facility towers, water tanks and towers, trestles, bridges, piers, sheds, storage bins, walls, and display signs. Structure does not include fences or retaining walls. The word "structure" shall be construed as if followed by the words "or parts thereof". For floodplain management purposes, a walled and roofed building; a gas or liquid storage tank that is principally above ground is also a structure. [6-87, 6-88, 3-97, 3-02]~~

SUBDIVISION: A subdivision shall mean the division of a tract or parcel of land as defined in Title 30-A, MRSA, Section 4401(4) and amendments thereto. The term subdivision shall also include campgrounds and mobile home parks, cluster housing, shopping centers, industrial development, and motels, and apartment, condominium, or cooperative housing units, whether for sale or lease with three or more units; and shall also include the division of a new or existing structure into 3 or more dwelling or commercial units or the construction of 3 or more dwelling or commercial units on a single parcel within any 5-year period. [6-89, 12-89]

SUBDIVISION PLANS - FINAL: The final plan presented in proper form for signature by the Planning Board and for recording in the Lincoln County Registry of Deeds, as described in Section 3 (of Article VII, Subdivision Regulations).

SUBDIVISION PLANS - PRELIMINARY: Three copies of the preliminary drawings to be submitted with the application, indicating the proposed layout of the subdivision, topographical features, and soil test results for each lot, as described in Section 4.

SUB-GRADE: The shaped and compacted foundation of a road lying beneath the traveled way.

SUBSTANTIAL DAMAGE: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. [3-91]

SUBSTANTIAL IMPROVEMENT: Any reconstruction, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure

before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term, does not however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure." [3-91, 6-91]

SUBSTANTIAL START: Completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated total cost. [3-91]

SUBSURFACE SEWAGE DISPOSAL SYSTEM: Any system designed to dispose of waste or waste water on or beneath the surface of the earth: includes, but is not limited to: septic tanks; disposal fields; grandfathered cesspools; holding tanks; pretreatment filter, piping, or any other fixture, mechanism, or apparatus used for those purposes; does not include any discharge system licensed under 38 M.R.S.A. section 414, any surface waste water disposal system, or any municipal or quasi-municipal sewer or waste water treatment system. [6-12]

~~**SUBSURFACE SEWAGE DISPOSAL SYSTEM:** A collection of treatment tank(s), disposal area(s), holding tank(s) and pond(s), surface spray system(s), cesspools(s), well(s), surface ditch (es), alternative toilet(s), or other devices and associated piping designed to function as a unit for the purpose of disposing of wastes or wastewater on or beneath the surface of the earth. The term shall not include any wastewater discharge system licensed under 38 MRSA Section 414, any surface wastewater disposal system licensed under 38 MRSA Section 413 Subsection 1-A, or any public sewer. The term shall not include a wastewater disposal system designed to treat wastewater which is in whole or in part hazardous waste as defined in 38 MRSA Chapter 13, subchapter 1. [3-91]~~

SUSTAINED SLOPE: A change in elevation where the referenced percent grade is substantially maintained or exceeded throughout the measured area. [3-91]

TAXICAB: Any motor vehicle used or to be used for the conveyance of persons for hire from place to place within Wiscasset, or from anyplace in Wiscasset to and across the town line of any adjoining town, except a motor vehicle subject to regulation by the Maine Public Utilities Commission, and motor vehicles collecting fares by tickets or coupons sold for interstate transportation.

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. [3-95]

TIDAL WATERS: All waters affected by tidal action during the maximum spring tide. [6-12]

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. [6-12]

~~TIMBER HARVESTING: The cutting and removal of trees from their growing site, and the attendant operation of cutting and skidding machinery but not the construction or creation of roads. Timber harvesting does not include the clearing of land for approved construction. [3-91]~~

TIMBER HARVESTING RELATED ACTIVITIES: The construction and maintenance of roads used primarily for timber harvesting and other activities conducted to facilitate timber harvesting. [6-12]

TOTAL 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 the structure such as porches and decks but not including unfinished attics or cellars or areas where the ceiling height is less than six (6) feet. [6-12]

TRACT OR PARCEL OF LAND: All contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road are considered each a separate tract or parcel unless the road was established by the owner of land on both sides of the road. [12-89]

TRANSPORTATION FACILITY: The use of land, buildings or structure for uses such as but not limited to aircraft landing fields, airports and related uses, heliports, railroad yards, train stations, bus stations and terminals, intermodal facilities, truck terminals and port facilities. [6-12]

TRIBUTARY STREAM: A channel between defined banks created by the action of surface water, whether intermittent or perennial, and which is characterized by the lack of upland vegetation or presence of aquatic vegetation and by the presence of a bed devoid of topsoil containing waterborne deposits on exposed soil, parent material or bedrock, and which flows to a water body or wetland as defined. 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. [3-91]

UNDOMESTICATED ANIMAL: A mammal considered to be wild by the Department of Inland Fisheries and Wildlife. [3-97]

UNDUE HARDSHIP is defined (in Article I, Section 5.3.2.c.) by the following criteria:

- * That the land in question cannot yield a reasonable return unless a variance is granted; and,
- * That the need for a variance is due to the unique circumstances of the property and not to the general conditions in the neighborhood; and
- * That the granting of a variance will not alter the essential character of the locality; and
- * That the hardship is not the result of action taken by the applicant or a prior owner.

UNDUE WATER POLLUTION is defined by the State of Maine Primary Drinking Water Standards in groundwater and surface water at any existing or planned well sites within the subdivision; or at waterbodies and wetlands wholly, or partially within the subdivision as defined appropriately in the Subsurface Wastewater Disposal Rules (Chapter 241, State Plumbing Code), in the State Protection of Natural Resources Act (Section 480-B), and in the permit requirements of the Army Corps of Engineers pursuant to Section 404 of the Federal Clean Water Act; or at any point on the boundary of the subdivision. Whether or not pollution will occur shall be determined by hydrogeologic studies utilizing site-specific hydrogeologic, soils, and test data including background nitrate-nitrogen levels, and performed by professionals certified by the State to make such studies; [3-89]

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. [6-12]

~~UPLAND-EDGE: The boundary between upland and wetland. [3-91]~~

URBAN AREA: The Compact Area indicated on the compact area map of Wiscasset published by the Maine Department of Transportation and dated 1976, a copy of which is made a part of this ordinance. [6-83]

VARIANCE: A grant of relief by a community from the terms of a floodplain management regulation. [6-87]

VEGETATION: All live trees, shrubs, ground cover, and other plants including without limitation, trees both over and under 4 inches in diameter, measured at 4 1/2 above ground level. [3-91]

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. [6-12]

VIOLATION: The failure of a structure or other development to fully comply with a community's floodplain management regulations or ordinance. [6-87]

VISIBLE: Capable of being seen without visual aid by a person of normal visual acuity.

VOLUME OF A STRUCTURE: (This definition applies only in Shoreland Districts A, B, & C.). 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. [3-91]

WALL SIGN: an outdoor sign which is attached flat to, painted on or pinned away from the wall and does not project more than 18 inches from the wall.

WALL SIGN AREA: the area of the facade of a building up to the roof line, excluding windows, doors, and major architectural features.

WAREHOUSING: The storage, deposit or stocking of merchandise or commodities in a structure or room. [6-12]

WASTE MATERIALS: Garbage and rubbish.

WATER BODY: any great pond, river, stream or tidal area. [3-91]

WATERCRAFT: any type of vessel, boat, barge, float or craft used or capable of being used as a means of transportation other than a seaplane. [3-94]

WATER CROSSING: Any project extending from one bank to the opposite bank of a river or stream, whether under, through, or over the water course. 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. [3-91, 6-12]

WETLAND: A freshwater or coastal wetland. [3-91]

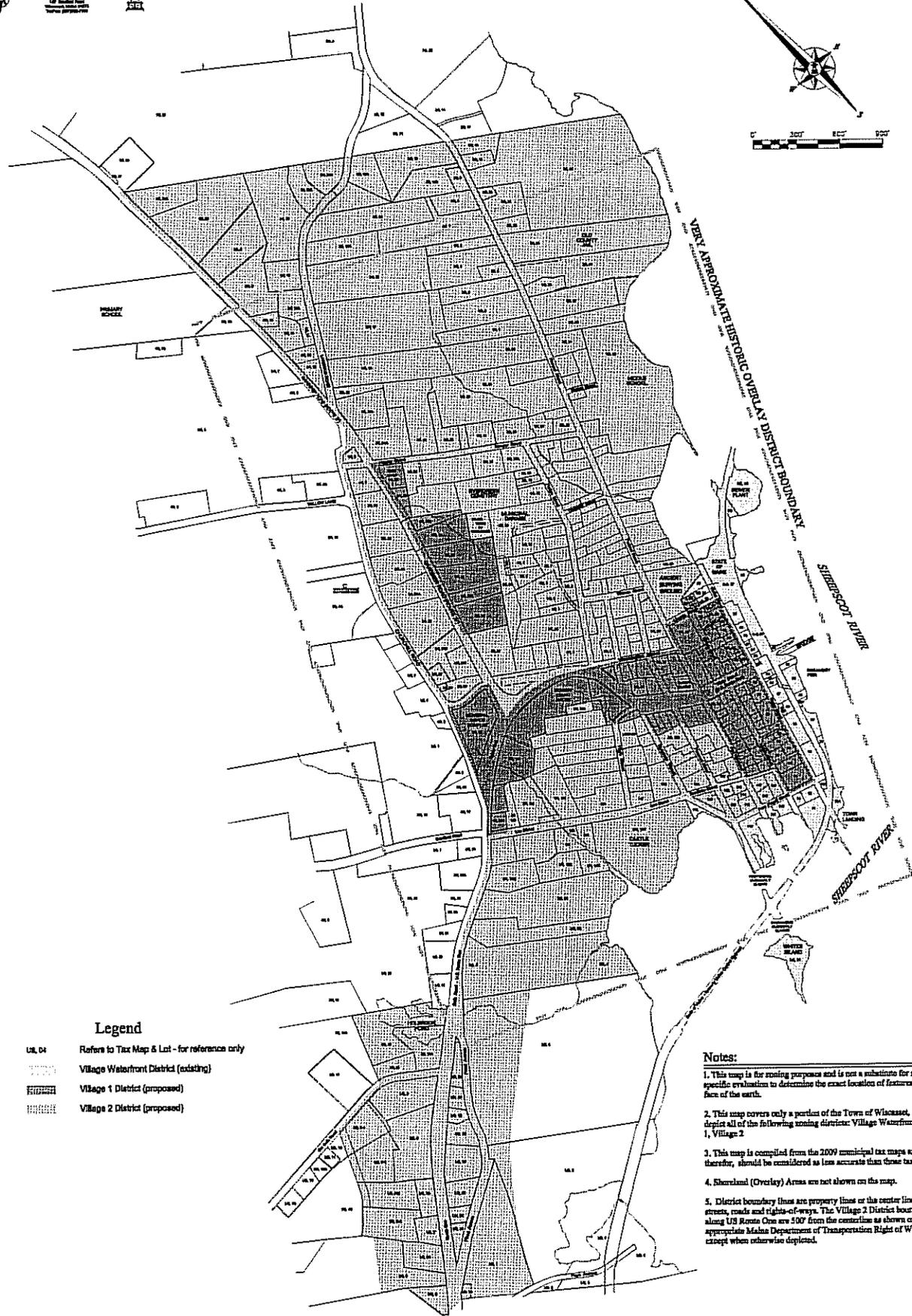
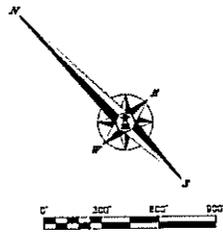
WETLANDS ASSOCIATED WITH GREAT PONDS AND RIVERS: Wetlands contiguous with or adjacent to a great pond or river, and which during normal high water, are connected by surface water to the great pond or river. Also included are wetlands which are separated from the great pond or river by a berm, causeway, or similar feature less than 100 feet in width, and which have a surface elevation at or below the normal high water line of the great pond or river. Wetlands associated with great ponds or rivers are considered to be part of that great pond or river. [3-91]

WINDFIRM: The ability of a forest stand to withstand strong winds and resist windthrow, wind rocking, and major breakage. [6-12]

WOODY VEGETATION: Live trees or woody, non-herbaceous shrubs. [6-12]

ATTEST: A True Copy

Christine Wolfe, Wiscasset Town Clerk



- Legend**
- US, 04 Refer to Tax Map & Lot - for reference only
 - Village Waterfront District (existing)
 - Village 1 District (proposed)
 - Village 2 District (proposed)

- Notes:**
1. This map is for zoning purposes and is not a substitute for site specific evaluation to determine the exact location of features on the face of the earth.
 2. This map covers only a portion of the Town of Wiscasset, but does depict all of the following zoning districts: Village Waterfront, Village 1, Village 2
 3. This map is compiled from the 2009 municipal tax maps and, therefore, should be considered as less accurate than those tax maps.
 4. Sherwood (Overlay) Areas are not shown on this map.
 5. District boundary lines are property lines or the center lines of streets, roads and rights-of-ways. The Village 2 District boundaries along US Route One are 500' from the centerline as shown on the appropriate Maine Department of Transportation Right of Way Maps, except when otherwise depicted.



Attest: _____ Date: _____
 Christine Wolf, Town Clerk

PROPOSED
OFFICIAL ZONING MAP
 Town of Wiscasset, Maine
 March 15, 2012

4/12/2012

SEWER LIENS AS OF 4/17/12

#	NAME	LIEN TOTAL
740	BONANG, NAOMI	\$ 36.09
77	FLOOD, ANNA	\$ 1,582.57
593	DUTTEN, KENDALL SR.	\$ 657.24
543	INNES, RYAN	\$ 398.48
906	ONORATO, DARYL & KATHLEEN	\$ 279.41
464	PATERSON, SAMUAL	\$ 19,512.90
573	PINKHAM, DEBORAH	\$ 91.59
819	TRAVIS, PAUL	\$ 1,708.14
	TOTAL	\$ 24,266.42

**CERTIFICATE OF COMMITMENT OF
SEWER USER RATES**

To: Shari I. Fredette (name), the treasurer of the municipality
of Wiscasset, Maine.

We, the undersigned municipal officers of the municipality of Wiscasset, Maine,
hereby certify and commit to you a true list of the sewer rates established by us pursuant
to 30-A M.R.S.A. § 3406 for those properties, units, and structures required by local and
State law to pay a sewer rate to the municipality, for the period beginning
05/26/2010 (date) and ending 03/30/2012 (date). This list is comprised of
the pages numbered 1 to 29 inclusive which are attached to
this certificate. You are hereby required to collect from each person named in the
attached list his or her respective amount as indicated in the list, the sum total of those
lists being \$ 86,664.71 (total amount of all rates included in the list). You are
hereby required to charge interest at a rate of 7 % per annum on any unpaid
account balance beginning 05/26/2010 (date on which interest will start to accrue). You
are hereby authorized to collect these rates and any accrued interest by any means legally
available to you under State law. On or before 04/17/2014 (date) you shall complete
and make an account of your collections of the whole sum herein committed to you.

Given under our hands this 17th (date) day of April (month),
2012.

Municipal Town Officers
Town of _____

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
2	681	BATH ROAD, LLC									
	8	886	04/01/2012	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00
88	ABBOTT, ROLAND										
	2	862	12/29/2011	54.28	0.00	54.28	54.28	54.28	0.00	0.00	0.00
	884		04/01/2012	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00
5	ALBERTSONS, INC. SITE #07609										
	8	886	04/01/2012	190.00	0.00	190.00	190.00	190.00	0.00	0.00	0.00
26	AMES SUPPLY										
	1	885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
23	AMES SUPPLY, INC.										
	1	885	04/01/2012	167.20	0.00	167.20	167.20	167.20	0.00	0.00	0.00
603	ANDERSON, SUE										
	2	862	12/29/2011	68.40	65.40	3.00	3.00	3.00	0.00	0.00	0.00
	884		04/01/2012	68.40	0.10	68.30	68.30	68.30	0.00	0.00	0.00
689	APPLETON, BRENT M.										
	6	878	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	840		12/01/2011	68.40	67.07	1.33	1.33	1.33	0.00	0.00	0.00
568	ARAMBEC LDGE #71 - I.O.O.F., INC.										
	1	885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
570	ASDOT, MARION H.										
	6	840	12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	878		03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	803		09/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	772		06/01/2011	68.40	62.90	5.50	5.50	5.50	0.00	0.00	0.00
530	AVALON ANTIQUES MARKET										
	1	885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
640	BAILEY, DESIREE										
	5	842	12/01/2011	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00
	877		03/01/2012	98.80	0.00	98.80	98.80	98.80	0.00	0.00	0.00
	802		09/01/2011	76.00	0.00	76.00	76.00	76.00	0.00	0.00	0.00
574	BAISE, GOLDEN E.										
	6	840	12/01/2011	205.20	88.53	116.67	116.67	116.67	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
884			04/01/2012	83.60	0.00	83.60	83.60	0.00	0.00	0.00	0.00
662			07/01/2010	104.00	0.00	104.00	104.00	0.00	0.00	0.00	0.00
664			07/16/2010	362.81	346.72	36.09	36.09	36.09	0.00	0.00	0.00
680			10/01/2010	97.50	0.00	97.50	97.50	0.00	0.00	0.00	0.00
734			12/30/2010	98.80	0.00	98.80	98.80	0.00	0.00	0.00	0.00
759			04/01/2011	91.20	0.00	91.20	91.20	0.00	0.00	0.00	0.00
778			07/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
709			BRADFORD, CAROL L.								
7	879		03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
580			BRADFORD-SORTWELL-WRIGHT PST#54								
1	885		04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
936			BREISACHER ENTERPRISES								
8	886		04/01/2012	264.00	0.00	264.00	264.00	264.00	0.00	0.00	0.00
876			03/01/2012	264.00	263.83	0.17	0.17	0.17	0.00	0.00	0.00
598			BREWER III, VERNON C.								
7	0		Not Billed	0.00	199.02	-199.02	-199.02	-199.02	0.00	0.00	0.00
939			BREWER, KELLY								
2	884		04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
140			BRINKLER, DAN								
3	871		02/01/2012	381.60	0.00	381.60	381.60	381.60	0.00	0.00	0.00
825			11/01/2011	381.60	55.33	326.27	326.27	326.27	0.00	0.00	0.00
317			BRINKLER, DANIEL F.								
4	872		02/01/2012	190.00	180.08	9.92	9.92	9.92	0.00	0.00	0.00
216			BROWN, MARSHA R.								
3	871		02/01/2012	121.60	36.16	85.44	85.44	85.44	0.00	0.00	0.00
124			BRYER, JOHN S.								
3	871		02/01/2012	144.40	0.00	144.40	144.40	144.40	0.00	0.00	0.00
926			C.M.P. (NEW SERVICE BUILDING)								
8	870		02/01/2012	22.80	0.00	22.80	22.80	22.80	0.00	0.00	0.00
843			12/01/2011	22.80	0.00	22.80	22.80	22.80	0.00	0.00	0.00
861			12/29/2011	22.80	0.00	22.80	22.80	22.80	0.00	0.00	0.00
809			09/30/2011	22.80	0.00	22.80	22.80	22.80	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
74 CROMWELL COASTAL PROPERTIES											
462	2	884	04/01/2012	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00
DAVIS, AMANDA											
6	840		12/01/2011	98.80	0.00	98.80	98.80	98.80	0.00	0.00	0.00
	772		06/01/2011	91.20	0.00	91.20	91.20	91.20	0.00	0.00	0.00
	715		12/01/2010	21.80	11.11	10.69	10.69	10.69	0.00	0.00	0.00
	752		03/01/2011	98.80	0.00	98.80	98.80	98.80	0.00	0.00	0.00
	784		07/06/2011	26.02	0.00	26.02	26.02	26.02	0.00	0.00	0.00
	803		09/01/2011	41.64	0.00	41.64	41.64	41.64	0.00	0.00	0.00
	878		03/01/2012	121.60	0.00	121.60	121.60	121.60	0.00	0.00	0.00
195 DAVIS, DONALD E.											
3	871		02/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
817 DAVIDSON, HOWARD											
2	884		04/01/2012	76.00	0.00	76.00	76.00	76.00	0.00	0.00	0.00
286 DEER RIDGE FARM APTS (UNIT#1)											
8	870		02/01/2012	144.40	96.24	48.16	48.16	48.16	0.00	0.00	0.00
	886		04/01/2012	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00
	876		03/01/2012	91.20	0.00	91.20	91.20	91.20	0.00	0.00	0.00
284 DEER RIDGE FARM APTS (UNIT#2)											
8	870		02/01/2012	106.40	81.35	25.05	25.05	25.05	0.00	0.00	0.00
	876		03/01/2012	114.00	0.00	114.00	114.00	114.00	0.00	0.00	0.00
	886		04/01/2012	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00
282 DEER RIDGE FARM APTS (UNIT#3)											
8	870		02/01/2012	136.80	126.55	10.25	10.25	10.25	0.00	0.00	0.00
	886		04/01/2012	144.40	0.00	144.40	144.40	144.40	0.00	0.00	0.00
	876		03/01/2012	129.20	0.00	129.20	129.20	129.20	0.00	0.00	0.00
280 DEER RIDGE FARM APTS (UTILITY)											
8	886		04/01/2012	22.80	0.00	22.80	22.80	22.80	0.00	0.00	0.00
	876		03/01/2012	22.80	4.22	18.58	18.58	18.58	0.00	0.00	0.00
805 DELANO, KYMBERLY											
7	841		12/01/2011	68.40	0.78	67.62	67.62	67.62	0.00	0.00	0.00
	879		03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
543	DUTTON SR, KENDALL W										
	7	879	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
		841	12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
		656	05/26/2010	104.00	0.00	104.00	104.00	104.00	0.00	0.00	0.00
		673	09/01/2010	104.00	0.00	104.00	104.00	104.00	0.00	0.00	0.00
*		572	09/10/2009	233.59	0.00	233.59	175.50	14.01	0.00	44.08	44.08
*		620	01/21/2010	165.19	0.00	165.19	117.00	4.11	0.00	44.08	44.08
		634	03/01/2010	91.00	0.00	91.00	91.00	91.00	0.00	0.00	0.00
		602	12/01/2009	58.50	-6.54	65.04	58.50	0.00	0.00	6.54	6.54
		753	03/01/2011	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00
		716	12/01/2010	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00
*		590	10/25/2007	280.38	0.00	280.38	232.94	0.00	0.00	3.80	43.64
		773	06/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
		804	09/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
34	EDDY LLC										
	8	886	04/01/2012	546.00	0.00	546.00	546.00	546.00	0.00	0.00	0.00
273	EDGECOMB, TOWN OF										
	8	886	04/01/2012	1,272.00	0.00	1,272.00	1,272.00	1,272.00	0.00	0.00	0.00
97	EDWARDS, ANGELA D.										
	6	878	03/01/2012	76.00	0.00	76.00	76.00	76.00	0.00	0.00	0.00
685	ELLIS, ANDREA L.										
	2	884	04/01/2012	114.00	0.00	114.00	114.00	114.00	0.00	0.00	0.00
61	ENERGY NORTH GROUP, INC.										
	1	885	04/01/2012	441.60	0.00	441.60	441.60	441.60	0.00	0.00	0.00
55	FINLAY, RONALD										
	1	885	04/01/2012	205.20	0.00	205.20	205.20	205.20	0.00	0.00	0.00
938	FIRST FEDERAL SAVINGS & LOAN										
	8	886	04/01/2012	22.80	0.00	22.80	22.80	22.80	0.00	0.00	0.00
76	FLOOD JR., L. GARDINER										
	2	884	04/01/2012	121.60	0.00	121.60	121.60	121.60	0.00	0.00	0.00
234	FOOTER, DONNA L.										
	4	872	02/01/2012	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs	
723 GROVER, DANIEL L.												
	1	863	12/29/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	
		810	09/30/2011	68.40	18.51	49.89	49.89	49.89	0.00	0.00	0.00	
		885	04/01/2012	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00	
511 HAEDRICH, TODD M.												
	3	871	02/01/2012	266.00	0.00	266.00	266.00	266.00	0.00	0.00	0.00	
		764	05/02/2011	129.20	117.92	11.28	11.28	11.28	0.00	0.00	0.00	
		825	11/01/2011	266.00	0.00	266.00	266.00	266.00	0.00	0.00	0.00	
		785	07/06/2011	167.20	0.00	167.20	167.20	167.20	0.00	0.00	0.00	
		792	08/02/2011	121.60	0.00	121.60	121.60	121.60	0.00	0.00	0.00	
517 HAMILTON, CHARLES												
	6	878	03/01/2012	235.60	0.00	235.60	235.60	235.60	0.00	0.00	0.00	
80 HAMLIN, STEVEN												
	2	884	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	
707 HANJITSUWAN, CHANINT												
	7	841	12/01/2011	303.60	0.00	303.60	303.60	303.60	0.00	0.00	0.00	
		804	09/01/2011	435.60	0.00	435.60	435.60	435.60	0.00	0.00	0.00	
		879	03/01/2012	387.60	0.00	387.60	387.60	387.60	0.00	0.00	0.00	
		716	12/01/2010	152.00	0.00	152.00	152.00	152.00	0.00	0.00	0.00	
		753	03/01/2011	114.00	0.00	114.00	114.00	114.00	0.00	0.00	0.00	
		773	06/01/2011	212.80	0.00	212.80	212.80	212.80	0.00	0.00	0.00	
391 HARRIMAN, JANE C.												
	5	877	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	
392 HARRIS, BASIL												
	5	877	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	
213 HEALD, SARAH												
	8	861	12/29/2011	432.00	237.78	194.22	194.22	194.22	0.00	0.00	0.00	
		870	02/01/2012	414.00	0.00	414.00	414.00	414.00	0.00	0.00	0.00	
		876	03/01/2012	366.00	0.00	366.00	366.00	366.00	0.00	0.00	0.00	
		886	04/01/2012	378.00	0.00	378.00	378.00	378.00	0.00	0.00	0.00	
686 HILTON, DELLA BLANCHE												
	6	878	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
499	JUNTURA, CECILIO										
	1 885		04/01/2012	297.60	0.00	297.60	297.60	297.60	0.00	0.00	0.00
356	KAPLAN, CHERYL ANN										
	4 872		02/01/2012	129.20	0.00	129.20	129.20	129.20	0.00	0.00	0.00
	826		11/01/2011	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00
	786		07/06/2011	91.20	61.73	29.47	29.47	29.47	0.00	0.00	0.00
	793		08/02/2011	18.58	0.00	18.58	18.58	18.58	0.00	0.00	0.00
198	KHALSA, GURU SANGAT										
	3 871		02/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
704	KING, GARY F.										
	2 884		04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
727	KLING, MARSHALL										
	2 884		04/01/2012	91.20	0.00	91.20	91.20	91.20	0.00	0.00	0.00
719	KNEELAND, DAVID B.										
	5 842		12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	877		03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
35	LARSON, HARRIET										
	1 885		04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
75	LATTER, JUDITH H.										
	2 884		04/01/2012	136.80	0.00	136.80	136.80	136.80	0.00	0.00	0.00
585	LAVALLEE, RHONDA										
	1 810		09/30/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	863		12/29/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	885		04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	777		07/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
54	LECLAIR, JAMES										
	1 885		04/01/2012	121.60	0.00	121.60	121.60	121.60	0.00	0.00	0.00
129	LEDoux, LISA M.										
	2 884		04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
711	LEIGH, JAMES										
	6 878		03/01/2012	68.40	66.97	1.43	1.43	1.43	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
458	MAYO & DAIGLE										
	5	877	03/01/2012	68.40	65.64	2.76	2.76	2.76	0.00	0.00	0.00
554	MCINTIRE, WILLIAM H.										
	6	840	12/01/2011	159.60	0.00	159.60	159.60	159.60	0.00	0.00	0.00
		772	06/01/2011	144.40	22.52	121.88	121.88	121.88	0.00	0.00	0.00
		784	07/06/2011	26.02	0.00	26.02	26.02	26.02	0.00	0.00	0.00
		803	09/01/2011	76.00	0.00	76.00	76.00	76.00	0.00	0.00	0.00
		878	03/01/2012	167.20	0.00	167.20	167.20	167.20	0.00	0.00	0.00
369	MCKANE, JENNIFER										
	5	842	12/01/2011	136.80	2.56	134.24	134.24	134.24	0.00	0.00	0.00
		877	03/01/2012	121.60	0.00	121.60	121.60	121.60	0.00	0.00	0.00
636	MEADOW WOODS REALTY, LLC										
	1	810	09/30/2011	156.00	0.00	156.00	156.00	156.00	0.00	0.00	0.00
		863	12/29/2011	156.00	0.00	156.00	156.00	156.00	0.00	0.00	0.00
		885	04/01/2012	156.00	0.00	156.00	156.00	156.00	0.00	0.00	0.00
		760	04/01/2011	156.00	154.67	1.33	1.33	1.33	0.00	0.00	0.00
		777	07/01/2011	156.00	0.00	156.00	156.00	156.00	0.00	0.00	0.00
91	MEHRL, REGINA										
	2	862	12/29/2011	98.80	58.05	40.75	40.75	40.75	0.00	0.00	0.00
		884	04/01/2012	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00
104	MERRY, TIMOTHY A.										
	6	878	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
726	MESSIER, PATRICIA L.										
	2	862	12/29/2011	258.40	0.00	258.40	258.40	258.40	0.00	0.00	0.00
		811	09/30/2011	144.40	143.91	0.49	0.49	0.49	0.00	0.00	0.00
		884	04/01/2012	212.80	0.00	212.80	212.80	212.80	0.00	0.00	0.00
635	MICHAUD, JEFFREY										
	2	884	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
32	MIDCOAST COUNTRY CHAPEL										
	1	885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
123	MIETTE, BARRY R.										
	1	885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
718 MOTT, BETH L.	2	884	04/01/2012	136.80	0.00	136.80	136.80	0.00	0.00	0.00	0.00
		773	06/01/2011	91.20	0.00	91.20	91.20	0.00	0.00	0.00	0.00
692 MURPHY, MARGARET R.	7	841	12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
		879	03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
890 MURPHY, MARGARET R.	7	841	12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
		804	09/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
670 MURRAY HILL PROPERTY	7	841	12/01/2011	281.20	0.00	281.20	281.20	281.20	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
672 MURRAY HILL PROPERTY	7	841	12/01/2011	296.40	0.00	296.40	296.40	296.40	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
673	7	841	12/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
716	7	841	12/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
753	7	841	12/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
781	7	841	12/01/2011	101.12	0.00	101.12	101.12	101.12	0.00	0.00	0.00
		773	06/01/2011	101.12	0.00	101.12	101.12	101.12	0.00	0.00	0.00
804	7	841	12/01/2011	169.52	0.00	169.52	169.52	169.52	0.00	0.00	0.00
		773	06/01/2011	169.52	0.00	169.52	169.52	169.52	0.00	0.00	0.00
879	7	841	12/01/2011	281.20	0.00	281.20	281.20	281.20	0.00	0.00	0.00
		773	06/01/2011	281.20	0.00	281.20	281.20	281.20	0.00	0.00	0.00
673	7	841	12/01/2011	234.00	127.37	106.63	106.63	106.63	0.00	0.00	0.00
		773	06/01/2011	234.00	127.37	106.63	106.63	106.63	0.00	0.00	0.00
716	7	841	12/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
753	7	841	12/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
781	7	841	12/01/2011	101.12	0.00	101.12	101.12	101.12	0.00	0.00	0.00
		773	06/01/2011	101.12	0.00	101.12	101.12	101.12	0.00	0.00	0.00
804	7	841	12/01/2011	169.52	0.00	169.52	169.52	169.52	0.00	0.00	0.00
		773	06/01/2011	169.52	0.00	169.52	169.52	169.52	0.00	0.00	0.00
879	7	841	12/01/2011	281.20	0.00	281.20	281.20	281.20	0.00	0.00	0.00
		773	06/01/2011	281.20	0.00	281.20	281.20	281.20	0.00	0.00	0.00
672 MURRAY HILL PROPERTY	7	841	12/01/2011	296.40	0.00	296.40	296.40	296.40	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
673	7	841	12/01/2011	247.00	139.82	107.18	107.18	107.18	0.00	0.00	0.00
		773	06/01/2011	247.00	139.82	107.18	107.18	107.18	0.00	0.00	0.00
716	7	841	12/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
		773	06/01/2011	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs	
697 MURRAY HILL PROPERTY												
7	841		12/01/2011	380.00	0.00	380.00	380.00	0.00	0.00	0.00	0.00	
	773		06/01/2011	296.40	0.00	296.40	296.40	0.00	0.00	0.00	0.00	
	673		09/01/2010	292.50	183.57	108.93	108.93	0.00	0.00	0.00	0.00	
	716		12/01/2010	273.60	0.00	273.60	273.60	0.00	0.00	0.00	0.00	
	753		03/01/2011	273.60	0.00	273.60	273.60	0.00	0.00	0.00	0.00	
	781		07/05/2011	101.12	0.00	101.12	101.12	0.00	0.00	0.00	0.00	
	804		09/01/2011	241.14	0.00	241.14	241.14	0.00	0.00	0.00	0.00	
	879		03/01/2012	342.00	0.00	342.00	342.00	0.00	0.00	0.00	0.00	
698 MURRAY HILL PROPERTY												
7	841		12/01/2011	273.60	0.00	273.60	273.60	0.00	0.00	0.00	0.00	
	773		06/01/2011	281.20	0.00	281.20	281.20	0.00	0.00	0.00	0.00	
	673		09/01/2010	260.00	135.31	124.69	124.69	0.00	0.00	0.00	0.00	
	716		12/01/2010	304.00	0.00	304.00	304.00	0.00	0.00	0.00	0.00	
	753		03/01/2011	281.20	0.00	281.20	281.20	0.00	0.00	0.00	0.00	
	781		07/05/2011	101.12	0.00	101.12	101.12	0.00	0.00	0.00	0.00	
	804		09/01/2011	169.52	0.00	169.52	169.52	0.00	0.00	0.00	0.00	
	879		03/01/2012	273.60	0.00	273.60	273.60	0.00	0.00	0.00	0.00	
701 MURRAY HILL PROPERTY												
7	841		12/01/2011	319.20	0.00	319.20	319.20	0.00	0.00	0.00	0.00	
	773		06/01/2011	364.80	0.00	364.80	364.80	0.00	0.00	0.00	0.00	
	673		09/01/2010	292.50	131.98	160.52	160.52	0.00	0.00	0.00	0.00	
	716		12/01/2010	364.80	0.00	364.80	364.80	0.00	0.00	0.00	0.00	
	753		03/01/2011	357.20	0.00	357.20	357.20	0.00	0.00	0.00	0.00	
	781		07/05/2011	101.12	0.00	101.12	101.12	0.00	0.00	0.00	0.00	
	804		09/01/2011	203.14	0.00	203.14	203.14	0.00	0.00	0.00	0.00	
	879		03/01/2012	326.80	0.00	326.80	326.80	0.00	0.00	0.00	0.00	
702 MURRAY HILL PROPERTY												
7	841		12/01/2011	311.60	0.00	311.60	311.60	0.00	0.00	0.00	0.00	
	773		06/01/2011	304.00	0.00	304.00	304.00	0.00	0.00	0.00	0.00	
	673		09/01/2010	279.50	136.72	142.78	142.78	0.00	0.00	0.00	0.00	
	716		12/01/2010	334.40	0.00	334.40	334.40	0.00	0.00	0.00	0.00	

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding Tax	Interest	Costs
748		PENDLETON, JEFFREY H.								
	2	884	04/01/2012	98.80	0.00	98.80	98.80	0.00	0.00	0.00
501		PETT, EDWARD								
	1	885	04/01/2012	76.00	0.00	76.00	76.00	0.00	0.00	0.00
752		PICCIRILLO, JOSEPH B.								
	2	884	04/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00
573		PINKHAM, DEBORAH A.								
	7	841	12/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00
	879		03/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00
	656		05/26/2010	58.50	0.00	58.50	58.50	0.00	0.00	0.00
	673		09/01/2010	58.50	0.00	58.50	58.50	0.00	0.00	0.00
	620		01/21/2010	228.34	136.75	91.59	91.59	0.00	0.00	0.00
	602		12/01/2009	58.50	-6.54	65.04	58.50	0.00	0.00	6.54
	634		03/01/2010	58.50	0.00	58.50	58.50	0.00	0.00	0.00
	753		03/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00
	716		12/01/2010	68.40	0.00	68.40	68.40	0.00	0.00	0.00
	804		09/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00
	773		06/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00
38		PITCHER, HEATHER								
	1	885	04/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00
758		PLUMMER, TRACY L.								
	2	884	04/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00
162		PLUNK, ANGELA								
	3	871	02/01/2012	174.80	31.90	142.90	142.90	0.00	0.00	0.00
566		POTTER, ELIZABETH E.								
	1	885	04/01/2012	76.00	0.00	76.00	76.00	0.00	0.00	0.00
67		RAFTER JR., JOHN G.								
	2	884	04/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00
64		RAFTER, JOHN G. & ANN GRANT								
	1	885	04/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00
59		RAFTER, SEAN								
	1	885	04/01/2012	159.60	0.00	159.60	159.60	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
172	RYNELL										
8	886		04/01/2012	336.00	0.00	336.00	336.00	0.00	0.00	0.00	0.00
92	SAMPSON, MATTHEW M.										
2	862		12/29/2011	129.20	0.00	129.20	129.20	0.00	0.00	0.00	0.00
	680		10/01/2010	195.00	159.86	35.14	35.14	0.00	0.00	0.00	0.00
	734		12/30/2010	106.40	0.00	106.40	106.40	0.00	0.00	0.00	0.00
	811		09/30/2011	297.60	98.80	198.80	198.80	0.00	0.00	0.00	0.00
	759		04/01/2011	98.80	0.00	98.80	98.80	0.00	0.00	0.00	0.00
	778		07/01/2011	205.20	0.00	205.20	205.20	0.00	0.00	0.00	0.00
	884		04/01/2012	136.80	0.00	136.80	136.80	0.00	0.00	0.00	0.00
367	SAWYER, DAVID L.										
5	877		03/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
163	SCHAFFER, DEBRA E.										
3	588		11/02/2009	58.50	-6.54	65.04	58.50	0.00	0.00	0.00	6.54
	625		02/01/2010	58.50	0.00	58.50	58.50	0.00	0.00	0.00	0.00
	871		02/01/2012	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
	647		05/03/2010	58.50	0.00	58.50	58.50	0.00	0.00	0.00	0.00
	668		08/02/2010	71.50	0.00	71.50	71.50	0.00	0.00	0.00	0.00
	764		05/02/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
	690		10/29/2010	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
	744		02/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
	825		11/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00
	785		07/06/2011	49.07	0.00	49.07	49.07	0.00	0.00	0.00	0.00
	792		08/02/2011	18.58	0.00	18.58	18.58	0.00	0.00	0.00	0.00
548	SCHOONER INN										
8	861		12/29/2011	558.00	250.40	307.60	307.60	0.00	0.00	0.00	0.00
	870		02/01/2012	300.00	0.00	300.00	300.00	0.00	0.00	0.00	0.00
	886		04/01/2012	220.40	0.00	220.40	220.40	0.00	0.00	0.00	0.00
	876		03/01/2012	190.00	0.00	190.00	190.00	0.00	0.00	0.00	0.00
31	SEA BASKET RESTAURANT										
8	876		03/01/2012	45.60	0.00	45.60	45.60	0.00	0.00	0.00	0.00
	886		04/01/2012	152.00	0.00	152.00	152.00	0.00	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs
63	SNOW	SQUAL BED & BREAKFAST, LLC									
	2	884	04/01/2012	273.60	0.00	273.60	273.60	273.60	0.00	0.00	0.00
476	SNOW,	MARCIA A.									
	5	842	12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	877		03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
797	SONIA,	JEFFREY E.									
	6	878	03/01/2012	114.00	0.00	114.00	114.00	114.00	0.00	0.00	0.00
578	SOUZA,	TODD D.									
	7	841	12/01/2011	129.20	0.00	129.20	129.20	129.20	0.00	0.00	0.00
	879		03/01/2012	144.40	0.00	144.40	144.40	144.40	0.00	0.00	0.00
	804		09/01/2011	136.80	120.70	16.10	16.10	16.10	0.00	0.00	0.00
908	STEINBERG,	JON E.									
	2	884	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
933	STEVENSON,	DARCEY									
	2	884	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
808	STONE,	NORMAN G.									
	2	884	04/01/2012	136.80	0.00	136.80	136.80	136.80	0.00	0.00	0.00
604	STROZIER,	SHELLEY									
	7	841	12/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	879		03/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	753		03/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	716		12/01/2010	68.40	8.99	59.41	59.41	59.41	0.00	0.00	0.00
	773		06/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
	804		09/01/2011	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
626	SULLIVAN,	NATHAN R.									
	2	884	04/01/2012	121.60	0.00	121.60	121.60	121.60	0.00	0.00	0.00
833	SYLVESTER,	WENDY D.									
	2	884	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00
30	TASTE OF ORIENT RESTAURANT										
	8	886	04/01/2012	83.60	0.00	83.60	83.60	83.60	0.00	0.00	0.00
658	THE BANK OF MAINE										
	1	885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs	
		811	09/30/2011	91.20	0.00	91.20	91.20	91.20	0.00	0.00	0.00	
		759	04/01/2011	459.60	0.00	459.60	459.60	459.60	0.00	0.00	0.00	
		527	03/06/2009	310.47	0.00	310.47	310.47	253.50	0.00	13.33	43.64	
	*	572	09/10/2009	239.30	0.00	239.30	188.50	188.50	0.00	6.72	44.08	
		778	07/01/2011	182.40	0.00	182.40	182.40	182.40	0.00	0.00	0.00	
	*	348	05/30/2007	365.54	33.31	332.23	322.12	322.12	0.00	0.00	10.11	
261		884	04/01/2012	91.20	0.00	91.20	91.20	91.20	0.00	0.00	0.00	
		WANER, JUDITH M.										
4		844	12/01/2011	22.31	0.00	22.31	22.31	22.31	0.00	0.00	0.00	
		826	11/01/2011	68.40	62.93	5.47	5.47	5.47	0.00	0.00	0.00	
85		WARDBROOK APARTMENTS										
		2 884	04/01/2012	321.60	0.00	321.60	321.60	321.60	0.00	0.00	0.00	
86		WARDBROOK APARTMENTS										
		2 884	04/01/2012	228.00	0.00	228.00	228.00	228.00	0.00	0.00	0.00	
87		WARDBROOK APARTMENTS										
		2 884	04/01/2012	333.60	0.00	333.60	333.60	333.60	0.00	0.00	0.00	
44		WARLICK, JASON										
		1 885	04/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	
90		WEATHERBEE, SUSAN L.										
		2 884	04/01/2012	114.00	0.00	114.00	114.00	114.00	0.00	0.00	0.00	
434		WEBER, LORNA J.										
		5 877	03/01/2012	91.20	57.11	34.09	34.09	34.09	0.00	0.00	0.00	
316		WENTWORTH, LES										
		4 872	02/01/2012	68.40	0.00	68.40	68.40	68.40	0.00	0.00	0.00	
		826	11/01/2011	68.40	67.58	0.82	0.82	0.82	0.00	0.00	0.00	
319		WENTWORTH, SCHUYLER A.										
		4 872	02/01/2012	167.20	0.00	167.20	167.20	167.20	0.00	0.00	0.00	
440		WENTWORTH, SCHUYLER A.										
		5 877	03/01/2012	106.40	0.00	106.40	106.40	106.40	0.00	0.00	0.00	
441		WENTWORTH, SCHUYLER A.										
		5 877	03/01/2012	182.40	0.00	182.40	182.40	182.40	0.00	0.00	0.00	

Acct	Book	Bill	Bill Date	Original Amount Due	Payment / Adjustments	Total Due	Principal	Outstanding	Tax	Interest	Costs	
1001 YOUNG, ELIZABETH												
	7	804	09/01/2011	68.40	0.00	68.40	68.40	0.00	0.00	0.00	0.00	
		841	12/01/2011	76.00	0.00	76.00	76.00	0.00	0.00	0.00	0.00	
		879	03/01/2012	76.00	0.00	76.00	76.00	0.00	0.00	0.00	0.00	
		773	06/01/2011	68.40	49.19	19.21	19.21	0.00	0.00	0.00	0.00	

Total for 649 Bills:

124,198.33 10,723.64 113,474.69 ~~111,446.32~~ 0.00 1,023.66 1,004.71

86,664.71

Payment Summary

Type	Principal	Tax	Interest	Costs	Total
P - Payment	9,380.59	0.00	38.28	129.23	9,548.10
Y - Prepayment	808.44	0.00	0.00	0.00	808.44
Subtotal	10,189.03	0.00	38.28	129.23	10,356.54
3 - 30 DN Costs	0.00	0.00	0.00	-32.70	-32.70
C - Correction	399.80	0.00	0.00	0.00	399.80
Total	10,588.83	0.00	38.28	96.53	10,723.64

Balance Due

Not Billed	-399.03
05/30/2007	6,909.43
10/25/2007	3,360.18
03/06/2009	2,313.83
09/10/2009	5,331.87
11/02/2009	65.04
12/01/2009	65.04
12/01/2009	245.90
12/31/2009	58.50
01/21/2010	3,327.84
02/01/2010	58.50
03/01/2010	58.50

Amended

5. SEWER USE [3-74, 3-00]

5.1 To promote the general welfare, prevent disease and promote health; to provide for the public safety and comfort of the people, and protect the environment, the following Sewer Use Ordinance is hereby enacted.

5.2 PROHIBITED USES

No person, firm, corporation or other legal entity shall introduce or allow to be introduced into the sewerage system or treatment system of the Town of Wiscasset, any pollutant which:

- 5.2.1 is a toxic pollutant in toxic amounts as defined in standards issued from time to time under Section 307(a) of the Federal Water Pollution Control Act of 1972 (hereinafter called the "Act");
- 5.2.2 creates a danger of fire or explosion in the treatment system;
- 5.2.3 causes corrosive structural damage to the treatment works of the Town, including all wastes with a PH lower than 5.0;
- 5.2.4 contains solid or viscous substances in amounts which would cause obstruction to the flow in sewers or other interference with proper operation of the treatment works; or,
- 5.2.5 contains a pollutant in an amount or concentration in excess of that allowed under standards or guidelines issued from time to time pursuant to Sections 304(d)(1) or 307 (b) of the "Act".
- 5.2.6 Disposal of unpolluted waters prohibited

No person shall discharge or cause to be discharged any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted process waters to any Sanitary Sewer. [3-98]

5.2.7 Discharge method specified

Stormwater and all other unpolluted drainage shall be discharged to such public sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Board of Selectmen. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Board, to a storm sewer or natural outlet. [3-98]

5.3 No person, firm, corporation or other legal entity shall discharge or allow to be discharged into the sewerage or treatment system of the Town of Wiscasset in any

one day amounts in excess of five per cent (5%) of the average total daily discharge into said system, or discharge which contains any toxic pollutant unless they shall notify the Selectmen of the Town of Wiscasset at least 45 days before the date of such discharge.

5.4 Every person, firm, corporation or other legal entity which discharges into the sewerage or treatment system of the Town of Wiscasset, shall perform such monitoring of its discharges as the Town may reasonably require, shall keep permanent records of the results of such monitoring and shall report results of such monitoring to the Town annually.

5.5 The Selectmen shall have the power to establish regulations for the installation, use and maintenance of monitoring equipment. The Selectmen of the Town of Wiscasset or their representatives shall have the right to enter into, upon or through the premises of any business or industry discharging into the system for the purpose of inspecting monitoring records, monitoring equipment and for the purpose of sampling any discharge into the system.

5.6 Any person, firm, corporation or other legal entity who shall be in violation of the provisions of any section of this ordinance, shall be liable for a fine of not more than \$500.00. Each day a violation of said section exists shall constitute a separate offense.

5.7 No person, firm, corporation or other legal entity shall connect a private drain with the sewerage or treatment system of the Town of Wiscasset without obtaining a permit for said connection from the Plumbing Inspector, who shall supervise and inspect said connection.

5.8 Any person, firm, corporation or other legal entity being in violation of Section 5.7 shall be liable for a fine of not more than \$50.00 and shall be further subject to the provisions of 30-A MRSA Section 3423 and any amendments thereto.

5.9 VALIDITY/SEVERABILITY CLAUSE

The invalidity of any provisions of this ordinance shall not invalidate any other part.

5.10 SEWER FEES [3-00]

5.10.1 DEFINITIONS

CONNECTION FEE shall mean a fee charged to connect to the Town's sewer.

DUMPING FEE shall mean a fee charged to dispose of wastewater or septage at the Town's Wastewater Treatment Plant or other site designated by the Town.

PLUMBING INSPECTOR shall mean a person appointed by the Board of Selectmen to perform duties set out in 30 M.R.S.A. 3222.

CUSTOMER shall mean an owner or tenant of real estate, which is connected to the Town's sewer system. All owners and tenants in a structure or a group of structures who are connected to a single meter shall constitute one customer.

USAGE FEE shall mean a fee charged based upon water used.

IMPACT FEE shall mean a fee charged for a new connection. The impact Fee is the cost to the sewer system. The impact fee is based upon the estimated volume of wastewater to be generated by the new customer in relation to the overall treatment plant capacity. [03-03

5.10.2 USE OF PUBLIC SEWERS REQUIRED

The owner of a structure for which a septic system is required by law shall, at his expense, connect the structure in question to the Town's sewer when (1) it is a new structure within 200 feet of the Town's sewer system, or (2) it is an existing structure within 200 feet of the Town's sewer system which, in the opinion of the plumbing inspector, has a failed private septic system.

Notwithstanding the foregoing, the owner of a structure shall not be required to connect to the Town's sewer when:

- a. It is legally impossible to do so; or
- b. The construction cost for connecting to the Town's sewer exceeds the construction cost of installing on the owner's lot a sub-surface septic disposal system in conformance with all applicable laws and ordinances. "Construction Cost," as used in this sub-section (b), shall be determined by the Town's plumbing inspector.

5.10.3 CONNECTIONS AND METERING

Sewer connection applications will be accompanied by payment of a nonrefundable connection fee.

A sewer connection authorization will expire one year after the date the Town issued it. If a structure for which the connection authorization was

obtained is not connected to the Town's sewer within this one-year period, a new connection application must be submitted to the Town together with another connection fee.

A separate application along with appropriate fees will be required for each connection to the Town's sewer system after July 20, 2000.

Water meters are mandatory for all customers who connect to the Town's sewer system after July 1, 2000 and mandatory for all existing unmetered customers by July 1, 2001. Only water meters approved by the Water District may be installed for measuring water usage.

5.10.4 INSPECTIONS

The Selectmen and their duly appointed officials shall be permitted to enter upon all properties, upon reasonable notification and at times mutually convenient for the Town and the property owner, for the purpose of verifying compliance with this ordinance.

5.10.5 FEES

CONNECTION FEE: A nonrefundable connection fee will be charged to each person when he or she applies to connect to the Town's sewer system.

USAGE FEE: A usage fee will be charged to each customer based upon water used as follows:

Unmetered residential customers will be billed at 1200 cubic feet of water per quarter.

Metered customers will be billed quarterly at a minimum of 900 cubic feet of water per quarter year plus the cubic foot charge for each cubic foot over 900 used during the quarter of the year in question.

A customer, who in the opinion of the Wiscasset Selectmen generates substantial volume of wastewater, may be billed monthly for each cubic foot of water used.

DUMPING FEE: Except as otherwise set out herein, a septage-dumping fee shall be charged per 1000 gallons or any part thereof. A recreational vehicle dumping fee will be charged per 50 gallons or any part thereof. A bus or train dumping fee will be charged per 100 gallons or any part thereof.

LATE CHARGE: There shall be a late charge equal to ~~1% per month or any part thereof~~ assessed to all delinquent accounts in accordance with State Statute. ~~effective 30 days from the date of billing.~~

LIENS: Accounts ~~eight months~~ in arrears will be subject to liens in accordance with State Statute. ~~as provided by law.~~

RATES: The Wiscasset Board of Selectmen will set all fees provided for in this ordinance. All fees shall be reviewed at least annually and adjusted from time to time as the Selectmen may determine. Prior to setting, reviewing or adjusting a fee, the Wiscasset Board of Selectmen shall hold a public hearing on the issue.

Wiscasset Parks & Recreation Department
“Community Partner Program”

The Wiscasset Parks & Recreation Department is ready to join in partnership with your community and its residents by offering resident rates for membership, programs and rental rates. More importantly our organization is hoping to provide your residents with an opportunity to enjoy all that we have to offer, while learning and benefiting from what your community can bring to us.

Over the past year our department has analyzed membership and programming data, increased staff training/development and made numerous facility upgrades to better serve our membership. Our center is one of the premier municipally owned recreational facilities around. We house a recently renovated fully equipped fitness room, a full size gymnasium, a senior center and a 25 yard six lane pool with family alcove. Our center is also home to the Parks & Recreation department which offers a wide variety of programs from our after-school program, summer day camps, youth and adult sports, fitness classes, senior programs and many more. The center is continually programming activities for all ages to promote good health and community spirit.

Our greatest challenge for non-residents is understanding the need to have a two tier membership fee structure, one for residents and one for non-residents. The residents of Wiscasset support the Parks & Recreation department through their taxes, thus the difference in fee structure. Our department is looking for creative ways to provide opportunities to surrounding communities. Presently we are analyzing a “Per Capita” model that would allow communities to receive “Resident” membership status through an annual vote of support. For example if the community of Westport Island, choose to support this program, based on their resident population of 718 at a per capita cost of \$6.00, then their residency support fee would be \$4,308.00. This fee would allow their residents:

- Reduced membership rates
(example: family resident \$429.00 and family non-resident \$552.00, savings = \$123.00)
- 9 resident days, where use of the center is available to all residents at no cost and no membership required
- Reduced day fees
- Reduced facility rental rates
- Provide financial support to Senior Center operations
- Membership scholarship consideration

Target Communities (2010 Census)

Through an analysis of our current membership data we have determined that the following communities have an interest in the Community Center. The populations are listed for you to calculate potential partner rates.

Alna – population 709	Nobleboro – population 1,643
Bristol – population 2,755	Richmond – population 3,228
Dresden – population 1,672	Richmond – population 3,228
Edgecomb – population 1,249	Westport Island – population 718
Newcastle – population 1,752	Woolwich – population 3,072

Todd Souza, our Parks & Recreation Director, will be contacting you for a date to meet and explain the “Partner Program”, answer any questions and invite you to a community day this fall.

Parks and Recreation FY 12 Accomplishments

Over the past year our department has been working towards creating a Parks & Recreation Department that not meets the needs of our citizens and members, but one that strives for operational and fiscal efficiency. We feel that our department is moving in the right direction. We will continue to evaluate and make adjustments to our path based on the work and data that we have gather over this past year. Listed below are a few of our major accomplishments.

- Fitness room renovation, added 33% more space to fitness activities with no increase in building footprint.
- Rebuilt pool pump motor, installed variable frequency drive to reduce energy footprint
- Replaced two aging treadmills with two state of the art CYBEX units.
- Met the overwhelming request based on our fitness survey by adding a Concept 2 rower to our cardio equipment offerings.
- Completed a space use and functional analysis of the Community Center
- Increased our marketing outreach, by reviewing media options and use of target marketing. We also worked hard to improve our communications with local municipalities.
- Redirected staff on the customer service by focused staff trainings and implementing monthly meetings. With the goal of improving our overall customer service to improve member retention.
- Analyzed memberships both for quantity and demographic location to improve offerings and community outreach.
- Reviewed our banks fees and monthly automatic withdrawal expenditures – Our department will be implementing a convenience fee for use of these services, to offset the cost of this service. During this process we have also studied our membership structure to continue to stay in line with our local competitors.
- In January we hosted a free trial membership month that resulted in hundreds of people visiting the WCC. It also resulted in 31 new memberships being sold, creating \$4,791 in new revenue over the past two months. It also spurred 35 previous members to renew their memberships. This was the first step in our 2012 membership drive.

Step two will take place in July, when we will be hosting member appreciation month at the WCC. We will be taking the time to thank present members and gather their thoughts on ways to improve our overall service offerings.

Step three will be in the fall when we will host Community Nights for surrounding Towns. We will be visiting and inviting local Boards of Selectmen and their recreational representatives to join us for dinner and tour of the WCC.

TOWN OF WISCASSET
MUNICIPAL LICENSING BOARD
51 Bath Road
Wiscasset, ME 04578-4108
207-882-8200 Fax 207-882-8228

APPLICATION FOR LICENSE AS A COMMERCIAL WASTE DISPOSAL HAULER

The undersigned hereby applies for a license as a Hauler of Non-Hazardous Solid Waste within the town of Wiscasset for the licensing year ending May 31, 2012.

1. Firm or Trade Name _____

2. State location where business will be done _____

3. Have you ever held a Waste Disposal Hauler License before? YES ___ NO ___

If yes, where? _____

4. Have you ever been convicted of violating the Solid Waste Ordinances? YES ___ NO ___

If yes, explain: _____

I warrant the truth of the foregoing statements.

Dated at Wiscasset this _____ day of _____ 20____.

Applicant's Name – Please print

Applicant's Signature

Business Mailing Address:

Address of residence:

INCLUDE FEE: Resident: \$300.00

NON-Resident \$300.00

For Office Use

Fee Received: _____

Check No. _____

4.2 Any person or commercial establishment desiring a hauling license shall submit to the Town Office a written application by May 1 each year. Licenses shall be valid from June 1 to May 31 the following year. The Wiscasset Board of Selectmen shall set resident and non-resident fees and charges for hauling licenses each April. The Selectmen may conduct an investigation of the applicant. The Selectmen, after notice to the applicant, shall hold a public hearing for new applicants. Licenses may be refused, and the Selectmen reserve the right to limit the number of licenses issued. [6-06]

4.3 The Selectmen may revoke the license of any hauler who fails to comply with any provision of this Ordinance. No license shall be revoked until the Selectmen, after reasonable notice to the hauler, hold a public hearing on the matter.

5. PENALTIES AND REPEAL

5.1 Whoever violates any of the provisions of this Ordinance shall be punished by a fine of not less than \$50 and not more than \$200 plus costs of prosecution, which fine shall be recovered on complaint to the use of the Town of Wiscasset, or by imprisonment for not more than three months. In addition, such person shall reimburse the Town for all expenses incurred by the Town as a result of the violation.

5.2 Any licensed hauler who violates any provision of this Ordinance shall be subject to revocation of his license.

5.3 Any permit holder who violates any provision of this Ordinance shall be subject to revocation of his permit.

5.4 The Selectmen are authorized to prosecute violations of the preceding regulations, and are hereby authorized to remove at the expense of the owner of the property any pile of garbage, refuse or waste matter, accumulated on any property which after 24 hours notice has not been removed.

6. VALIDITY/SEVERABILITY CLAUSE

If any part of this Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remainder of this Ordinance.

ARTICLE IV - PORT AND HARBOR

1. PURPOSE AND WATERFRONT COMMITTEE

1.1 PURPOSE

It is the Town's policy to make Wiscasset's tidal waters and public launching and docking facilities available to the public for responsible use, economic benefit and general enjoyment. [3-99]

1.2 WATERFRONT COMMITTEE

1.2.1 The Board of Selectmen shall appoint a Waterfront Committee, which shall convene from time to time at the request of the Board of Selectmen, the Harbormaster or the Committee's Chair. The composition of the Committee shall be representative of the varied Town interests as determined by the Board of Selectmen. [3-99]

1.2.2 The Waterfront Committee's duty shall be to advise the Board of Selectmen regarding harbor and waterfront facilities, uses and regulations. [3-99]

1.2.3 The Waterfront Committee shall consist of five members each of whom shall serve at the pleasure of the Board of Selectmen. Unless an appointment is sooner terminated by the Board of Selectmen, each Committee member shall serve for 3 years, and the terms of the members shall be staggered. [3-99]

2. HARBORMASTER

2.1 APPOINTMENT AND AUTHORITY

The Selectmen shall appoint a Harbormaster, and as necessary, Deputy Harbormasters, who shall enforce the Port and Harbor Ordinance and exercise the powers granted by 38 MRSA section 1 - 5 as amended, except that they shall not carry weapons or make arrests. [3-99, 3-01]

2.2 TERM

The Harbormaster and any deputies shall serve one-year terms. [3-99]

2.3 COMPENSATION [3-99]

Compensation of the Harbormaster and any deputies shall be set by the Selectmen.

2.4 DUTIES

2.4.1 Enforce the harbor rules and the use of town wharves and floats. [3-99, 3-01]

2.4.2 Advise the Selectmen on matters affecting tidal waters and related public facilities. [3-99]

2.4.3 Assign temporary and permanent berthing and mooring locations within the tidal waters of Wiscasset. [3-99]

2.4.4 Place and maintain or cause to be placed and maintained, either on land or water, such signs, notices, signals, buoys, waterway markers, or control devices as he deems necessary to carry out the provisions of this ordinance, or to secure public safety and the orderly and efficient use of the Wiscasset tidal waters and related public facilities. [3-99]

2.4.5 Designate, and extend as necessary and practicable, with the approval of the Selectmen, sufficient mooring area to meet the needs of the town. [3-99]

2.4.6 Maintain an up-to-date chart of all channels and mooring areas within the tidal waters of Wiscasset. [3-99]

2.4.7 Designate sections of floats and docks where: [3-99]

- a. Boats used as tenders may be tied up on a continuing basis.
- b. Vessels may be tied up for various purposes, and the length of time such vessels may remain.
- c. Lobster, crab, or worm cars may be secured or stored. [3-01]

2.4.8 Maintain clear approach channels to all town landings and launch facilities.

3. MOORINGS

3.1 PERMITS

No mooring shall be placed except under the direction of and with a permit from the Harbormaster. Permits are valid for one calendar year, apply only to the assigned vessel, are not transferable to another owner except as provided below, and are renewable annually by application to the Harbormaster before April 1. Mooring assignments may be transferred only at the request or death of the assignee, only to a member of the assignee's family and only if the mooring assignment will continue to be used for commercial fishing purposes. For the purposes of this section, "member of the assignee's family" means an assignee's parent, child or sibling, by birth or by adoption, including a relation of the half blood, or an assignee's spouse. Any mooring without a permit is subject to removal by the Harbormaster at the owner's expense (see section 3.8). Any change of vessel requires a new or amended permit. A new permit at another location may be issued provided space is available. [3-99, 3-01, 6-08]

3.2 MOORING BUOYS

Mooring buoys shall be white with a horizontal blue stripe. The Harbormaster shall assign a identifications number to each mooring to be placed by the owner on the mooring buoy. Identification numbers must be at least three inches high and clearly visible at all times. Any mooring not having an identification number is subject to removal by the Harbormaster at the owner's expense. (see section 3.8) [3-99, 3-01]

3.3 TEMPORARY USE

A mooring permit holder may allow the use of his mooring by a boat other than his own for not more than 7 calendar days in one calendar year, provided the boat is of the same size (or smaller) and type as the vessel listed on the mooring permit, and provided he notifies the Harbormaster of such temporary use. [3-01]

3.4 UNAUTHORIZED USE

No person shall tie a vessel to a mooring owned by someone else without permission of the owner. Enforcement of this section is by civil complaint, not by the Harbormaster. [3-01]

3.5 REGISTER AND MOORING CHART

The Harbormaster shall maintain a public register listing for each mooring: owner's name, residency status, address, and telephone number; the name, length and type of vessel, and whether it is commercial or non-commercial; the type of mooring; and the vessel's registration number and its issuance date. The Harbormaster shall also maintain a mooring chart for each mooring area on which each mooring is indicated by its identification number. [3-99]

3.6 FEES

Annual mooring fees shall be \$50 for residents, \$200 for corporations, and \$150 for non-residents. For purposes of this section a resident is a person who resides at least part of the year in Wiscasset and who pays the boat excise tax in Wiscasset. [3-99, 3-01]

3.7 REVOCATION

The Harbormaster may revoke or suspend in writing, giving his reasons, any

mooring permit for violations of this ordinance, or in the interest of public safety, or to relieve congestion. [3-99]

3.8 MOORING CONFLICTS

If a conflict develops such that two vessels swinging on their moorings strike each other, the Harbormaster shall direct that one or both of the moorings be removed or moved to a designated location at owner's expense within ten days after the owner receives notification by the Harbormaster, which notice shall be deemed to have been given when the Harbormaster posts, by first class U.S. Mail, a notice to the owner's registered address. In the interest of preserving property the Harbormaster may relocate a vessel on an emergency basis without the owner's permission to another mooring or dock. [3-99, 3-01]

3.9 WAITING LIST

Whenever there are more applicants for a mooring assignment than there are mooring spaces available, the Harbormaster shall create a waiting list in chronological order of application receipt. When a space becomes available it shall be offered to the first applicant on the list for the configuration and size of whose vessel the space would be suitable except that: [3-99]

3.9.1 If less than 10% of all moorings are currently assigned to non-resident commercial applicants, then the next available space, if suitable, shall be offered to the first such applicant on the list; [3-99]

3.9.2 If less than 10% of all moorings are currently assigned to non-resident non-commercial applicants, then the next available space, if suitable, shall be offered to the first such applicant on the list; [3-99]

3.9.3 If neither non-resident commercial or non-resident non-commercial applicants currently constitute 10% of moorings assigned, then whichever has the lowest percent shall be offered the first available and suitable space; and [3-99]

3.9.4 Littoral owners with at least 100 feet of shore frontage who are applying for a mooring in front of their property shall not be placed on a waiting list but assigned a mooring space, based only on the suitability of the location, the ownership of a vessel and payment of the fee. If space fronting their property is not suitable they may apply in the usual manner for mooring space in the designated mooring areas. [3-99]

Applicants may decline a space when offered without losing their position on the list. Waiting list positions may be retained from one year to the next by submitting a new application before April 1st. Applications not renewed shall be removed from the waiting list on that date. [3-99]

3.10 REMOVAL OF MOORING

In case of the neglect or refusal of the master or owner of any boat or vessel to remove his mooring or to replace it by one of different character, when so

directed by the Harbormaster, the Harbormaster shall cause the entire mooring to be removed, and collect from the master or owner of that boat or vessel the sum of \$100 for the necessary expenses. [3-99, 3-01]

Before removing a permitted mooring or a buoy, the Harbormaster shall notify the owner by mail at his last known address of the action desired of him. [3-99, 3-01]

3.11 REMOVAL OF VESSELS

A Harbormaster, upon receiving complaint from the master, owner or agent of any vessel, shall cause any other vessel or vessels obstructing the free movement or safe anchorage of that vessel to remove to a position to be designated by the Harbormaster and shall cause, without any complaint being made to the Harbormaster, any vessels anchoring within the channel line as established by the municipal authorities, as provided in MRSA 38 Section 2, to remove to such anchorage as the Harbormaster may designate.

If that vessel has no crew aboard or if the master or other person in charge neglects or refuses to move such vessel as directed by the Harbormaster, the Harbormaster may put a suitable crew on board and move that vessel to a suitable berth at a wharf or anchorage at the cost and risk of the owners of the vessel and shall charge \$100, to be paid by the master or owner of that vessel, which charge, together with the cost of the crew for removing that vessel the Harbormaster may collect by civil action.

4. HARBOR RULES

4.1 No vessel shall be operated within any designated mooring area or approach channel to public launching area or docking facilities at a speed which exceeds five miles per hour or which produces a wash or wake which visibly and unnecessarily disturbs anchored or moored vessels or floats, or endangers or disturbs a person on or near the water. This shall be described as "no wake speed". [3-99]

4.2 No person shall use or operate any boat floatplane or other watercraft while under the influence of alcohol or drugs; or recklessly; or so as to cause danger, annoyance or inconvenience to the public anywhere within the tidal waters of Wiscasset. [3-99]

4.3 No water skiing shall be allowed within the mooring areas or approach channels.

4.4 ~~No pot buoys or other objects or buoys other than mooring buoys may be placed in the recreational mooring areas between Memorial Day and Labor Day. Any traps set during permitted times in mooring areas that become entangled in moorings or boats shall be removed within 48 hours of notification. Any financial~~

costs associated with the entanglement shall be the responsibility of the trap or equipment owner. [3-99, 3-01, 6-12]

4.5 There shall be no setting or hauling of gear on Saturdays or Sundays between Memorial Day and Labor Day. [6-12]

4.6 Traps set in mooring areas shall use a rope length of no more than 12 fathoms. [6-12]

4.57 No pot buoys or any other objects or obstructions may be placed in designated approach channels. [3-99, 3-01]

4.68 Vessels anchoring in Wiscasset waters for more than 7 calendar days shall obtain a permit from the Harbormaster, and shall be limited to 14 calendar days in any calendar year. The permit fee shall be \$10 per calendar day and shall be inclusive of all 14 days allowed under this subsection. [3-01]

5. USE OF TOWN WHARVES AND FLOATS

5.1 To insure that the Town Landing Facilities are available for use by the general public, the town wharves and floats shall be used only for loading and unloading, with a maximum time limit set by the Harbormaster. Extension of this time limit for reasons of safety or hardship requires written permission from the Harbormaster. [3-99]

5.2 Boats less than 15 ft. in length and used specifically as tenders to vessels moored or anchored in the harbor may tie-up on a continuing basis at specific sides of certain floats designated by the Harbormaster for that purpose. [3-99]

5.3 Swimming and recreational fishing from the Town landings are permitted provided they do not cause litter, disturb the peace, or interfere with the docking or loading or unloading of vessels. [3-99]

5.4 No person shall place or maintain on the Town landing facilities any boats, barrels, boxes, gear, traps, pots, nets, sails, equipment, or other materials longer than is necessary for the prompt loading or unloading of the same. [3-99]

5.5 No person shall deposit or leave rubbish, garbage, or litter of any kind on the Town landings or launching facilities. [3-99]

5.6 The following uses require payment of fees as follows: [3-01]

- | | |
|---|----------------|
| 1. Use of designated floats for commercial fishing | \$50 annually |
| 2. Use of designated floats for commercial fishing including use of the mast and boom | \$200 annually |

- 3. Securing lobster, crab or worm cars to designated floats
\$20 annually
- 4. Overnight tie-up of recreational vessels when permitted
\$1 per foot of boat length

6. POLLUTION OF WATERS

No person shall deposit or sweep or cause to be deposited or swept into the tidal or fresh waters of the Town of Wiscasset any gas, oil, bilge water containing gas or oil, ashes, dirt, stones, gravel, mud, logs, brush, planks, building materials, shells, bait, dead fish, bottles, cans, paint, chemicals, or any other liquid or solid waste or rubbish that floats on dissolves in, or otherwise pollutes the water, obstructs navigation, or decreases water depth. [3-99]

7. ABANDONMENT OF WATERCRAFT

No person may bring into or maintain in the harbor any derelict watercraft, watercraft for salvage, or abandon any watercraft in the harbor without a permit from the Harbormaster. Whoever does so without permit is guilty of a Class E crime. Watercraft, which is to be salvaged by firms licensed by the State to do salvage work, shall be excluded from this section. The Harbormaster shall be the sole determiner as to what constitutes a watercraft that is derelict and what constitutes a watercraft that is abandoned. [3-99]

8. TOWN RESPONSIBILITY FOR BOATS

The Town accepts no responsibility for preventing damage to boats moving, drifting, anchored, or moored in the harbor or using the Town Landing facilities or launching facilities. Responsibility for the safety of any boat in the harbor lies with its owner or master or his representative. [3-99]

9. POSTING OF ORDINANCE

This ordinance shall be posted at several conspicuous locations at the Town Landing and launching areas. Their removal or defacement is a violation of these ordinances. [3-01]

10. PENALTIES

In addition to any penalties imposed by State Law, any person, firm, corporation or other entity who violates any section of this Port and Harbor Ordinance, or who fails to obey lawful orders of the Harbormaster, shall be subject to a fine of \$50.00 (fifty dollars) for each offense. Each day in which a violation is proved to exist shall constitute a separate offense under this Section. [3-99]

11. VALIDITY/SEVERABILITY CLAUSE

If any part of this Ordinance is held to be invalid or unconstitutional, such decision shall

not affect the validity of the remainder of this Ordinance. [3-99]



Town of Wiscasset

April 17, 2012

To: Commercial Haulers:

The Wiscasset voters authorized amendments to the Solid Waste Ordinance in June of 2011. In summary, the ordinance requires the separation of recycling from waste products. The penalty for non-separation of recyclables from unrecyclable goods is \$2.00 per bag, which is charged to the person, business or commercial hauler which brings the unrecycled waste to the facility. Although an ordinance can appear plain in its intent, the real work is in administering a new ordinance. Ron Lear, Transfer Station Superintendent and I have met on a number of occasions and also interacted with Giles Rubbish and the Police Chief to determine the best method of administering the new ordinance. My purpose in this memo is to inform the Selectmen of several items of interest and to gain agreement on the matter of daily operations and enforcement.

Due to the fact that some citizens contract with commercial haulers for solid waste removal the Board of Selectmen adopted a policy to deal with penalties. The Selectmen agreed that staff will use averages to charge haulers based upon an evaluation of information and data from run sheets, weighed loads, and through personal knowledge of individual habits. Should these methods prove ineffective we will recommend a change to the ordinance.

Since the ordinance was enacted the Town has charged individuals the \$2.00 per bag penalty. We have continued to work with yourself and other commercial haulers to meet the intent of the ordinance, however we continue to see a mixture of recycled materials with solid waste. Staff has done their best to enforce the intent of the ordinance while continuing to educate our residents and enforce the rules in as fair and equitable a manner as possible. To this end, staff will be recommending to the Board of Selectmen a penalty for commercial haulers who do not meet the 25% recycling requirement. The fee we will be recommending is \$80 per load. We wish to give you and your customers notice of this potential change and an opportunity to discuss how the charge may be passed on to your customers.

We have also included recycling flyers and an FAQ sheet to assist in clarifying our policies.

ARTICLE V - SOLID WASTE [3-94]

1. GENERAL PROVISIONS

1.1 No person shall accumulate or permit to accumulate on private property or on any public way in the Town of Wiscasset garbage, rubbish or other waste materials except earth fill material. Except, however, it is permissible to accumulate garbage, rubbish and other waste materials upon private property in such limited quantities and for such limited periods of time as shall insure that no annoyance, nuisance, health or fire hazard is created thereby. Compost piles or covered subsurface packaged garbage decomposing units are permitted so long as no annoyance, nuisance, ground or surface water pollution or any other health hazard is created thereby. Any unauthorized accumulation of garbage, refuse, rubbish, or other waste materials within thirty days after the effective date of this Ordinance shall be deemed a violation of this Ordinance.

1.2 No person shall dump or dispose of any refuse or garbage upon any shore or in any harbor or upon any waters within or adjacent to the Town of Wiscasset providing that this Section shall not apply to licensed sewage systems.

1.3 No person shall allow any refuse or garbage to be scattered from any vehicle onto any public way.

1.4 It shall be unlawful for any person to burn or incinerate any garbage or refuse within the Town of Wiscasset. However, this Section does not forbid the burning of any materials being used as fuel in a furnace, boiler, fireplace, stove or cooking device. This Section shall not apply to burning authorized by the Fire Chief and at any town solid waste facility, nor to any burning conducted under the direction of, or permit granted by, the fire department of the Town of Wiscasset.

1.5 The separation and recycling of materials saves in disposal costs, conserves materials, energy, and natural resources, and has a long term desirable effect on the environment. In order to increase participation in recycling, and thereby make solid waste handling, processing, and disposal more effective and less costly, this article makes source separation mandatory effective on October 1, 2011. [6-11]

2. TOWN SOLID WASTE FACILITIES

2.1 The Selectmen shall designate one or more suitable places as town solid waste facilities, but no place shall be designated as a town solid waste facility, the location of which has been disapproved by the inhabitants in a town meeting.

2.2 The Selectmen shall appoint and supervise a superintendent of solid waste for the Town of Wiscasset who shall, in turn, be responsible to supervise all personnel assigned to any solid waste facility in the Town of Wiscasset.

2.3 The Selectmen shall see that all town solid waste facilities are treated, when needed, with proper pest exterminating agents.

2.4 No person shall deposit any materials at the town solid waste facilities except in compliance with this Ordinance and pursuant to the instructions of the Selectmen or the attendant in charge.

2.5 No person may deposit at the town solid waste facilities automobile bodies or any bulky wastes, which may require special processing prior to disposal.

2.6 The town solid waste facilities shall be available only to persons residing within the limits of the Town of Wiscasset, or other municipalities authorized by contract, commercial establishments located within those towns, and haulers licensed by the Town of Wiscasset pursuant to this Ordinance.

2.7 No person shall dispose at the town solid waste facilities any garbage, rubbish, waste materials or other substances brought from outside the boundaries of the Town of Wiscasset or other municipalities authorized by contract.

2.8 The Selectmen shall designate, by the posting of suitable signs, areas of the solid waste facilities where different kinds of waste materials shall be deposited.

2.9 The Selectmen shall designate the hours for refuse disposal and shall post the hours at the town solid waste facilities.

2.10 Deposit of dead animals is prohibited in any solid waste facility.

3. PERMITS

3.1 All persons using the town solid waste facilities must display valid permits affixed to their vehicles. Permits will be issued at the solid waste facility on proof of residency or ownership of a commercial establishment. The resident or commercial establishment to whom the permit is issued is the permit holder.

3.2 Any permit holder who loses or misplaces a permit must report the same immediately to the solid waste facility.

3.3 If a vehicle displaying a permit or the occupants thereof violate this Ordinance, regardless of whether the permit holder consented or knew of the violation, the permit holder is in violation of this Ordinance, unless the permit holder had previously reported the loss of his permit to the solid waste facility.

4. HAULERS

4.1 No person shall, for hire, collect, haul, transport or dispose of waste materials for disposal at the Town of Wiscasset solid waste facilities without first

obtaining a license therefor from the Selectmen. Such licenses shall be issued for a period of not more than one year.

4.2 Any person or commercial establishment desiring a hauling license shall submit to the Town Office a written application by May 1 each year. Licenses shall be valid from June 1 to May 31 the following year. The application fee shall be ten dollars for residents of Wiscasset and those towns authorized to use the transfer station; for others the fee is thirty dollars. The Selectmen may conduct an investigation of the applicant. The Selectmen, after notice to the applicant, shall hold a public hearing for new applicants. Licenses maybe refused, and the Selectmen reserve the right to limit the number of licenses issued.

4.3 The Selectmen may revoke the license of any hauler who fails to comply with any provision of this Ordinance. No license shall be revoked until the Selectmen, after reasonable notice to the hauler, hold a public hearing on the matter.

5. PENALTIES AND REPEAL

5.1 The penalty for non-separation of recyclables from unrecyclable goods shall be \$2.00 per bag or \$100 per load for commercial haulers. The fine shall be charged to and payable by the person, business or commercial hauler which brings the unrecycled waste to the facility to be disposed of. In addition, such person shall reimburse the Town for all expenses incurred by the Town as a result of the violation. [6-11]

5.2 Whoever violates any other provisions of this Ordinance shall be punished by a fine of not less than \$50 and not more than \$200 plus costs of prosecution, which fine shall be recovered on complaint to the use of the Town of Wiscasset, or by imprisonment for not more than three months. In addition, such person shall reimburse the Town for all expenses incurred by the Town as a result of the violation.

5.2 Any licensed hauler who violates any provision of this Ordinance shall be subject to revocation of his license.

5.3 Any permit holder who violates any provision of this Ordinance shall be subject to revocation of his permit.

5.4 The Selectmen are authorized to prosecute violations of the preceding regulations, and are hereby authorized to remove at the expense of the owner of the property any pile of garbage, refuse or waste matter, accumulated on any property which after 24 hours notice has not been removed.

6. VALIDITY/SEVERABILITY CLAUSE

If any part of this Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remainder of this Ordinance.

WISCASSET TOWN WARRANT

DRAFT
4-12-12

To Charles DiPerri, Constable, of the Town of Wiscasset in the County of Lincoln.

GREETINGS: In the name of the State of Maine, you are hereby required to notify and warn the inhabitants of the Town of Wiscasset, in said County and State, qualified by law, to vote in Town affairs to meet at the Wiscasset Community Center on Tuesday, the 12th day of June AD, 2012 from 8:00 A.M. until 8:00 P.M., then and there to act on the following articles:

Article 1. To elect a moderator to preside at said meeting.

And to vote by secret ballot on the following articles:

Article 2. To vote by secret ballot for elected positions.

Article 3. Should any cost center (departmental budget) question fail to pass, shall the Town vote to raise and appropriate an amount for the Selectmen to expend not to exceed 3/12 of the previous year's cost center appropriation?

INSERTED BY PETITION:

Article 4. Do you favor filing a petition for withdrawal with the board of directors of region school unit Sheepscot Valley RSU 12 and with the Commissioner of Education, authorizing the withdrawal committee to expend \$55,000 and authorizing the Board of Selectmen to issue notes in the name of the the Town of Wiscasset or otherwise pledge the credit of the Town of Wiscasset in an amount not to exceed \$55,000 for this purpose?

Article 5. Shall the Town vote to appropriate the following **Estimated Revenues** to reduce the tax commitment?

Recreation	\$
Excise	\$
State Revenues	\$
Miscellaneous	\$
Emergency Medical Services	\$
Transfer Station	\$
Charges for Services	\$
State Reimbursements	\$
Senior Center	\$
Airport	\$
Waterfront	\$
Total	\$

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 6. Shall the Town vote to raise and appropriate for **Town Office Administration/Operations** the sum of \$

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 7. Shall the Town vote to raise and appropriate for **Municipal Planning** the sum of \$?

The Municipal Planning budget is offset by \$12,000 economic development TIF funds.

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

WISCASSET TOWN WARRANT

- Article 8. Shall the Town vote to raise and appropriate for **Municipal Boards and Committees** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 9. Shall the Town vote to raise and appropriate for **Municipal Building Maintenance/Operations** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 10. Shall the Town vote to raise and appropriate for **Code Enforcement** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 11. Shall the Town vote to raise and appropriate for **Contingency** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 12. Shall the Town vote to raise and appropriate for **Contractual Services** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 13. Shall the Town vote to raise and appropriate for **Office of Selectmen** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 14. Shall the Town vote to raise and appropriate **\$3,000** to increase the **Board of Selectmen** salaries by \$600 each annually?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 15. Shall the Town vote to raise and appropriate for **Office of Assessment/Human Resources** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 16. Shall the Town vote to raise and appropriate for **Office of Finance/Tax Collector** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 17. Shall the Town vote to raise and appropriate for **Town Clerk/Excise Tax Collector/Registrar** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 18. Shall the Town vote to raise and appropriate for **Office of Elections** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

WISCASSET TOWN WARRANT

- Article 19. Shall the Town vote to raise and appropriate for **General Assistance** the sum of \$ _____ ?
The General Assistance program is offset by \$ _____ in State Reimbursements.
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 20. Shall the Town vote to raise and appropriate for **Tax Anticipation Note (Interest)** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 21. Shall the Town vote to raise and appropriate for **Municipal Insurance** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 22. Shall the Town vote to raise and appropriate for **Unemployment** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 23. Shall the Town vote to raise and appropriate for **Celebrations** (July 4th and Winter Celebration) the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 24. Shall the Town vote to raise and appropriate for the **Police Department** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 25. Shall the Town vote to raise and appropriate for the **Fire Department** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 26. Shall the Town vote to raise and appropriate for the **Emergency Medical Services** the sum of \$ _____ ?
The EMS generates \$ _____ in revenue that offsets the above appropriation.
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 27. Shall the Town vote to raise and appropriate for the **Animal Control** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 28. Shall the Town vote to raise and appropriate for the **Shellfish Conservation** the sum of \$ _____ ?
The Shellfish Conservation Department generates \$ _____ in revenue that offsets the above appropriation.

WISCASSET TOWN WARRANT

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 29. Shall the Town vote to raise and appropriate for the **Public Utilities** the sum of \$ _____ ?

Street Lights \$ _____
Fire Protection (Hydrants) \$ _____
Total \$ _____

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 30. Shall the Town appropriate the sum of \$ _____ the entire amount to come from departmental revenues, impact fees and surplus, for the total **Wastewater Treatment Plant** operational budget?

The Wastewater Treatment Plant generates \$ _____ in revenue that offsets the above appropriation

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 31. Shall the Town vote to raise and appropriate for the **Parks & Recreation Department** the sum of \$ _____ ?

The Parks and Recreation Department generates \$ _____ in revenue that offsets the above appropriation.

Article 32. Shall the Town vote to raise and appropriate for **Municipal Highway Department** the sum of \$ _____ ?

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 33. Shall the Town vote to appropriate an amount not to exceed \$ _____ from the Perpetual Care Trust Fund for the care of **Cemeteries**?

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 34. Shall the Town vote to raise and appropriate **\$78,000** to fund **Road and Sidewalk Repair**?

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 35. Shall the Town vote to raise and appropriate for the **Airport** the sum of \$ _____ ?

The Airport generates \$ _____ in revenue that offsets the above appropriation.

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 36. Shall the Town authorize the **Airport** to appropriate **\$118,000** for expenditures and **\$110,000** for revenues to the amended fiscal year 2011-2012 Airport budget?

This will have no net impact on property taxes. This vote is required due to the change from a Fixed Based Operator to Town Management.

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

WISCASSET TOWN WARRANT

- Article 37. Shall the Town vote to raise and appropriate for the **Transfer Station** the sum of \$ _____ ?
The Transfer Station generates \$ _____ in revenue that offsets the above appropriation.
Board of Selectmen recommendation: **_ Favor; _ Oppose**
Budget Committee recommendation: **_ Favor; _ Oppose**
- Article 38. Shall the Town vote to raise and appropriate for the **Senior Center** the sum of \$ _____ ?
The Senior Center generates \$ _____ in revenue that offsets the above appropriation.
Board of Selectmen recommendation: **_ Favor; _ Oppose**
Budget Committee recommendation: **_ Favor; _ Oppose**
- Article 39. Shall the Town vote to raise and appropriate for **Waterfront & Harbors** the sum of \$ _____ ?
Waterfront and Harbors generates \$ _____ in revenue that offsets the above appropriation.
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 40. Shall the Town vote to raise and appropriate for **Lincoln County Television** the sum of \$ _____ ?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 41. Shall the Town vote to raise and appropriate the sum of \$ _____ for the **Wiscasset Public Library**?
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 42. Shall the Town vote to raise and appropriate for **Healthy Kids** the sum of \$ _____
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 43. Shall the Town vote to raise and appropriate for **Eldercare/Trans-Line** the sum of \$ _____
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 44. Shall the Town vote to raise and appropriate for **Jessie Albert Dental Clinic** the sum of \$ _____
Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**
- Article 45. Shall the Town vote to raise and appropriate for **Coastal Transportation** the sum of \$ _____
Board of Selectmen recommendation: **Favor; Oppose**

WISCASSET TOWN WARRANT

Budget Committee recommendation: **Favor; Oppose**

Article 46. Shall the Town vote to appropriate **\$359,000** from the Capital Reserve Account to invest in **Capital Improvements** and carry forward **\$40,000** from the Fiscal Year 2012 Capital Budget?

Capital items include the following: Administration-Computer Upgrades, EMS-Retrofit Ambulance, EMS-Cardiac Monitors*, Harbormaster-Commercial Pier Debt, Parks and Recreation-Pool Blanket, Police-Police Cruiser, Public Works-Dump Truck, Public Works-Road Paving.

**Cardiac Monitors will be leased over 5 years at \$12,000 per year.*

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 47. Shall the Town vote to appropriate **\$18,000** as its share towards a Federal Aviation Administration Grant, the funds to come from the Airport Capital Fund?

Financial Note: The Federal Grant match would be \$231,250.

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 48. Shall the Town vote to appropriate **\$33,333** as its share towards a State Recreational Pier Grant, the funds to come from the Waterfront Fund?

Financial Note: The State match would be \$100,000.

Board of Selectmen recommendation: **Favor; Oppose**
Budget Committee recommendation: **Favor; Oppose**

Article 49. Shall the Town vote to authorize the Board of Selectmen, on behalf of the Town, to sell the Superintendent's Office and an adequate size lot as they deem advisable and to execute quit claim deeds for the property?

Article 50. Shall the Town fix Friday, October 26, 2012 and Friday, April 26, 2013 as the dates when semi-annual tax payments are due and payable and instruct the Tax Collector to charge interest at the rate of **7% per annum** on all taxes unpaid after said dates?

Article 51. Shall the Town vote to approve the following:

A. To pay interest at **3.00% per annum** on any amount overpaid on property taxes as noted in M.R.S.A. Title 36, Section 506-A, and to authorize such interest paid or abatements granted to be appropriated from overlay funds or, if necessary, from undesignated fund balance;

B. To authorize the payment of tax abatements and applicable interest approved by the Selectmen/Board of Assessors from the property tax overlay;

C. To authorize the Tax Collector to accept pre-payment of property taxes, with no interest to be paid on the same;

D. To authorize the Selectmen, on behalf of the town, to sell and dispose of any real estate acquired by the town for non-payment of taxes thereon, on such terms, as they may deem advisable, and to execute quit claim deeds for such property. Property that, in the opinion of the Selectmen, best serves the interest of the Town by remaining Town-owned property need not be sold;

E. To authorize the Selectmen to expend additional funds received from federal, state and other sources during the year for Town purposes provided such additional funds do not require the expenditure of local funds not previously appropriated;

WISCASSET TOWN WARRANT

- F.** To authorize the Selectmen and Treasurer, on behalf of the town, to accept gifts, real estate and other funds including trust funds that may be given or left to the Town and to apply these funds to the accounts the Selectmen deem appropriate;
- G.** To authorize the Selectmen to sell or dispose of various items, except real estate, that serve little or no purpose in the operation of the town, and to apply the proceeds from these sales to the accounts the Selectmen deem appropriate;
- H.** To authorize the Selectmen to disburse money received from registration fees of snowmobiles for the purpose of maintaining snowmobile trails in Wiscasset;
- I.** To authorize the Selectmen to apply for and accept State and Federal grants-including Community Development Block Grant (CDBG) applications and grants from non-profit organizations, donations or revenues, on the Town's behalf for municipal purposes, including, when necessary, the authority to sign grant contracts, documents or other paperwork and to accept the conditions that accompany grant funds and to appropriate and expend grant funds and/or funds for authorized purposes as the Board of Selectmen deems to be in the best interest of the Town during the fiscal year 2013.
- J.** To authorize the Selectmen to carry forward or lapse any unexpended or over expended balance as they deem advisable and to authorize the Selectmen to set at a later date the amount of undesignated fund balance, if any, to be used to reduce property tax assessment.
- K.** To see if the Town will authorize the Board of Selectmen to transfer and expend the appropriate funds from taxes and personal property revenue in accordance with the Tax Increment Financing (TIF) agreement for repayment of taxes and for economic development purposes from the Tax Increment Finance (TIF) District Account, consistent with 30-A M.R.S.A. §5251-5261.
- Article 52. Shall the Town vote to accept monies received from the sale of cemetery lots to be used for perpetual care and maintenance of all cemeteries within the Town of Wiscasset?
- Article 53. Shall the Town vote to authorize the municipal officers to make final determinations regarding the closing or opening of roads to winter maintenance pursuant to 23 M.R.S.A. Section 2953?
- Article 54. Shall the Town vote to accept from Central Maine Power Company a deed to real estate, which includes a dam on Montsweag Brook together with surrounding land and flowage rights, and \$100,000.00 of dedicated funds to be used by the Town fulfilling stewardship and monitoring obligations with regard to this real estate, all as more specifically set forth in (1) an Agreement for Conveyance of Real Property, (2) an Amended and Restated Declaration of Covenants and Restrictions, and (3) a Quitclaim Deed with Covenant, all of which may be viewed at the Wiscasset Town Office?
- Article 55. Shall an ordinance entitled Village Waterfront District I and II be enacted?
- Article 56. Shall an ordinance entitled Commercial District be enacted?
- Article 57. Shall an ordinance entitled Sign Ordinance be enacted?
- Article 58. Shall an ordinance entitled Town Officials be enacted?
- Article 59. Shall an ordinance entitled Miscellaneous -911 be enacted?

WISCASSET TOWN WARRANT

And you are directed to serve this warrant by posting a copy thereof, attested by you, in a public and conspicuous place in said town, seven days, at least, before the time of holding said meeting.

Hereof, fail not, and due return make of this warrant to the Selectmen or Town Clerk, with your doings thereon, on or before the time of holding said meeting.

Given under our hands this ___ day of _____ 2012.

Judith Colby, Chairman

David Nichols, Vice Chairman

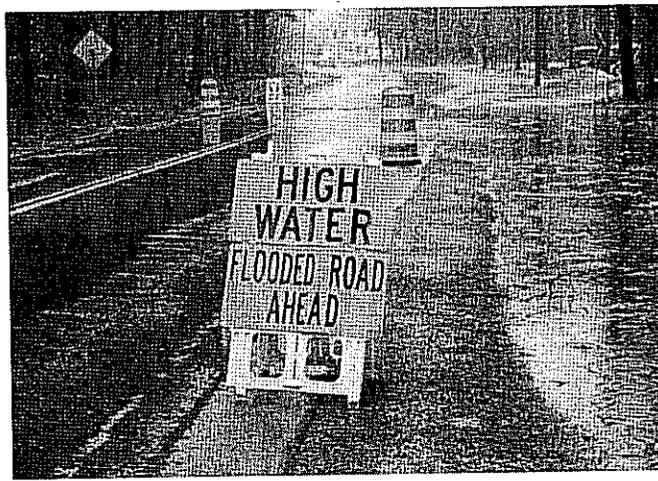
Pamela Dunning, Selectman

Edward Polewarczyk, Selectman

William Curtis, Selectman

Attest: _____
Time of Posting: _____

Posted: U. S. Post Office
Ames True Value
Wiscasset Community Center
Wiscasset Town Office
Wiscasset Library



RIISING TO MEET THE CHALLENGE: ARE YOU READY FOR THE NEXT STORM?

MAY 3, 2012

Wiscasset Town Office

6:00 PM

Local officials including elected officials, administrators, county and municipal planners, first responders, public works directors, waterfront commissions, and interested citizens are invited to attend and participate in a regional discussion on ways communities and individuals can adapt to rising sea levels, more frequent storm surges, and other weather-related events.

With a state and regional lens, the workshop will focus on recent sea and weather events, predictions and financial impacts of forecasted events. We will discuss how communities can become more prepared and resilient to adapt to these weather related events. The workshop also hopes to encourage citizen engagement in efforts to improve community vulnerabilities to flooding.

The workshop will feature expert presentations from Dr. Samuel Merrill of the Muskie School of Public Service, Bob Faunce of the Lincoln County Regional Planning Commission, and Tim Pellerin, Director of the Lincoln County Emergency Management Agency. It is sponsored by Dragon Farm, a mid-coast based educational nonprofit, and Chewonki.

Sam Merrill is an Associate Research Professor at the Muskie School of Public Service, University of Southern Maine, and Director of the New England Environmental Finance Center, housed at the Muskie School. His research interests include the fiscal and policy connections between land conservation and development in New England, and developing tools for financial adaptation to sea level rise.

Bob Faunce, as Lincoln County Regional Planner, manages a countywide Coastal Hazard Resilience Project examining the potential impact of a two-foot sea level increase. Tim Pellerin helped the county craft and adopt a Hazard Mitigation Plan to lessen impacts of a potential weather or flood related disaster.

A light supper will be provided at 5:30 PM. For more information or to respond by email mauramelleyco@gmail.com or call 354-0007.

Dragon Farm is a mid-coast based educational nonprofit, founded over twenty years ago, with a focus on sustainability, social justice and the support of true dialogue across differences. It is also a program incubator for projects that meet their mission. For more information, visit <http://www.dragonfarm.org>
Chewonki is dedicated to helping people grow individually and in community with others by providing educational experiences that foster an understanding, appreciation, and stewardship of the natural world and that emphasize the power of focused, collective effort. Visit www.chewonki.org