

Definitions

Commercial wastewater: from non-domestic sources, such as beauty salons or auto body repair shops, for example. This wastewater may contain hazardous materials and requires special treatment or disposal.

Domestic wastewater: Any wastewater produced by ordinary living uses, including liquid waste containing animal or vegetable matter in suspension or solution, or the water-carried waste from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or other source of water-carried wastes of human origin.

Industrial wastewater: originates from industrial or commercial manufacturing processes, such as agriculture, and are usually more difficult to treat than domestic wastes. Industrial wastewater's composition varies on an industry-by-industry basis :**Hazardous waste:** Any chemical substance or material, whether gas, solid, or liquid, that is designated as hazardous by the [U.S. Environmental Protection Agency pursuant to the United States Resource Recovery and Conservation Act, Public Law 94-580.](#)

Licensed establishment. "Licensed establishment" means premises to which a license for the sale of spirits, wine, or malt liquor to be consumed on or off the licensed premises applies, and any person or organization which is licensed to sell spirits, wine or malt liquor in the times, places and manners as specified in the license. The following may be licensed establishments. R-1. "Class A restaurant/lounge" means a reputable place operated by responsible persons of good reputation that is regularly used for the purpose of providing full course meals for the public on the premises, that is equipped with a separate and complete kitchen, and that maintains adequate dining room equipment and capacity for preparing and serving full course meals upon the premises but that: (1) After 9 p.m., serves liquor and does not serve full course meals; or (2) Maintains a room or rooms, separate from the main restaurant space, in which full course meals are not regularly served and where liquor is sold at tables, booths and counters. For purposes of this paragraph, the term "full course meals" means meals consisting of a diversified selection of food that ordinarily cannot be consumed without the use of tableware and that cannot be conveniently consumed while standing or walking

Manufacturer. "Manufacturer" means a person who distills, rectifies, brews, ferments, bottles, or otherwise produces liquor. [PL 1987, c. 45, Pt. A, §4 (NEW).] 29. Small brewery. "Small brewery" means a facility that brews, lagers and kegs, bottles or packages its own malt liquor, not to exceed 30,000 barrels per year.

Restaurant: A business establishment where food and drink are prepared, served, and consumed primarily within the principal building. Providing food to patrons shall clearly be the primary use and the serving of alcoholic beverages shall be ancillary (see Tavern). Outdoor seating is permitted with Planning Board approval. Drive-Through facilities shall not be permitted unless it is a permitted/conditional use and specifically approved by the Planning Board. In no event shall a Restaurant be permitted to prepare, sell, serve or allow to be consumed on premises marijuana or marijuana products.

Small brewery. "Small brewery" means a facility that brews, lagers and kegs, bottles or packages its own malt liquor, not to exceed 30,000 barrels per year.

Small distillery. "Small distillery" means a distiller that produces spirits in an amount that does not exceed 50,000 gallons per year.

Small winery. "Small winery" means a facility that ferments, ages, and bottles: A. Up to 50,000 gallons per year of its own wine that is not hard cider; and [PL 2019, c. 529, §3 (NEW).] B. Up to 3,000 barrels per year of its own wine that is hard cider.

Tavern: A business establishment, serving either the public or a private party, where beverages and/or food are prepared, served, and consumed predominantly within the principal building. Serving beverages shall clearly be the primary use and providing food shall be ancillary (see Restaurant). The retail sale of prepackaged beverages or food to be consumed off the premises is specifically prohibited.

“Common Open Space: Land within or related to a subdivision that is set aside to conserve natural resource, scenic, ,cultural, historic, or archeological values, provide active or passive recreation, or accommodate support facilities related to the subdivision, and that is restricted from significant development or intensive use except for approved recreational or support facilities and protected in perpetuity in a substantially undeveloped state through legally binding fee ownership or conservation easement.”

Open Space: The portion of a lot or site which is maintained in its natural state or planted with grass, shrubs, trees or other vegetation and which is not occupied by buildings, structures or other impervious surfaces. A significant portion of the open space should include high value open space areas as identified in the Comprehensive Plan’s Open Space Plan.

Open Space Development: A subdivision with a very low residential density, less than one (1) residential unit on ten (10) acres, designed to preserve open space, and to permanently preserve high value openspace as defined in the Comprehensive Plan’s Open Space Plan.

Setback Waiver

The Planning Board may waive the requirement for the maximum Front or sideline setback, if the applicant provides proof of natural features including but not limited to topography, steep slopes, site drainage way easements etc. The following standards shall apply:

- a. Building setback may be altered from the ordinance by waiver, based on demonstration that natural landscape features preclude meeting building orientation standards and that those features were not man-made, modified, or adjusted in anyway.
- b. A required setback would have a negative environmental impact on the property being developed or negative impact on surrounding properties. This item must be supported by a design professional.
 4. A waiver will be limited to a setback meeting the requirement to the greatest practically feasible per Table 7.2 of this ordinance.
- c. The waiver, if granted, does not and will not adversely affect the continuing development of community or surrounding parcels of land as a direct result of the waiver.

Open Space

SECTION 10.23 RECREATION AND OPEN SPACE LAND IN DEVELOPMENTS [AMENDED 6/19/21]

- A. **Applicability and Purpose:** This section is applicable to developments proposed for the Village Center District and the Village Residential District. The purpose of these provisions is to provide for the development of useable open space and recreation land within residential neighborhoods, to include, but not limited to: playgrounds, ball fields, picnic areas, passive open space, and networks of inter-connected trails, walkways and bicycle paths. Landscaping of these areas should be designed to enhance their use for recreation while providing privacy for individual homeowners.
- B. **Retention of Useable Open Space and Recreation Land in Residential Developments:**
1. The Planning Board shall require the reservation of land for proposed or future parks, playgrounds, trails, walkways, bicycle paths, or conservation areas to benefit the residents of the proposed development and the public. Reserved land must be of suitable dimension, topography and general character for the proposed recreational use and must be reasonably accessible to residents of the development and the public. This land shall be designated as Common Open Space and Recreation Land.
 2. The percentage of useable open space and/or recreational land to be reserved shall depend on the identified needs for outdoor recreation in the portion of the town in which the development is located, the proposed lot sizes within the development, the expected demographic makeup of the occupants of the development, and the site characteristics. The following table provides guidelines for determining the amount of useable open space and recreation land that should be set-aside in developments.
 3. **All Open space areas shall be part of a larger continuous and integrated open space system within the parcel being developed. No less than 75 percent of the common open space shall be contiguous to another common open space area. Areas shall be considered contiguous if they are within 100 feet of each other and there are no impediments to access between areas.**
 4. **No area of common open space shall be less than 50 feet in its smallest dimension and less than 10,000 Sq. Ft. unless minimum percentage has been for the zone has been met. Open space not meeting this standard is permitted but must be for enhancement of the project and shall not be counted toward the required common open space requirements.**

5. The boundaries of common open space shall be marked by natural features wherever possible, such as hedgerows, stone walls, edges of woodlands, streams, or individual large trees. Where no such existing demarcations are present, additional plantings, fences, or other landscape features shall be added to enable residents or the public, if applicable, to distinguish where the common open space ends and private lot areas begin. Where structural demarcations, such as fences are used, they shall be the minimum needed to accomplish this objective.

Guidelines for the Percentage of Total Parcel to be Reserved for Common Open Space and Recreation Land		
Type of Development	Average Size of Lots	Percentage of Total Parcel to be Reserved
Single Family Lots	80,000 square feet or greater	1.6%
	40,000 square feet	3.3%
	20,000 square feet	6.5%
	15,000 square feet	8.7%
	10,000 square feet	13.0%

- C. **Waivers for Minor Subdivisions:** The Planning Board may waive this requirement for minor subdivisions if the Planning Board makes a written finding, supported by an explanation, that the useable open space and/or recreation land is not necessary due to the location of the proposed development near existing publicly accessible open space/recreation land; or where there are no opportunities to contribute to a network of open space land, or inter-connected trails, walkways and/or bicycle paths. The applicant must submit a written request for the waiver and provide the evidence necessary for the Planning Board to make its written findings.

D. **Ownership and Maintenance of Common Open Space and/or Recreation Land:**

1. All common open space and/or recreation land, facilities and property shall be owned by:
 - a. The owners of the lots or dwelling units by means of a lot owners' association;
 - b. An association which has as its principal purpose the conservation or preservation of land in essentially its natural condition; or
 - c. The town.

2. A description of all common open space and any other lands and facilities proposed to be owned by the Town, or a conservation organization, or a homeowner's association, or that will be permanently protected by conservation easements. This description shall include a map indicating the approximate location of these lands and facilities.

3. A description of proposed ownership arrangements for the parcels identified in 1.

4. A description of the proposed conservation restrictions that will permanently protect these parcels.

5. A description of proposed arrangements for the long-term stewardship of the common open space including management objectives and techniques for each parcel or area together with an indication of who will have the primary and secondary responsibilities for this.

 6. Further subdivision of the common open space and/or recreation land and its use for other than non-commercial recreation, agriculture, forestry and/or conservation purposes, except for easements for underground utilities and subsurface wastewater disposal systems, shall be prohibited. Structures and buildings accessory to non-commercial recreational or conservation uses may be erected on the common land. When open space is to be owned by an entity other than the town, there shall be a conservation easement deeded to the town prohibiting future development.

 7. **Monitoring Fee:** The Planning Board may require a fee for the ongoing monitoring of the management of the common open space and/or recreation land, in compliance with the requirements of the approved plan.
- E. **Homeowners Association Requirements:** Any homeowner's association shall be established pursuant to Section "**11.10**" (**should be changed in all locations to 11.9**). Homeowner/Property Owner's Associations.

Permittee must escrow funds for town to hire a 3rd party engineer to perform a study and design a safe containment solution due to potential impact on area water supply. Must escrow funds for any upgrades to public water main, if applicable

1. Permittee must escrow funds for 3rd party engineer to perform a study and design a safe containment solution due to potential impact on area water supply

2. Certification letter that MDEP standards have been met as part of SPR

Solar Ordinance

TOWN OF North Yarmouth SOLAR ENERGY SYSTEMS ORDINANCE

Section 1. Purpose

The purpose of this Ordinance is to establish a municipal review procedure and siting standards for Solar Energy Facilities. These standards are intended to:

- a. Establish clear guidelines and standards to regulate solar energy systems.
- b. Permit the Town to protect public health, safety, and welfare fairly and responsibly.
- c. Support the development of solar energy systems in a manner that minimizes any potential adverse effects on the scenic, cultural, and natural resource character of the Town.
- d. Provide for the removal of panels and associated utility structures that are no longer being used for energy generation and transmission purposes; and
- e. Support the goals and policies of the Comprehensive Plan, including orderly development, efficient use of infrastructure, and protection of natural and scenic resources.

Section 2. Authority

This Ordinance is enacted pursuant to the enabling provisions of Article VIII, Part 2, §1 of the Maine Constitution, the provisions of Title 30-A MRS, §3001 (*Home Rule*), and the provisions of Title 30-A §4312 et. seq. (*Comprehensive Planning and Land Use Regulation, or "Growth Management" Act*).

Section 3. Applicability

- a. Notwithstanding the provisions of 1 M.R.S. § 302 or any other law to the contrary, the requirements of this Ordinance shall apply to all ground-mounted solar energy systems modified or installed after the date of its enactment, unless exempted.
- b. All Solar Energy Systems shall be designed, erected, installed, and operated in accordance with all applicable codes, regulations, and standards.

Section 4. Administration and Enforcement

- a. This Ordinance will be administered through the provisions of the Land Use Ordinance, specifically Articles II III (Administration and Enforcement, which are hereby incorporated by reference. Specific application requirements, standards of review, and other requirements pertinent to Solar Energy Systems within this Ordinance shall be added to the Application Requirements and Standards of Approval within the Land Use Ordinance, which are also hereby incorporated by reference. In case of a conflict, the stricter provision shall apply.
- b. **Permit Requirements.**
 - 1) A permit from the Code Enforcement Officer is required prior to the installation, construction, or expansion of a Small-Scale SES, Medium-Scale or Large-Scale Ground-Mounted SES.
 - 2) A Conditional Use/SPR Permit from the Planning Board is required prior to the installation, construction, or expansion of a Large-Scale Solar Energy System. Solar Energy Systems must meet the requirements of this Ordinance and the Land Use Ordinance. All solar energy systems must also meet all federal and state electrical codes and permitting requirements.
 - 3) Transfer of Permits. Valid permits from the Planning Board or the CEO are transferable to a

new owner or lessee of the property for which the permit was given provided that the new owner or lessee signs a statement that they will adhere to the conditions and specifications of the issued permit. The new owners or lessees must conform to all construction, site development, uses, and permit conditions as specified in the permit application and the permit from the Planning Board or CEO. (See Land Use Ordinance Article III Section 3.5 (Transfer of Permits)). The Planning Board may require as a condition of approval that any new owner or lessee meet with the CEO or Planning Board to review and up-date as necessary any permit requirements, including, but not limited to, proof of financial capacity and decommissioning.

Section 5. Location and Size

Subject to the requirements of this Ordinance and the Land Use Ordinance, Solar Energy Systems shall be located and permitted in accordance with Land Use Ordinance, Article VII, Table 7.1 (Land Uses by District).

Section 6. Specific Permit Application Requirements

In addition to the requirements listed in Article III of the Land Use Ordinance, an application for a SES Conditional Use Permit must also include the following:

- a. A description of the owner of the system, the operator if different, and detail of qualifications and track record to run the SES.
- b. If the operator will be leasing the land, a copy of the agreement (minus financial compensation) clearly outlining the relationship inclusive of the rights and responsibilities of the operator, landowner, and any other responsible party regarding the SES and the details of the agreement.
- c. A description of the energy to be produced and to whom it will be sold.
- d. A copy of the agreement and schematic details of the connection arrangement with the transmission system, clearly indicating which party is responsible for various requirements and how they will be operated and maintained.
- e. A description of the panels to be installed, including make and model, and associated major system components.
- f. A construction plan and timeline, identifying known contractors, site control, and anticipated on-line date.
- g. An operations and maintenance plan, including site control and the projected operating life of the system.
- h. An emergency management plan for all anticipated hazards.
- i. Proof of financial and technical capacity to construct and operate the proposed SES; and
- j. A decommissioning plan for any Medium-Scale or Large-Scale Ground-Mounted SES, including:
 - 1) A description of the trigger for implementing the decommissioning plan. There is a rebuttable presumption that decommissioning is required if no electricity is generated for a continuous period of 12 months. The Applicant may rebut the presumption by providing evidence, such as a force majeure event that interrupts the generation of electricity, that although the project has not generated electricity for a continuous period of 12 months, the project has not been abandoned and should not be decommissioned.
 - 2) A description of the work required to physically remove all solar panels, associated foundations, buildings, cabling, electrical components, and any other associated facilities to the extent they are not otherwise in or proposed to be placed into productive use. All earth disturbed during decommissioning must be graded and re-seeded unless the landowner of the affected land requests otherwise in writing. [Note: At the time of decommissioning, the Applicant may

provide evidence of plans for continued beneficial use of any or all components of the SES. Any changes to the approved decommissioning plan shall be subject to review and approval by the Planning Board.]

- 3) An estimate of the total cost of decommissioning less salvage value of the equipment and itemization of the estimated major expenses, including the projected costs of measures taken to minimize or prevent adverse effects on the environment during implementation of the decommissioning plan. The itemization of major costs may include, but is not limited to, the cost of the following activities: panel removal, panel foundation removal and permanent stabilization, building removal and permanent stabilization, transmission corridor removal and permanent stabilization, and road infrastructure removal and permanent stabilization.
- 4) Demonstration in the form of a performance bond, surety bond, letter of credit, parental guarantee or other form of financial assurance as may be acceptable to the Planning Board that upon the end of the useful life of the SES the Applicant will have the necessary financial assurance in place for 100% of the total cost of decommissioning, less salvage value. The financial assurance shall include consideration of any increased removal costs due to inflation or other factors. As a condition of approval, the Planning Board may require a review of the financial assurance on a periodic basis to determine if an adjustment is warranted.
- 5) The total financial assurance as required by the Planning Board shall be in place prior to the start of construction. The financial assurance shall include a provision granting the Town the ability to access the funds and property and perform the decommissioning if the SES is abandoned or the Applicant or subsequent responsible party fails to meet their obligations after reasonable notice, to be defined in the agreement and approved by the Planning Board.
- 6) Waiver for a Medium-Scale SES that is an Accessory Structure. The Planning Board may waive, at its discretion, any or all of the requirements of Section 7, j for a Medium-Scale SES that is an accessory structure designed to provide energy either directly or indirectly for the principle use on the same parcel of land, such as, but not limited to, an accessory structure to a business, public building, or multifamily building.

Section 7. Standards for Approval

In addition to the requirements in Articles III and VII of the Land Use Ordinance, the following standards must also be met for all Medium-Scale and Large-Scale Ground-Mounted and Medium-Scale and Large-Scale Roof-Mounted SES, as applicable:

- a. **Legal Responsibilities:** The Applicant must provide proof of authorization to construct, use, and maintain the property and any access drive for the life of the SES and including the decommissioning of the SES. The roles and responsibilities of the system owner, operator, landowner, and any other party involved in the project must be clear and meet the satisfaction of the Planning Board that the public interest is protected. The owner or operator of the SES, at their expense, shall be responsible for decommissioning and site restoration when the solar energy system has reached the end of its useful life, or is otherwise determined to be abandoned, unless an extension is granted by the Planning Board.
- b. **Safety:** A SES and its associated equipment shall not present any unreasonable safety risks, including, but not limited to, the following: 1) weight load; 2) wind resistance; 3) ingress or egress in the event of fire or other emergency; or 4) proximity of a ground-mounted system relative to buildings.
- c. **Lot Size and Lot Coverage:** The SES shall meet the minimum lot size and maximum lot coverage requirements of the applicable zoning district, excepting that those areas of the SES that are vegetated shall not be included in the calculation of lot coverage.
- d. **Setbacks:** Structures within a SES shall be setback a minimum of 50 feet from the side and rear

- property lines and meet the front setback requirements for structures within the zoning district.
- e. Prohibited Locations: A SES or any of its components shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.
 - f. Utility Notification: No grid-inter-tied photovoltaic system shall be installed until evidence has been given to the permitting authority (Code Enforcement Officer or Planning Board) that the applicant has an agreement with the utility to accept the power. Off-grid systems are exempt from this requirement.
 - g. Fencing and Visual Impacts: The Planning Board may require that a SES be enclosed by fencing to prevent unauthorized access. Reasonable efforts, as determined by the Planning Board, shall be made to minimize undue visual impacts by preserving native vegetation, screening abutting properties, or other appropriate measures, including height and setback requirements.
 - h. Signage: Signage shall be required to identify the owner of the SES and provide a 24-hour emergency contact phone number. This signage shall not be used for advertising except for reasonable identification of the manufacturer or operator of the SES. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on the fence surrounding the SES, informing individuals of potential voltage hazards.
 - i. Utility Connections: Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
 - j. Emergency Services: The SES owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Town of North Yarmouth Fire Chief. Upon request, the owner or operator shall coordinate with local emergency services in developing an emergency response plan. A “3200 Series KNOX-BOX” shall be provided and installed by the operator to be used to allow emergency service personnel continuous access. All means of shutting down the SES shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
 - k. Maintenance Conditions: The SES owner or operator shall maintain the SES in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. The SES must be properly maintained and be kept free from all hazards, including, but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety, or general welfare. Site access shall be maintained to a level acceptable to the Town of North Yarmouth Fire Chief for emergency response. The owner or operator shall be responsible for the cost of maintaining the SES and any access road(s).
 - l. Modifications: Any material modifications to a SES made after issuance of the required Town permit(s) shall require approval by the Code Enforcement Officer and/or the Planning Board.
 - m. Satisfaction with All Aspects of Capacity and Plans Submitted: The Planning Board must find that the Applicant has the capacity to finance, safely operate and decommission the SES.
 - n. Removal: When any portion of a ground mounted SES is removed, any earth disturbance must be graded and reseeded.

Section 8. Conflict and Severability

- a. If there is a conflict between provisions in this Ordinance, the more stringent shall apply. If there is a conflict between a provision in this Ordinance and that of another Town of North Yarmouth ordinance, the provisions of this Ordinance shall apply.

- b. The invalidity of any part of this Ordinance shall not invalidate any other part of this Ordinance.

Section 9. Effective Date.

This Ordinance becomes effective upon the date of its enactment by the Town.

TABLE 7.1 LAND USES BY ZONING DISTRICT [AMENDED 5/17/08¹ 6/19/21]

**A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review)
CU = Conditional Use (Planning Board Review); N = Prohibited Use**

USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Residential Uses							
Single-family detached dwelling ²	P	P	P	N	P	SPR	P
Duplex	P	P	P	N	P	N	P
Manufactured housing - individual lot ⁴	P	P	P	N	P	SPR	P
Conversions - seasonal to year-round residences	P	P	P	N	P	SPR	P
Mobile Home Park	CU/SPR	SPR	N	N	N	N	N
Multiple Residential units in a permitted Building Type ⁹	SPR	N	N	N	N	N	SPR
Accessory Apartment ⁵ [Amended 5/17/08]	P	P	P	N	N	N	P
Accessory use – Home Occupation ⁶	P	P	P	N	SPR	SPR	SPR
Home heating fuel tanks & fuel storage (greater than 660 gallons of liquid fuel ⁷ per parcel of land)	SPR	SPR	SPR	N	N	N	N
Accessory use – Home Based Occupation ⁸ [Amended 5/30/09]	P	P	P	N	N	SPR	SPR
Commercial and Industrial Uses							
Beauty salons	SPR	CU/SPR	N	N	N	N	CU/SPR
Bed and breakfast	SPR	SPR	SPR**	N	N	N	SPR
Boat builders and refinishers	SPR	N	N	N	N	N	N
Business/professional office less than 2,000 sq.ft. gross floor area	SPR	SPR	CU/SPR* *	N	N	N	SPR
Business/professional office, 2,000 to 10,000 sq.ft. gross floor area	SPR	N	N	N	N	N	SPR
Retail sales/services, less than 2,000 sq.ft. gross floor area	SPR	SPR	N	N	N	N	SPR
Retail sales/services, 2,000 to 10,000 sq.ft. gross floor area	SPR	N	N	N	N	N	CU/SPR
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. **Can only be conversions of buildings in existence as of June 14, 2005.							

¹ Tables were also reformatted to include blank lines for future amendments.

² Includes "community living arrangements" for 8 or fewer persons with disabilities as defined in 30-A M.R.S. Section 4357-A

³ Single-family residential structures may be allowed by special exception only according to the provisions of Section 7-5. Special Exceptions. Two-family residential structures are prohibited.

⁴ Shall meet the requirements of Section 11-5. Manufactured Housing On Individual Lots

⁵ Shall meet the requirements of Section 11-1. Accessory Apartments

⁶ Shall meet the requirements of Section 11-4. Home Occupations

⁷ Propane tanks, or other tanks with liquefied gaseous fuels are allowed. Home heating fuel tanks and fuel storage of 660 gallons or less is allowed with all residential uses.

⁸ Signs, exterior displays and any other indications of a home based occupation in a residential zone require conditional use approval from the Planning Board [Amended 5/30/09]

⁹ See Section X Section 10.4 for permitted Building Types.

TABLE 7.1 LAND USES BY ZONING DISTRICT (continued from prior page)							
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USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Commercial and Industrial Uses (continued)							
Retail sales/services with 10,000 sq.ft. gross floor area, or more	N	N	N	N	N	N	N
Restaurants with less than 2,000 sq.ft. gross floor area	SPR	SPR	CU/SPR **	N	N	N	SPR
Restaurants with 2,000 sq.ft. gross floor area, or more	SPR	SPR	CU/SPR**	N	N	N	CU/SPR
Tavern	CU/SPR	CU/SPR	CU/SPR	N	N	N	CU/SPR
Small Brewery, Small Winery, Small Distillery	CU/SPR	CU/SPR	CU/SPR	N	N	N	CU/SPR
Takeout eating place	SPR	SPR	N	N	N	N	SPR
Drive-through eating place	N	N	N	N	N	N	N
Redemption center less than 2,000 sq. ft. gross floor area	SPR	N	N	N	N	N	N
Commercial food processors, other than those where food is raised on the premises (see Natural Resource Based Uses)	SPR	SPR	SPR	N	N	N	N
Financial institution	SPR	N	N	N	N	N	SPR
Financial institution with drive through	CU/SPR	N	N	N	N	N	CU/SPR
Laundromat	SPR	N	N	N	N	N	SPR ¹
Dry cleaners' drop-off, no dry cleaning - processing	SPR	SPR	N	N	N	N	SPR
Dry cleaners - processing	N	N	N	N	N	N	N
Printers and photo processors	SPR	CU/SPR	N	N	N	N	CU/SPR
Motor vehicle services/repairs and body shops/sales [limited to small operations; 10 or fewer vehicles on site at a time]	SPR	CU/SPR	CU/SPR	N	N	N	N
Gas and/or service stations, sale of gas accessory to retail	SPR	CU/SPR	N	N	N	N	N
Petroleum/petroleum product storage for retail/wholesale sales, including fuel oil distributors	N	N	N	N	N	N	N
Petroleum/petroleum product use/storage for business use; more than 660 gallons of liquid fuel per parcel	SPR	SPR	SPR	N	N	N	N
Petroleum/petroleum product use/storage for business use; 660 gallons or less of liquid fuel ¹ per parcel	P	P	P	N	N	N	CU/SPR
Auto washing facilities	SPR	N	N	N	N	N	SPR ¹
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch. **Can only be conversions of buildings in existence as of June 14, 2005							

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USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Commercial and Industrial Uses (continued)							
Discharge of commercial or industrial wastewater or wash water to an onsite septic disposal system	N	N	N	N	N	N	N
Light manufacturing, Warehousing & Storage, and Trucking & Distribution less than 5,000 sq.ft. gross floor area	SPR	SPR	SPR	N	N	N	CU/SPR***
Light manufacturing, 5,000 sq.ft. to 20,000 sq.ft. gross floor area	SPR	SPR	SPR	N	N	N	N
Warehousing & storage, 5,000 to 20,000 sq.ft. gross floor area	SPR	N	CU/SPR	N	N	N	N
Trucking & distribution facility, 5,000 to 20,000 sq.ft. gross floor area	SPR	N	CU/SPR	N	N	N	N
Wholesale business, research & development, light manufacturing, warehousing & storage, or trucking & distribution facility, 20,000 sq.ft. gross floor area or more	N	N	N	N	N	N	N
Excavating contractors and general contractors	SPR	SPR	SPR	N	N	N	SPR
Funeral homes	CU/SPR	CU/SPR	N	N	N	N	SPR
Commercial /industrial solid waste disposal, transfer station and/or recycling facility	N	N	N	N	N	N	N
Junkyard/auto graveyard/auto recycling	N	N	N	N	N	N	N

Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.

**Can only be conversions of buildings in existence as of June 14, 2005.

***Except that the Planning Board may substitute "sq. ft. of Building Footprint" for "sq. ft. gross floor area", as long as the applicant shows that the additional square footage will not impact the site as far as standards of review such as parking, # of employees, and impervious surface restrictions, and any other requirements of review. [Amended 5/13/06]

TABLE 7.1 LAND USES BY ZONING DISTRICT (continued from prior page)

**A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review)
CU = Conditional Use (Planning Board Review); N = Prohibited Use**

USES	Village Center	Village Residential	Farm and Forest	Resource Protection¹	Residential Shoreland¹	Royal River Overlay*	Groundwater Overlay*
Utility Uses							
Essential services, excepting the following (a. and b.) ² [Amended 5/17/08]	P	P	P	SPR	SPR	P	CU/SPR
a. Roadside distribution lines (34.5kV and lower)	P	P	P	P	P	P	P
b. non-roadside or cross-country distribution lines	P	P	P	SPR	SPR	SPR	P
Service drops, as defined, to allowed uses ³	A	A	A	P	A	P	A
Public utility buildings	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Oil pipelines	CU/SPR	CU/SPR	CU/SPR	CU/SPR	CU/SPR	CU/SPR	N
Telecommunications towers	SPR	CU/SPR	SPR	N	SPR	N	SPR
Institutional Uses							
Public and private schools	SPR	SPR	CU/SPR	N	N	N	SPR
Public and private schools over 50,000 sq ft	CU/SPR	N	N	N	N	N	CU/SPR
Day care and nursery schools	SPR	SPR	CU/SPR	N	N	N	SPR
Church including accessory residence	SPR	SPR	N	N	N	N	SPR
Cemetery ⁵	SPR	SPR	P	N	N	N	N
Library and museum	SPR	SPR	N	N	N	N	SPR
Fraternal and social institutions	SPR	CU/SPR	CU/SPR	N	N	N	CU/SPR
Municipal and other governmental buildings	SPR	SPR	SPR	N	N	N	SPR
New municipal transfer stations	SPR	SPR	SPR	N	N	N	N
Municipal recycling facility	SPR	SPR	N	N	N	N	SPR
Nursing home/congregate care	SPR	CU/SPR	N	N	N	N	SPR ⁴
Small non-residential facilities less than 5,000 sq.ft gross floor area for educational, scientific, or nature interpretation purposes	SPR	SPR	SPR	N	SPR	N	SPR
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.							

¹ See restrictions Section 9-1. Residential Shoreland District and Resource Protection District Standards.

² Utilities (gas, water, power lines etc.) excluding service drops and buildings, as defined in Section XII. Definitions.

³ Electric and/or telephone utility line extensions, see restrictions in Section 9-1. Residential Shoreland District and Resource Protection District Standards.

⁴ Must be served by sewer or advanced wastewater treatment systems for on-site sewage disposal.

⁵ See Family Burial Ground

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)

**A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review)
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USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Recreational Uses							
Campground	N	N	SPR	N	SPR	CU/SPR	N
Individual campsite	P	P	P	P	P	P	P
Golf course including club house	SPR	SPR	SPR	CU/SPR ¹	SPR	N	N
Fully enclosed places of recreation	SPR	CU/SPR	N	N	N	N	SPR
Piers/Docks/Wharfs/Bridges – Permanent	P	P	P	SPR ²	SPR ²	SPR	SPR
Piers/Docks/Wharfs/Bridges – Temporary	P	P	P	P ²	P ²	P	P
Marinas/Sheds/Boating facilities	-	-	-	N	SPR	N	N
Non-intensive recreational uses not requiring structures, roads or parking facilities, such as hunting, fishing, hiking	A	A	A	A	A	A	A
Government and non-profit parks and outdoor recreation	P	P	P	CU/SPR	SPR	SPR	SPR
Public and private recreational areas involving no structural development; recreational trails	A	A	A	SPR	SPR	SPR	A
Natural Resource Based Uses							
Aquaculture	A	A	A	SPR	SPR	SPR	N
Agriculture ³	A	A	A	SPR	A	A	SPR
Commercial processing of vegetables/crops raised on premises	P	P	P	N	SPR	N	SPR
Commercial processing of poultry and/or livestock raised on the premises (meat packer, slaughterhouse)	SPR	SPR	SPR	N	N	N	N
Storage, handling, processing, disposal and/or utilization of sludge/ash	N	N	N	N	N	N	N
Forest management activities, except timber harvesting	A	A	A	A	A	A	A
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.							

¹ Clubhouse prohibited in Resource Protection District.

² Excluding bridges and other crossings not involving earth work, in which case no permit is required. [Adopted 5/17/08]

³ Agriculture: The production, boarding, 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; Christmas trees; and ornamental and green house products. Agriculture does not include forest management and timber harvesting activities. Agricultural activities for personal use only, do not require a Permit from the Planning Board.

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)							
A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review)							
CU = Conditional Use (Planning Board Review); N = Prohibited Use							
USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Natural Resource Based Uses (continued)							
Timber harvesting	A	A	A	P	A	A	SPR ¹
Mineral exploration	N	N	P	N	P	A	N
Mineral extraction (including sand & gravel) 100 cubic yards to 999 cubic yards within any 12-month period	A	A	A	N	CU/SPR	N	CU/SPR
Commercial mineral extraction (including sand & gravel) 1,000 cubic yards or more within any 12-month period	N	N	SPR	N	N	N	N
Lumber yards including milling, distribution of wood products, wholesale/retail sales of building materials	SPR	SPR	CU/SPR	N	N	N	SPR
Commercial processing of wood including cutting, sawing, splitting, and chipping	SPR	SPR	SPR	N	N	N	SPR
Landscaping business, nursery, garden center	SPR	SPR	SPR	N	N	N	N
Soil and water conservation practices	A	A	A	A	A	A	A
Surveying and resource analysis	A	A	A	A	A	A	A
Wildlife management practices	A	A	A	A	A	A	A
Municipal and Public Safety Signs	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.							

¹ Permit required when timber harvest consists of more than 5 acres (this includes transportation or utility corridors).

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)

**A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review)
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USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Other Uses							
Abandoned wells	N	N	N	N	N	N	N ¹
Private airstrip	P	P	P	N	CU/SPR	N	CU/SPR ²
Commercial airport: fueling area or maintenance area	N	N	CU/SPR	N	N	N	N
Clearing or removal of vegetation for activities other than timber harvesting [Amended 5/17/08]	A	A	A	SPR	A	SPR	A
Demolition	P	P	P	P	P	P	P
Family Burial Ground [Amended 4/28/18]	SPR	SPR	SPR	SPR	SPR	SPR	SPR
Filling and earth moving of less than 10 cubic yards	A	A	A	P	A	A	A
Filling and earth moving of 10 cubic yards or more	A	A	A	SPR	P	P	P
Emergency operations and fire prevention activities	A	A	A	A	A	A	A
Land reclamation	P	P	P	SPR	P	SPR	SPR
Storage of chemicals, including herbicides, pesticides or fertilizers <u>other than</u> amounts normally associated with individual households or farms	SPR	SPR	SPR	N	N	N	N
Subsurface waste disposal and sewage systems	P	P	P	P	P	P	P
Advanced wastewater treatment systems	P	P	P	P	P	P	SPR
Storm water impoundments	SPR	SPR	SPR	N	N	N	SPR
Wastewater impoundments	N	N	N	N	N	N	N
Industrial waste disposal	N	N	N	N	N	N	N

Notes: *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.

¹ Must be filled with inert material; see Section 9-2. Groundwater Protection Overlay District: Best Management Standards.

² No more than 660 gallons of liquid fuel per parcel of land may be stored on-site.

TABLE 7-1. LAND USES BY ZONING DISTRICT (continued from prior page)

**A = Allowed Use; P = Permitted Use (CEO Review); SPR = Site Plan Review (Planning Board Review)
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USES	Village Center	Village Residential	Farm and Forest	Resource Protection	Residential Shoreland	Royal River Overlay*	Groundwater Overlay*
Other Uses (continued)							
Parking associated with single family and two-family dwellings, and non-commercial farmsteads	A	A	A	N ¹	SPR	SPR	A
Parking associated with uses other than single family and two-family dwellings, and non-commercial farmsteads	SPR	SPR	SPR	N	SPR	SPR	SPR
Road, driveway construction	P	P	P	N ²	SPR	SPR	P
New or expanded driveway/entrance onto public road	P	P	P	N	SPR	SPR	P
Overnight storage or parking of vehicles and equipment containing over 50 gallons of fuel, excluding municipal storage and parking of vehicles	A	A	A	N	N	N	P
Covered sand and salt piles	P	P	P	N	N	N	SPR
Snow dumps	SPR	SPR	SPR	N	N	N	N
Railroad stations and railroad yards	CU/SPR	SPR	SPR	N	N	N	N
Underground fuel storage tanks, other than propane	P	P	P	N	N	N	N
Signs	P	P	P	P	P	SPR	P

Notes:
 *Overlay Districts are regulations and standards in addition to those of the underlying district. Where there is a discrepancy, the more restrictive provision applies. All uses, including "Allowed Uses" must comply with the Overlay District Performance Standards. The Royal River Corridor Overlay District includes the Royal River, Chandler Brook and the East Branch.

¹ See Section 9-1. Residential Shoreland District and Resource Protection District Performance Standards

² Except as provided in Section IX. Section 9-1.L. [Amended 5/17/08]