

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 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]
[6-20]

2.3 APPLICABILITY OF SHORELAND ZONING

See Article XIII, Shoreland Zoning Ordinance, covering 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 distance, of the normal high-waterline of a stream. [6-20]

2.4 VALIDITY/SEVERABILITY CLAUSE

The invalidity of any provision of this ordinance shall not invalidate any other part. When in conflict with any other previous ordinance, this ordinance shall prevail. [6-74,6-91]

3. AMENDMENTS

3.1 This ordinance may be amended by a majority vote of the governing body at any town meeting. [6-74, 3-81]

3.2 Amendment procedures shall always include a public hearing to be held by the Selectboard at least 30 days prior to a town meeting, with a notice thereof posted

and published by the Town as required by 30-A M.R.S.A. 4352 as the same may be amended from time to time. [3-81, 9-03, 6-12]

- 3.3 Amendment procedures shall further include a scaled map showing any proposed change or creation of zoning together with a written description. [3-81]

4. DISTRICTS AND ZONING MAPS
(also see DEFINITION OF DISTRICTS, at end of this Article)

- 4.1 The Town is hereby divided into the following districts as shown on the official Zoning Map: [6-15]

- A. Shoreland Resource Protection District
- B. Shoreland Residential District
- C. Shoreland Business District
- D. Residential District
- E. Village 1 District
- F. Village 2 District
- G. Village Waterfront District
- H. Commercial District
- I. Nequasset Watershed District
- J. Rural District
- K. Shoreland Business II District
- L. Marine Overlay District
- M. Historic 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 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 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

Legal 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 Code.

5.2.3 Repair and Maintenance

This Ordinance allows the normal upkeep and maintenance of legal non-conforming uses and structures including repairs or renovations which do not involve expansion of the non-conforming use or structure, and such other changes in a non-conforming use or structure as Federal, State, and local building and safety Codes may require. Such repair and maintenance shall comply with the current codes and ordinances adopted by the Town of Wiscasset.

5.3 Non-conforming Structures

A non-conforming structure outside of the shoreland zone may be added to or expanded 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. See: Increase in non-conformity of a structure in Glossary. [6-12]

5.4 Non-conforming Lots

5.4.1 A nonconforming lot of record may be built upon provided that such lot shall be in separate ownership and not contiguous with any other lot in the same ownership, except as provided in paragraph 5.4.2 below.

5.4.2 If two or more vacant, contiguous lots or parcels are in single or joint ownership of record at the time of adoption or amendment of this

Ordinance, if these lots do not individually meet the dimensional requirements of this Ordinance or subsequent amendment, the lots shall be combined to the extent necessary to meet the dimensional standards, except where the contiguous lots front onto different streets or where the lots were legally created and recorded as part of an approved subdivision before the enactment of this ordinance [6-12].

5.5 Non-conforming Uses

- 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

5.5.4.5 The new use will have no more and no larger signs than the former use, and all signs will comply with the current sign ordinance requirements; and

5.5.4.6 There will be no outside storage of materials used by, or products produced by, or goods offered for sale by the new use; and

5.5.4.7 The lot is connected to Town water and sewer.

6. 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]

7. ADMINISTRATION

7.1 VARIANCES AND APPEALS

7.1.1 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]

7.1.2 Appeals from the decision of the Planning Board may be made to the Appeals Board as provided for by 30-A MRS Section 2691(4) and acts amendatory or supplemental thereto.

7.2 ENFORCEMENT

7.2.1 It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance unless the Town of Wiscasset Ordinances specifically designate otherwise. If the Code Enforcement Officer shall find that any provision of this Ordinance is being violated, s/he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. A copy of such notice shall be maintained by the Code Enforcement Officer with copies forwarded within 10 days to the Planning Board and Selectboard. [3-92, 6-12]

7.2.2 When the above action does not result in the correction or abatement of the violation, the Selectboard are hereby authorized and directed to institute any and all actions necessary, including seeking injunctions of violations and the imposition of fines, to enforce the provisions of this Ordinance in the name of the Municipality.

- 7.2.3 Any person who continues to violate any provision of this Ordinance after receiving notice of such violation shall be penalized in accordance with 30-A, M.R.S.A. § 4452. [6-91, 6-12]

8. DEVELOPMENT STANDARDS IN THE VILLAGE 1, VILLAGE 2, & VILLAGE WATERFRONT DISTRICTS [6-12]

8.1 Appearance of new structures and additions to existing structures

8.1.1 The design of new or replacement buildings shall be compatible with the predominant architectural style of buildings located on properties within 150 feet of the project parcel. In the absence of a predominant architectural style, such replacement buildings shall reflect traditional New England building forms. The Planning Board shall have the authority to make the determinations described in this subsection and, at its discretion, may seek the advice of a consultant or other authority at the applicant's expense.

8.1.2 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.

8.2 Conversion of existing residences to non-residential use

8.2.1 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.

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

8.3.1 Drive-thru facilities

8.3.2 Formula restaurants

8.3.3 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.

8.4 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 or barriers shall be used to deter entry to such premises. The buffer areas and screens shall be maintained and vegetation replaced to insure continuous year-round screening. All exterior lighting fixtures 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 neighboring properties except illumination generated from sources directly associated with emergency operations on the site.

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

Use	Districts					
	Village 1 ^{1,8}	Village 2 ^{1,8}	Residential	Commercial	Rural	Nequasset Watershed ⁵
Open Space Uses						
Community garden, greenhouse, nursery or similar agricultural use		CEO	CEO	CEO	CEO	CEO
Agriculture		PB	PB	PB	PB	PB
Park, playground	Yes	Yes	PB	PB	PB	PB
Parking lot	Yes ³	Yes ³		PB ³	PB ³	PB ³
Public park	Yes	Yes	PB	PB	PB	PB
Campgrounds, commercial					PB	PB
Cemeteries					PB	PB
Confined feeding operations					PB	PB
Storage of fishing, clamming and similar gear			Yes	Yes	Yes	Yes
Golf course/driving range				PB	PB	PB
Commercial outdoor recreation				PB	PB	PB
Timber harvesting					PB	PB ⁷
Aquaculture					PB	PB

Use	Districts					
	Village 1 ^{1,8}	Village 2 ^{1,8}	Residential	Commercial	Rural	Nequasset Watershed ⁵
Residential Uses						
Single-family dwelling	CEO	CEO	CEO	CEO	CEO	CEO
Two-family dwelling	CEO	CEO	CEO	CEO	CEO	CEO
Multi-family dwelling for 3 or more families	PB	PB	PB ⁴	PB	PB	PB
Renting of rooms in a private dwelling		Yes ²	Yes	Yes	Yes	Yes
Home occupation	CEO	CEO	CEO	CEO	CEO	CEO
Planned residential development			PB	PB	PB	PB
Open space (cluster) subdivision			PB	PB	PB	PB
Mobile home park					PB	PB
Congregate Housing	PB ⁹	PB ⁹	PB ⁹	PB ⁹	PB ⁹	No
Institutional Uses						
Charitable or educational institution	PB	PB	PB ⁴	PB	PB	PB
Church, parish house	PB	PB	PB	PB	PB	PB
Clinic, medical or dental	PB	PB ²	PB ⁴	PB	PB	PB
Convalescent or rest home, nursing home or elderly congregate housing	PB	PB ²	PB ⁴	PB	PB	PB
Day nursery		PB ²	PB ⁴	PB	PB	PB
Day care facility		PB ²	PB ⁴	PB	PB	PB
Municipal use	PB	PB	PB ⁴	PB	PB	PB
Public Utility Installation	PB	PB	PB	PB	PB	
Group home with more than 8 residents			PB ⁴	PB	PB	PB
Hospice	PB	PB ²	PB ⁴	PB	PB	PB
Library	PB	PB	PB ⁴	PB	PB	PB
Museum	PB	PB	PB ⁴	PB	PB	PB
Civic service facilities, clubhouses, social and fraternal organizations	PB	PB ²	PB ⁴	PB	PB	PB
Municipal solid waste facility					PB	PB
Social and fraternal organizations			PB ⁴	PB	PB	PB
Commercial Uses						
Antique shop	PB	PB ²		PB	PB	PB
Convenience store	PB	PB ²		PB	PB	PB
Convenience store with fuel sales				PB	PB	PB

Restaurant	PB	PB ²		PB	PB	PB
Use	Districts					
	Village 1 ^{1,8}	Village 2 ^{1,8}	Residential	Commercial	Rural	Nequasset Watershed ⁵
Restaurant with drive-thru				PB	PB	PB
Drinking establishment	PB			PB	PB	PB
Funeral home		PB ²		PB	PB	PB
Hotels, motel	PB			PB	PB	PB
Marina, boatyard					PB	PB
Marine research facility	PB				PB	PB
Offices	PB	PB ²	PB ⁴	PB	PB	PB
Professional building	PB	PB ²	PB ⁴	PB	PB	PB
Recreational use such as a bowling alley, theater, dance hall	PB			PB	PB	PB
Retail business unless otherwise listed	PB	PB ²		PB	PB	PB
Retail and wholesale outlet				PB	PB	PB
Service establishment such as a bank, barbershop, tailor, Laundromat	PB	PB ²		PB	PB	PB
Adult bookstore/adult video store				PB	PB	PB
Adult entertainment facility				PB	PB	PB
Airports					PB	PB
Bed and breakfast	PB	PB		PB	PB	PB
Race track					PB	PB
Farm market/farm stand	PB	PB		PB	PB	PB
Grocery store	PB	PB ²		PB	PB	PB
Kennel/Dog daycare				PB	PB	PB
Small engine repairs	PB	PB ²		PB	PB	PB
Vehicle body shops				PB	PB	PB
Vehicles sales and/or service	PB			PB	PB	PB
Auction barn				PB	PB	PB
Boat building and repair				PB	PB	PB
Veterinary clinic	PB	PB ²		PB	PB	PB
Shopping center				PB	PB	PB
Redemption center				PB	PB	PB
Recycling facility					PB	PB
Transportation facilities	PB			PB	PB	PB
Spas, health clubs	PB	PB ²		PB	PB	PB
Indoor/outdoor boat storage				PB	PB	PB

Use	Districts					
	Village 1 ^{1,8}	Village 2 ^{1,8}	Residential	Commercial	Rural	Nequasset Watershed ⁵
Agricultural/lawn equipment sales and service	PB			PB	PB	PB
Lumber yard				PB	PB	PB
Industrial Uses						
Gravel pits					PB	PB ⁶
On-site manufacturing				PB	PB	PB
Trucking/distribution terminal					PB	PB
Industrial					PB	PB
Light industrial					PB	PB
Abattoir					PB	PB
Auto graveyards/junkyards					PB	PB
Bottling facility					PB	PB
Breweries and distilleries				PB	PB	PB
Microbreweries and brew pubs	PB			PB	PB	PB
Hazardous materials manufacturing/storage/distribution				PB	PB	PB
Sawmills				PB	PB	PB
Research laboratories				PB	PB	PB
Warehousing				PB	PB	PB
Other Uses						
Essential services	CEO	CEO	CEO	CEO	CEO	CEO
Essential service buildings	PB	PB	PB	PB	PB	PB
Uses similar to use requiring permit from the CEO	CEO	CEO	CEO	CEO	CEO	CEO
Uses similar to use requiring Planning Board approval	PB	PB	PB ⁴	PB	PB	PB

- (1) See Article VI Section 8 for Development Standards related to new construction requirements for Village 1, Village 2, and Village Waterfront District.
- (2) Uses must be located entirely within 500 feet of the centerline of Routes 1 or 27 and on lots that directly abut or have direct legal access to Routes 1 or 27. Said access to Routes 1 or 27 must serve as the only access for the use except the Planning Board, pursuant to Site Plan Review, may allow access to be located on a less traveled road. New buildings shall not exceed 6,500 square feet in total floor area.
- (3) Proposals to pave, strip, grade, or remove earth materials from areas of more than 10,000 square feet within a five-year period shall receive site plan review.
- (4) Permitted uses provided buildings are not more than 3 stories in height, and are of the same general architectural appearance as existing buildings in the immediate

neighborhood, and provided there are adequate off-street parking areas for the normal amount of vehicles expected to be used by inhabitants, clients and employees.

(5) All streams in the Nequasset Lake watershed shall be protected by state shoreland regulations extended to the uppermost source of each stream. Public sewer lines, public waterlines, and municipal sewage treatment plants are not permitted.

(6) Permitted per State Regulations.

(8) See Article XIV Section 10, Historic Preservation Ordinance, for Certificate of Appropriateness Standards related to: a) new construction, b) demolition of any landmark, building or portion of any building, c) moving of any building, d) additions, alterations or reconstruction of existing buildings, e) new signs, f) construction of walls, fences & parking lots, and g) sandblasting of brick or stone buildings within the Historic Overlay District. [6-15]

(9) Not allowed in Shoreland districts.[6-20]

DEFINITION OF DISTRICTS and ZONING MAP

The following text defining Districts and Zones are included herein for assistance only. The official Zoning Map is the definitive document delineating Districts and Zones and is incorporated into these Town Ordinances. Where boundaries are shown following property lines, it is intended that the official Zoning Map delineate Districts and Zones precisely along these property lines. However, it is probable that in various instances a property line as depicted on the Zoning Map will not precisely correspond to the property line as determined by a survey or by deed research. Therefore, any inconsistency between the Zoning Map and a property line in effect at the time the Zoning Map was adopted or is amended shall be resolved in favor of the actual property line. In the following definitions of Districts, lots are referred to by Tax Map and Lot number, or by owner. [6-90, 3-92]

PROCEDURE FOR CONTROL OF THE OFFICIAL ZONING MAP.

The Town Clerk shall maintain a record of changes to the official Zoning Map as voted by the Town starting with town meetings after 1 June 1992; Maps presented to the Town and adopted by the Town shall be attested to by the Town Clerk. A composite map shall be maintained in the Town Office to sum up the display of the latest definitions of districts. A small-scale composite shall be in the town ordinances. A working copy shall be maintained by the Town Clerk to show the latest zoning changes. [6-92]

AA. SHORELAND RESOURCE PROTECTION DISTRICT

AA.1 From the northerly Crandall property limit along the Sheepscot River, southerly and westerly along Clark's Point to the southerly property of Kahl.

AA.2 From the northeasterly line of Stetson, White and Scaife to the end of their property where it meets the Lord property.

AA.3 From the northern property line of Maine Yankee and the Sheepscot River to 30 feet north of the northern side of Old Ferry Road on the property of Maine Yankee.

AA.4 From a line drawn from the cove where Maine Yankee property abuts that of King to the easterly shore of that point of land (Ready Point) owned by Maine Yankee and thence to the property of said King.

AA.5 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.6 From the southerly property line of Chewonki and Gould, northerly to the property line of Brackett.

AA.7 From a line 130 feet north of the property line of Sewall with Maine Yankee to the southerly center of Gorham Road.

AA.8 One hundred (100) feet around the entire shore of Gardiner Pond, as a possible future source of town water.

AA.9 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.10 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.10.1 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-5-93	Sheldon
R-5-122	Fowles

AA.10.2 Montsweag Brook Stream Protection. From the point of confluence of two perennial streams located within lot R-2-42C presently owned or previously owned by Webber; the westerly branch of Montsweag Brook flows easterly and southerly through the following properties to its point of confluence with the easterly branch in lots R-2-15A and R-2-15B.

<u>LOT NUMBER</u>	<u>PRESENTLY OWNED OR PREVIOUSLY OWNED BY</u>
R-2-42B	Munson
R-2-14A	J. Delano
R-2-12A	Colby
R-2-12	Judkins
R-2-13	Town
R-2-14	Delano
R-2-15D	Nichols
R-2-15	Morton
R-2-15A	McConnell

From the point of confluence of two perennial streams located within lot R-3-23 presently owned or previously owned by Dauplaise; the easterly branch of Montsweag Brook flows southerly through the following properties to its point of confluence with the westerly branch in lot R-2-15A and R-2-15B.

<u>LOT NUMBER</u>	<u>PRESENTLY OWNED OR PREVIOUSLY OWNED BY</u>
R-3-30	Barnes
R-3-28	L. Colby
R-3-29	Craft
R-3-27	Faulkingham

From the point of confluence of its East and West branches located within lots R-2-15A presently owned or previously owned by McConnell and R-2-15B presently owned or previously owned by Soule; Montsweag Brook flows southerly through the following properties to Gorham Road where it joins the previously established Shoreland Zoning.

<u>LOT NUMBER</u>	<u>PRESENTLY OWNED OR PREVIOUSLY OWNED BY</u>
R-2-15	Morton
R-2-17C	Applebee
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.10.3 Nequasset Lake Watershed. All streams and ponds, regardless of size, within the Watershed District.

BB. SHORELAND RESIDENTIAL DISTRICT

BB.1 From the Alna town line to the southeast to the property of Crandall.

BB.2 Beginning at the easterly boundary of Kahl property following the shore around Clark's Cove, northerly and southerly, to the southerly boundary of the Ancient Cemetery, being land of the Town of Wiscasset.

BB.3 From the northwestern boundary of Map U1 Lot 148 where it intersects the continuation of Fore Street (known as Front Street), thence north to the middle of Lee Street and the end of the 250-foot Shoreland Zone; thence westerly and southwesterly following the shore of the Sheepscot River to the property of Central Maine Power Company.

BB.4 From the westerly boundary of Eastern Realty Sales, Inc. (Lord) around Cushman Point following the shore of the Sheepscot River to the northern boundary of Maine Yankee.

BB.5 From the westerly boundary of Maine Yankee to the northerly boundary of King.

BB.6 From the southerly boundary of Brackett by the shore of Montsweag Creek to the southern property line of Sewall.

BB.7 Along Gardiner Pond from the 100 feet of Shoreland Resource Protection District to the end of the Shoreland Zone.

CC. SHORELAND BUSINESS DISTRICT

CC.1 From the point of land of Maine Central Railroad and the Town of Wiscasset Sewage Disposal Plant westerly along the cove to the northwesterly extension of the center line of Water Street; thence southwesterly along the center of Water Street to the extension of the Hammond property; thence westerly along the Hammond property to the Ancient Cemetery and the end of the Shoreland Zone; thence southwesterly along the Shoreland Zone to the center line of Big Foot Alley; thence easterly along the center of Big Foot Alley to its intersection with the center of Water Street; thence southwesterly to the end of Water Street at the edge of the Sheepscot River; thence in a northeasterly direction along the shore to the point of beginning.

CC.2 The property of Central Maine at Mason Station from the property of Lewis south and ending at the Stetson-White-Scaife line excepting the property described in Article VI, Section KK and LL.

CC.3 From the beginning of the property of Maine Yankee below the Bailey property along the shores of Bailey's Point; thence along the westerly shore of Ready Point to the line described in Shoreland Resource Protection District. (This section from the brook at the head of the cove is to be treated by Maine Yankee as Shoreland Resource Protection 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]

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 southwestwardly 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.

From the Bath Road at the southwestwardly corner of parcel U1 lot 170; continuing northerly to include the entire parcel of the Municipal building on U5 lot 1; thence easterly along the northerly edge of US Route 1 to Washington Street. Continuing easterly along the southern edge of Washington Street to Federal Street; thence north along the easterly side of Federal Street to the northwest corner of parcel U1 lot 36; thence easterly along the northern boundary of parcel U1 lot 36 to its northeast corner; thence north along the western boundary of town parcel U2 lot 50 to the point of the beginning.

Beginning at the center line of Hooper Street at its intersection with 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 Gardiner Road; thence northerly by the center of Gardiner Road to the point of the beginning. [6-12]

FF. VILLAGE II DISTRICT

Commencing from the northeast corner of parcel U3 lot 20 along the Sheepscot River to the north easterly corner of the Ancient Burying Ground; thence along the southern boundaries of the Ancient Burying Grounds to Federal Street; thence south along the western side of Federal Street to Washington Street; thence westerly along Washington Street to Hodge Street; thence westerly along the northern edge of US Route 1 to the southeastern corner of parcel U1 lot 1; thence north along parcel U1 lot 1; thence east along the northern boundary of parcel U1 lot 1; thence northeast along the eastern boundaries of U5 lot 22, U5 lot 22A, U5 lot 21, U5 lot 20, U5 lot 19A' thence westerly along the north boundary of U5 lot

19A to the southeasterly corner of parcel U5 lot 19B; thence northeasterly along the eastern boundary of U5 lot 19B; thence westerly along the boundary of U5 lot 19B to the southeastern corner of U4 lot 23; thence northeasterly to Hooper Street; thence north westerly along Hooper Street to Gardiner Road; thence along the north along the eastern edge of Gardiner Road to the northwest corner of parcel R6 lot 28C; thence 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 southwest 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 from 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]

GG. 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 southwest along the shore to the southeasterly corner of the property referred to as Castle Tucker, being Lot 148 on Tax Map U-1;

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

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

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

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

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

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

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

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

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

HH. COMMERCIAL DISTRICT

From the Woolwich town line to northerly edge of the CMP Transmission lines, U10 Lot 5, R7 Lot 58, all land abutting Route 1, and within approximately 500' of Route 1, measured from the center line of Route 1 as depicted on the Maine Department of Transportation Right of Way Maps. [6-91, 11-00, 9-03, 6-12]

HHII. 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 unmonumented point; thence N 65°49'25" W along the land now or formerly of Central Maine Power Company 58.04' to an unmonumented point; thence N 51°24'15" W along the land now or formerly of Central Maine Power Company 332.50' to an iron rod set labeled "F" as shown on the above mentioned Zoning Map; thence continuing N 51°24'15" W along the land now or formerly of Central 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 along the northerly boundary of the Marine Overlay District 25.00' to an unmonumented point; thence southerly along the westerly boundary of the Marine Overlay District by a line that is 25' from (on the landward side) and parallel to the high water mark of Sheepscot River to a point that lies N 64°11'45" W from an unmonumented point labeled "J" as shown on the above mentioned Zoning Map; thence S 64°11'45" E along the southerly boundary of the Marine Overlay District 25.00' to an unmonumented point at the high water mark of Sheepscot River labeled "J" on the above mentioned Zoning Map; thence southwesterly by the high water mark of the Sheepscot River to the center of the old dam at the outlet of the ice pond; thence southwesterly along the high water mark of the ice pond to the land now or formerly of the Chewonki Foundation, Inc. et.als. at an unmonumented point labeled "N" on said Zoning Map; thence N 02°40'15" W along the land now or formerly of the Chewonki Foundation, Inc. et.als. 168.61' to the point of beginning. Bearings mentioned above are oriented towards Grid North (NAD 83) as shown on the above mentioned Zoning Map.

LL. MARINE OVERLAY 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 a drill hole set in ledge below the high water mark of Sheepscot River lying about 420' northerly of the northeast corner of the brick building known as Mason Station; said drill hole being labeled "H" on the above mentioned Zoning Map; thence N 86°04'44" E into Sheepscot River 600.00' to an unmonumented point; thence S 01°50'59" W 886.03' to an unmonumented point; thence S 34°19'32" W 681.78' to an unmonumented point; thence N 64°11'45" W 600.00' to an unmonumented point at the high water mark of Sheepscot River; said point being labeled "J" on the above mentioned Zoning Map; thence continuing N 64°11'45" W along the boundary of Shoreland Business II District 25.00' to an unmonumented point; thence northerly along the easterly boundary of the Shoreland Business II District by a line that is 25' from (on the landward side) and parallel to the high water mark of Sheepscot River to a point that lies S 86°04'44" W, a distance of 38.94' from the point of beginning; thence N 86°04'44" E 25.00' to the high water mark of Sheepscot River; thence continuing N 86°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.

MM. HISTORIC OVERLAY DISTRICT

The Wiscasset Historic District is defined by the boundaries of the zoning districts of Village I, Village II, and Village Waterfront, as explained above. [6-15]

(zoning map goes here)