

TOWN OF LITCHFIELD LAND USE ORDINANCE

Adopted

June 2004

Amended

June 2006

June 2011

June 2012

June 2013

June 2017

June 2019


July 2020

June 2022

Certification

Adopted on June 18, 2022

Certified By

A handwritten signature in black ink, appearing to read "B. Weissmiller", written over a horizontal line.

Town Clerk

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Site Plan Review Ordinance

Building Regulations of the Town of Litchfield

Litchfield Minimum Lot Size Ordinance

1.6. Relationship with other Ordinances:

Whenever a provision of this Ordinance conflicts with, or is inconsistent with, another provision of this Ordinance or any other ordinance, regulation or statute, the more restrictive provision shall control.

In addition to the requirements of this Ordinance all development proposals involving the following; subdivisions; floodplain management; shoreland zoning, and roads shall conform to the applicable requirements of those separate ordinances.

1.7. Validity and Severability:

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision does not invalidate any other section or provision of this Ordinance.

1.8. Amendments:

Amendments to this Ordinance may be initiated by a majority vote by the Board of Selectmen, Planning Board, or by written petition by a number of voters equal to at least 10% of the number of votes cast in the municipality in the last gubernatorial election.

An amendment to this Ordinance shall be adopted by a majority vote of a Town Meeting. The Planning Board shall conduct a public hearing on any proposed amendments prior to the Town Meeting.

1.9. Availability:

A certified copy of this Ordinance shall be filed with the Town Clerk and shall be accessible to any member of the public. Copies shall be made available to the public at reasonable cost to be charged to the person making the request.

1.10. Application Forms:

The Planning Board and the Code Enforcement Officer shall develop appropriate application forms to be used by all applicants seeking permits.

1.11. Permit Fee:

All applications for a permit shall be accompanied by the fee established by the Board of Selectmen. All fees are non-refundable and shall be paid to the Town of Litchfield upon filing a permit application.

SECTION 2 Administration and Enforcement

in the administration of this Ordinance.

- (2) Variance Appeals: To authorize variances upon appeal, within the limitations set forth in this ordinance.

2.4.2. Variance Appeals

- (1) Variances may only be granted from dimensional requirements including but not limited to, lot width, structure height, percent of lot coverage and setback requirements. Variances shall not be granted for the establishment of any uses otherwise prohibited by this Ordinance.
- (2) The Board of Appeals shall not grant a variance unless it finds that strict application of the terms of this ordinance would result in undue hardship. The term undue hardship shall mean the following:
 - (a) The land in question cannot yield a reasonable return unless a variance is granted.
 - (b) The need for the variance is due to the unique circumstances of the property and not to the general conditions of the neighborhood.
 - (c) The granting of the variance will not alter the essential character of the locality.
 - (d) The hardship is not the result of action taken by the applicant or a prior owner.
- (3) The Board of Appeals shall limit any variances granted as strictly as possible in order to insure conformance with the purposes of this Ordinance to the greatest extent possible, and in doing so may impose such conditions to a variance as it deems necessary. The party receiving the variance shall comply with any conditions imposed.
- (4) The variance approval shall be filed by the applicant at the registry of deeds within 90 days of the date of the written approval of the variance or the variance is void.
- (5) The Board of Appeals may grant a variance to a property owner for the purpose of making that property accessible to a person with a disability who is living on the property. The Board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the property by the person with the disability. The Board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives on the property. The term “structures necessary for access to or egress from the property” shall include railing, wall or roof systems necessary for the safety or effectiveness of the structure.

2.4.3. Appeal Procedure

the Board of Appeals may take an appeal to Superior Court in accordance with State laws within 45 days from the date of any decision of the Board of Appeals.

SECTION 3 Permit Requirements

3.1. Permits shall be required for the following:

- 3.1.1. The construction, erection, improvement, addition, enlargement, alteration, demolition, or movement of any building or structure including temporary structures when the fair market value of such labor and materials exceeds \$1,000.00 cumulatively within a 12-month period.
- 3.1.2. The installation or construction of a dwelling unit, mobile home or modular home.
- 3.1.3. Expansions of a non-conforming use or structure.
- 3.1.4. Mineral extraction activities.
- 3.1.5. For a new or expanded land use activity as listed and permitted in the Land Use Table within this Ordinance or the Table of Land Uses contained within the Shoreland Zone Ordinance.
- 3.1.6. Change of use to one that is allowed in a particular land use district.
- 3.1.7. For the installation of internal plumbing and subsurface wastewater disposal systems.

3.2. Permits Not Required:

Permits are not required for the following:

- 3.2.1. For any allowed use activity as listed in the Land Use Table within this Ordinance or the Table of Land Uses contained within the Shoreland Zone Ordinance.
- 3.2.2. For normal repair and maintenance
- 3.2.3. For any activity as listed in A, 1 above that is less than the stated fair market value of \$1,000.00 within a 12-month period and is not located within a shoreland zone.
- 3.2.4. For the following activities when they are reviewed and issued a permit under the following:
 - Subdivision as per the Subdivision Ordinance.
 - Floodplain development as per the Floodplain Management Ordinance.

application with conditions, or deny the application. The Planning Board shall submit its decision on the application to the Code Enforcement Officer.

3.8. Burden of Proof:

The applicant shall have the burden of proof to show that the proposal meets the applicable review criteria and the standards contained in this Ordinance.

3.9. Rights not Vested:

The submittal of the permit application to the Code Enforcement Officer to review for a complete application shall not be considered the initiation of the review process for the purposes of bringing the application under the protection of Title 1, MRSA, Section 302. The formal

review process shall begin upon notification to the applicant that a complete application has been received.

3.10. Site Inspection:

The Code Enforcement Officer and/or the Planning Board may perform an on-site inspection of the proposed project in order to obtain knowledge about the site and the surrounding area.

3.11. Additional Information and Studies:

The Planning Board may at its discretion retain expert independent technical assistance to supplement the evidence presented by the applicant and the public hearing. The cost of such expertise shall be borne by the applicant in accordance with the terms of the escrow account set-up at the time the application is submitted as listed in the Permit Fee Schedule established by the Board of Selectmen.

3.12. Waivers:

3.12.1. The Planning Board may vote to waive any of the neighborhood standards, submission requirements, or performance standards contained in this Ordinance when it finds one of the following:

- (1) One or more of the submission requirements, neighborhood standards or performance standards are not applicable to the proposal due to the size of the project, circumstances of the site, design of the project, type of project or unique features of the proposed use.
- (2) The applicant has proposed an alternative design that meets or exceeds the requirements set forth in the ordinance performance standards or neighborhood standards.
- (3) The Planning Board may consider a waiver only for land use activities that require Planning Board review.

3.12.2. The applicant shall submit information and materials that support the waiver request with the application.

- 3.14.3. The Planning Board may vote to continue the public hearing in order to receive additional public comment or information concerning the application. The Board is not required to meet the notice requirements listed above for the continued public hearing.

3.15. Expiration of Site Plan Application:

Site Plan applications are valid for 12 months from the date the fee is paid. An extension may be granted by the reviewing authority when it feels additional time is needed. Permit applications that have expired shall become null and void.

SECTION 4 Review Criteria

4.1. Review Criteria:

The applicant for a permit review shall demonstrate that the proposed use or project meets the review criteria listed below. The Planning Board/Code Enforcement Officer shall approve a permit application only after making a written finding that all of the following criteria have been met.

- 4.1.1. The application is complete and applicable review fee has been paid.
- 4.1.2. The proposed activity will not cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
- 4.1.3. The proposed activity will not have an adverse impact on wetlands.
- 4.1.4. The proposed activity will not have an adverse impact upon any waterbody.
- 4.1.5. The proposed activity will provide for adequate storm water management.
- 4.1.6. The proposed activity will provide for adequate sewage disposal.
- 4.1.7. The proposed activity will not adversely impact any floodplain areas and will conform to the applicable requirements of the Town of Litchfield Floodplain Management Ordinance.
- 4.1.8. The proposed activity will not result in air or water pollution.
- 4.1.9. The proposed activity has sufficient water available for the current and foreseeable needs of the development.
- 4.1.10. The proposed activity will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.
- 4.1.11. The proposed activity will dispose of all solid waste in conformance with all local, state and federal regulations.
- 4.1.12. The proposed activity shall conform to neighborhood architectural standards.

- (2) Property location, including map and lot number.
- (3) Verification of applicant's right title or interest in the property. (May include but not limited to Registered Deed, Purchase Sales Agreement signed by all parties, signed Lease.)
- (4) Receipt of the application fee.
- (5) Estimated cost of the proposal.
- (6) Schedule of construction, including anticipated beginning and completion dates.
- (7) Plumbing permit and subsurface wastewater disposal permits if applicable.
- (8) Floodplain Management or any other local permit application if applicable.
- (9) A complete description of the project, including how the proposal complies with all the applicable Review Criteria.
- (10) A map drawn to scale showing the location, boundaries, elevations, uses and size of the following: site, structures, setbacks, parking areas, driveways, roads, erosion control and stormwater control features, easements and rights-of-way, and all waterbodies.
- (11) Any other information necessary to show that the proposal complies with the applicable requirements of this Ordinance.

5.2. Planning Board Review:

Applicants are required to meet with the Planning Board in a Pre-Application Meeting before submitting a formal application. The purpose of the Pre-Application Meeting is for the applicant to present a sketch plan and general information regarding the proposal to the Planning Board and to receive the Planning Board's comments.

The following shall apply to all land use activities requiring review by the Planning Board.

5.2.1. Application Procedure:

- (1) The applicant shall submit the Planning Board Review application to the Code Enforcement Officer along with the appropriate application fee.
- (2) The Code Enforcement Officer shall issue a dated receipt to the applicant upon receiving the application.
- (3) Within 14 days of receipt of the application, the Code Enforcement Officer shall make a determination whether submission requirements in Section 5B2 have been provided and notify the applicant of his/her determination.
 - (a) If all submission requirements have not been provided the Code Enforcement Officer shall notify the applicant of the specific

- (d) Estimated cost of the proposal.
 - (e) Schedule of construction including anticipated beginning and completion dates.
 - (f) A description of the project.
 - (g) The name and address of all property owners abutting the property.
- (5) General location information including the following:
- (a) A copy of the tax map showing the property and surrounding parcels.
 - (b) A copy of the Kennebec County soils map showing the property.
 - (c) A copy of the USGS Topographic map showing the property.
 - (d) A copy of the Town Land Use Map showing the property.
 - (e) A copy of the FIRM map showing the property.
 - (f) A map drawn to scale showing the location, boundaries, elevations, uses and size of the following: developed site, type of structures, setbacks, parking areas, driveways and roads, drainage ways, easements and rights-of-way, watercourses, water bodies and wetlands, number of acres within the development, size of all impervious areas, and all other significant natural and physical features.
- (6) The location of all proposed subsurface wastewater disposal systems or test pit data indicating that the site can accommodate a subsurface system.
 - (7) Indication of the water source for the proposal including evidence that an adequate water supply is available to supply all the water needs.
 - (8) Evidence that all other permits can be obtained including but not limited to Floodplain Management, Shoreland Zone, State, and Federal.
 - (9) An erosion control plan.
 - (10) A storm water control plan.
 - (11) A phosphorus control plan.
 - (12) The location of any site or structure listed on the National Register of Historic Places or any archeological site identified by the State Historic Preservation Commission.
 - (13) The location of any significant wildlife resources or natural areas.
 - (14) The traffic data for the site including an estimate of the amount of vehicular

increase in the linear extent of the nonconformity of the existing structure with respect to the required setback from any lot line and will extend no further into a setback area than does any portion of the existing structure.

(c) A variance is obtained for the proposed expansion.

(2) non-conforming structure that is removed or destroyed may be replaced according to the following:

(a) The structure shall be replaced so as to conform to the applicable dimensional requirements to the greatest extent possible taking into consideration the existing foundation, topography, water supply and sanitary disposal. The Code Enforcement Officer shall make the determination if the proposal meets the dimensional requirements to the greatest extent possible.

(3) A non-conforming mobile home legally existing in Litchfield before the effective date of this Ordinance may be moved to another lot.

6.4. Non-Conforming Uses:

6.4.1. The use of land, buildings or structures, lawful at the time of adoption of this ordinance, or subsequent amendments of this ordinance, may continue, although such use does not conform to the provisions of this Ordinance, except as provided in the following subsections;

6.4.2. A non-conforming use that is discontinued for a period of 12 consecutive months may not be resumed. A use will be considered discontinued if the property owner's intent is to give up his or her legal right to continue the existing nonconforming use. The property owners' intent shall be judged by some overt act such as but not limited to removing advertising signs, removing fixtures, equipment or goods, or by allowing the structure to become dilapidated. The use of the land, buildings, or structures shall thereafter conform to the provisions of this ordinance.

6.4.3. Whenever a non-conforming use is changed to a conforming use, the property shall thereafter conform to the provisions of this Ordinance.

6.4.4. A non-conforming use may be changed to another non-conforming use by requesting a permit review from the Planning Board. The Planning Board may approve such a change when it finds that the proposed non-conforming use will not create any more adverse impact or nuisance than the original non-conforming use. In making this determination the Board shall consider the following; noise, traffic, lighting, parking, and harm to the environment.

6.4.5. A non-conforming use may be expanded after obtaining approval from the Planning Board. The Planning Board may approve such an expansion when it finds that the proposed expansion will not create a nuisance or negative impact upon adjacent properties greater than the existing non-conforming use and the expansion will conform to all the applicable provisions of this Ordinance.

7.4. Inconsistencies:

Where physical or cultural features existing on the ground vary from those shown on the Official Map, or other circumstances not covered by this section, the Board of Appeals shall interpret the district boundaries.

7.5. Designation of Land Use Districts:

The following Land Use Districts are hereby established:

R Rural District

V Village District

PD Planned Development District

Refer to the Shoreland Zoning Ordinance for information concerning Shoreland Zoning Districts.

7.6. District Purpose:

7.6.1. Rural District

The rural district constitutes the majority of land area within the community and is designated in order of preference for agriculture, forestry, open space, recreation, resource based activities, and low-density housing. Cottage industries and home occupations in compliance with the Ordinance are allowed. Development activities that occur within the district are expected to be designed and undertaken in a manner that preserves for future generations the traditional rural character of the land.

7.6.2. Village District

The village districts are designated to include three of the Town's traditional higher density and older commercial areas. The district is intended to accommodate primarily residential development. However, some service, retail and municipal uses will be permitted. The goal is to over time more clearly define the village areas by encouraging a denser pattern of development that incorporates some traditional design elements such as walking paths and proximity to some services and recreation.

7.6.3. Planned Development District

The planned development district is designed for major commercial activities and larger scale residential developments. The district was selected primarily due to frontage on State Arterials, land is available for development and some commercial activities are already in the vicinity. The majority of growth is encouraged to locate within this district.

7.7. Land Use Tables:

G.3.3	Multi-family residential	P	P	P
G.3.4	Community living facility	C	C	C
G.3.5	Home Occupation	Y	Y	Y
G.3.6	Bed and breakfast	C	C	C
G.3.7	Overnight Accommodations	P	P	P
G.3.8	Boarding /group facility	P	P	P
G.3.9	Mobile Home parks (1)	N	N	P
G.3.10	Subdivisions (2)	P	P	P

Table G.4 contains information about institutional/governmental land uses:

7.7.4. G.4 LAND USES—INSTITUTIONAL/GOVERNMENTAL				
No.	Description	R	V	PD
G.4.1	Municipal/Government	P	P	P
G.4.2	Educational/school	P	P	P
G.4.3	Hospital/Care facility	P	P	P
G.4.4	Community/ Civic/ Club Facility	P	P	P
G.4.5	Cemetery	P	P	P
G.4.6	Churches	P	P	P

Table G.5 contains information about commercial land uses:

7.7.5. G.5 LAND USES—COMMERICAL				
No.	Description	R	V	PD
G.5.1	Cottage industry	C	C	C
G.5.2	Farm Stand	Y	Y	Y

G.6.1	Essential services	Y	Y	Y
G.6.2	Utility buildings/structures	C	C	C
G.6.3	Airport	P	P	P

Table G.7 contains information about recreation land uses:

7.7.7. G.7 LAND USES—RECREATION				
No.	Description	R	V	PD
G.7.1	Passive recreation	Y	Y	Y
G.7.2	Park/playground	C	C	C
G.7.3	Campground	P	P	P
G.7.4	Indoor Recreation	P	P	P
G.7.5	Outdoor Recreation commercial	P	P	P
G.7.6	Golf Course	P	P	P

Table G.8 contains information about accessory/other land uses:

7.7.8. G.8 LAND USES—ACCESSORY/OTHER				
No.	Description	R	V	PD
G.8.1	Accessory use or structure	C	C	C
G.8.2	Parking facility	P	P	P
G.8.3	Uses similar to allowed uses	Y	Y	Y
G.8.4	Uses similar to uses requiring a CEO review	C	C	C
G.8.5	Uses similar to uses requiring Planning Board review	P	P	P

Notes:

(1) Legally existing mobile home parks regardless of their location may be expanded. Planning Board review is required.

(2) All types of subdivisions shall be reviewed according to the Town of Litchfield

agricultural structures, and accessory features on buildings including, antenna, towers, chimneys and similar features.

- (3) Subdivision lots less than 2 acres may reduce minimum road frontage (town and private), front side and rear setbacks to the dimensional requirements for the Village District.
- (4) Duplex family residential is not allowed on lots less than an acre.
- (5) Access Structures Related to Disabilities

§4353-A. Code enforcement officer; authority for disability structures permits. The code enforcement officer may issue a permit to an owner of a dwelling for the purpose of making a dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. If the permit requires a variance, the permit is deemed to include that variance solely for the installation of equipment or the construction of structures necessary for access to or egress from the dwelling for the person with a disability. The code enforcement officer may impose conditions on the permit, including limiting the permit to the duration of the disability or to the time that the person with a disability lives in the dwelling.

All medical records submitted to the code enforcement officer and any other documents submitted for the purpose of describing or verifying a person's disability are confidential.

For the purposes of this section, the term "structures necessary for access to or egress from the dwelling" includes ramps and associated railings, walls or roof systems necessary for the safety or effectiveness of the ramps. Fees for permits issued under this section shall be waived.

SECTION 8 Neighborhood and Environmental Standards

8.1. Access to Lots:

All lots shall be provided with an access to the property by means of a driveway, common driveway, lane or road. The specific requirements for each of these access ways are contained in the Town of Litchfield Road Ordinance.

8.2. Rear Lot Access and Frontage:

Rear lot development is permitted in the Rural, Village and Planned Development Districts. New lots proposed to be placed behind a legal lot that has existing town road frontage shall be deemed to comply with the minimum road frontage requirements if it meets the following:

- 8.2.1. The lot conforms to all the dimensional requirements of this Ordinance except for road frontage.
- 8.2.2. The lot has access that complies with requirements of the Town of Litchfield Road Ordinance for a driveway or common driveway as appropriate.

- 8.7.2. Lighting fixtures shall be shielded or hooded so that lighting elements are not exposed to normal view by motorist, pedestrians, structures located on adjacent properties. Light shall be directed downward so it does not light up the night sky.
 - 8.7.3. No lighting fixture, except for street lights, shall extend beyond a height of 25 feet, as measured from ground level.
 - 8.7.4. All exterior lighting and all reflective properties of the proposed development will be designed to minimize adverse impact on neighboring properties. No activity shall be permitted to produce a strong, dazzling light, flashing light or reflection of light beyond its lot lines onto neighboring properties, or onto any town way so as to impair the vision of the driver of any vehicle upon that town way or create a nuisance for neighboring property owners.
- 8.8. Sanitary and Liquid Waste:
- 8.8.1. All land use activities shall provide for the disposal of all solid waste on a timely basis as not to create a health hazard and in an environmentally safe manner.
 - 8.8.2. All necessary Internal Plumbing and Subsurface Wastewater Disposal permits required as per State law and regulation shall be obtained by the applicant.
 - 8.8.3. The specific amount and nature of all industrial or chemical waste to be generated by the proposed operation shall be listed in the permit application. Industrial or commercial waste may be discharged only in such quantities and/or quality as to be able to be accepted into the applicable disposal system. Wash water or other process water carrying stone dust, stone particles, silt or other mineral matter shall be treated by an acceptable system. The handling, use and disposal of all industrial and chemical waste shall conform to all applicable state and federal regulations.
- 8.9. Material Storage:
- 8.9.1. All commercial outdoor storage areas including areas used for the storage or collection of solid waste, junk automobiles, auto parts, building materials, machinery, sand and gravel, or other such items, shall have screening sufficient to minimize its impact on roads, and other properties in the area. Walls, fencing, dense plant material, or a combination of material can be used to achieve this intent.
 - 8.9.2. Areas designed for the outdoor display of items sold on the premises including but not limited to, vehicle sale lots, greenhouse items, and similar activities shall provide for a buffer between the road right-of-way. The buffer width in the Village District shall be 5 feet and the buffer width in the Planned Development District shall be 10 feet.
- 8.10. Natural Resource Protection:
- If any portion of the parcel has been identified as a Critical Natural Area by the Maine Natural Areas Program or as containing threatened or endangered species of plants or animals by the Maine Department of Inland Fisheries and Wildlife,

or public drainage systems. Where possible, existing natural features such as berms, swales, terraces, and wooded areas shall be retained in order to control runoff and encourage infiltration of storm water.

- 8.12.2. The following stormwater standards shall apply to development that exceeds 5,000 square feet of impervious area. Agricultural activities and single and duplex residential dwellings are not required to meet these standards.

- (1) A storm water control plan shall be developed to limit peak discharge from the site to predevelopment levels. The applicant must demonstrate the surface runoff will be minimized and detained on site to the extent practicable. Where natural features are insufficient to adequately control stormwater runoff, applicants are encouraged to consider and utilize measures described in Stormwater Management for Maine (DEPL W0738), Vol. III-BMP Technical Design Manual (Maine DEP, 2006), or as revised.
- (2) Stormwater systems shall be maintained as necessary.

8.13. Phosphorus Control:

- 8.13.1. The following standards shall apply to all development that exceeds 5,000 square feet of impervious surface and is within the direct watershed of a Great Pond and Carter Pond. (Great Pond is defined in the Shoreland Zoning Ordinance) Agricultural and single family residential dwellings are not required to meet these standards.

- (1) A phosphorus control plan describing the generation and control of phosphorus as a result of the proposed developments shall be prepared in accordance with the manual "Stormwater Management for Maine (DEPL W0738), Vol. II – Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development" (Maine DEP, 2008) with the exception of chapter 6, or as revised.

8.14. Noise:

- 8.14.1. The following standards shall apply to all commercial uses over 3,000 square feet, industrial uses, mineral extraction operations junkyards, wind turbines, and commercial outdoor recreation facilities. Any land use activity not listed such as agricultural, home occupations, resource production activities, and cottage industry are not required to meet these standards.

- 8.14.2. The maximum permissible sound pressure level of any continuous regular, or frequent source of sound produced by any activity shall be limited by the time period and receiving district listed below:

Sound Pressure Level Limits (measured in dB)

8:00 p.m. - 6 :30a. m.

- (5) One freestanding sign structure shall be allowed per development. Locations which have multiple occupancies shall be limited to sharing the freestanding sign structure.
- (6) In addition to (E) above, each business is allowed one freestanding sign not to exceed (8) square feet of sign area.
- (7) A changeable sign may be changed no more once every 5 seconds

8.16. Fire Protection:

The development shall be designed so that the Town of Litchfield Fire Department shall have unrestricted access to all developed areas and adequate provisions are made for a supply of water for fire suppression. The applicant shall obtain a signed form (provided by the town) from the Fire Chief indicating that the fire protection measures proposed for the development have been reviewed. This statement shall be submitted with the preliminary plan application. The Fire Chief in making his/her review of the proposed fire protection measures shall consider the following:

- 8.16.1. The road is adequate for the passage of fire equipment.
- 8.16.2. An adequate water supply is available near or within the development to serve the density of the development.
- 8.16.3. The Fire Chief shall review the fire protection measures proposed for the development and may make suggestions for water holding features, such as but not limited to a fire pond(s), and for roads over 1000 feet in length a water holding tank or tanks installed per Litchfield Fire Department specs using NFPA standards.

8.17. Architectural Neighborhood Standards:

This architectural standard applies to all districts excluding the Planned Development District, new construction, renovation, accessory structures and all other structures that require a review by the Litchfield Planning Board and shall conform to the greatest extent practicable to the following architectural features. The Architectural Neighborhood Standard review shall comprise a review of structures within the immediate development district's vicinity and consider the rural character of the neighbors that existed prior to 1970 as what constitutes the rural architectural character of the Town of Litchfield. Specific architectural attention shall include but not be limited to the following architectural features.

8.17.1. Architectural Features:

The construction, reconstruction, alteration or moving of any building and its appurtenances built before 1970, said altered building should be visually compatible with that of its neighbors.

8.17.2. Proportions of Opening Within the Facility:

- (2) Minimum front setback of the development shall be 200 feet.
- (3) Adult Businesses shall be screened from view from the road and development in all directions. Screening shall be sufficient to block the view of the business.
- (4) In addition to the sign requirements contained in this ordinance, signs for adult businesses shall not depict the human figure in any unclothed, degrading, or suggestive manner. No sexually explicit message, materials, or activity shall be visible outside the building.
- (5) Notwithstanding any other provision in this ordinance, movies rated G, PG, PG-13, or R, by the Motion Picture Association of America (MPAA), or live theatrical performances with serious artistic, social, or political value, that depict or describe specified anatomical areas or specified sexual activities, are expressly exempted from regulation under this ordinance.

9.2. Overnight Accommodations:

9.2.1. Hotels, motels, rental cottages (3 or more) and inns designed and constructed for transit and temporary occupancy (except for bed and breakfast) are subject to the following requirements:

- (1) Each rental unit shall contain not less than 200 square feet of habitable floor area. Each rental unit shall include a private bath.
- (2) For each building or lot, one apartment may be provided for a resident owner, manager, or other responsible staff person.
- (3) A landscape plan shall be submitted with the permit application that contains at a minimum a green space along the front lot line and any portion of the side and rear lot lines that are adjacent to a residential property.
- (4) Facilities that cater to truckers shall contain adequate parking areas for trucks that are separate from automobile parking.
- (5) Any overnight accommodation unit that contains a self-contained kitchen and toilet facilities or otherwise designated as housekeeping units are considered to be dwelling units and shall meet the applicable requirements of this Ordinance.
- (6) Overnight accommodations that would meet the definition of a subdivision shall be reviewed by the Planning Board under this Ordinance.
- (7) Facilities shall conform to all State regulations.

9.3. Bed and Breakfast:

9.3.1. Bed and breakfast facilities shall comply with these standards:

9.5. Accessory Housing Units:

9.5.1. Owners of single family residential dwellings may add a single accessory housing unit regardless of the lot size and density of the district, provided that they meet the requirements of this section. Units which do not meet these requirements will be considered separate dwellings and shall meet the use and dimensional requirements of the district in which they are located.

- (1) The units would be created in an owner -occupied single family residential dwelling or an attached garage. The additional unit would be located within the existing building envelope and not be clearly identifiable in the exterior profile of the building.
- (2) The floor area of the accessory unit would be no more than 600 square feet or 30% of the gross floor area of the principal living unit whichever is less.
- (3) Accessory units are intended for rental or gratis occupancy. Under no circumstances will the unit be deeded separately or converted into condominium ownership.

9.6. Multi-Family Residential:

9.6.1. Multi-family residential subdivision shall be reviewed under the provisions of The Land Use Ordinance and is not required to undergo subdivision application review, unless More than two Multi-family residential buildings are developed within a 5-year period. Multi-family residential shall meet the following standards:

- (1) Evidence shall be provided to show that the wastewater disposal system will be available to supply the needs of the project, according to applicable State regulations.
- (2) Evidence shall be provided to show that a source of potable water is available to serve the project.
- (3) Evidence shall be provided from the State of Maine Fire Marshall Office that the project meets all applicable State regulations including but not limited to the Life Safety Code.
- (4) Multi-family residential housing shall conform to the following dimensional requirements:
 - (a) The applicable dimensional requirements for the district in which the project is located shall be met for the first unit and the following:
 - (b) Each unit, including the first unit, of multi-family residential complex shall increase the lot size by an additional 25% of the first unit.
 - (c) Each additional unit above 4 shall increase the minimum road frontage by an additional 10%.

- (1) The home occupation shall be carried on wholly within the principal building or within a building or other structure accessory to it.
- (2) No more than one person outside the immediate family residing in the dwelling shall be employed in the home occupation.
- (3) A home occupation shall not create greater traffic than normal for the area in which it is located or generate more than 20 vehicle trips per day.
- (4) Any vehicle used for the regular delivery of goods to the home occupation shall be limited to the hours of 7 a.m. and 7 p.m.
- (5) There shall be no exterior display, no exterior sign, except as permitted in this section. No exterior storage of material and no exterior indications of the home occupation or variation from the residential character of the dwelling.
- (6) The residential appearance of the property shall be maintained.
- (7) The sales of products shall be limited to those which are crafted, assembled or substantially altered directly on the premises and to items which are accessory and incidental to a service which is provided.
- (8) Any parking for customers and employees shall be off-street
- (9) One sign that does not exceed 16 square feet in area is permitted. The sign shall not be internally lighted.
- (10) Home occupations which include building trades, transportation services, or similar fields which involve work or services performed away from the dwelling are allowed under these conditions:
 - (a) The dwelling is used primarily as an office.
 - (b) No more than one person outside of the immediate family residing in the dwelling is directly employed within the dwelling.
 - (c) More than one outside employee is permitted provided that they work away from the premises.
 - (d) The premises are used to store or park no more than 2 vehicles or construction equipment for employees who work off premises.
- (11) The following uses are prohibited as home occupations: welding shops, machine shops, auto body repair, vehicle repair or service, vehicle sales, engine or motor repair or service.
- (12) Any use that cannot qualify as a home occupation may be permitted as another land use activity. The Table of Land Uses contained in this Ordinance should be consulted.
- (13) For Veterinary services there shall be no onsite treatment of animals.

- (10) Mobile home parks located within a shoreland zone shall meet the appropriate dimensional requirement for the zone district in which it is located.
- (11) Lots served by individual subsurface wastewater disposal systems shall have at least 30,000 square feet and a lot width of 100 feet.
- (12) Lots served by a central or cluster subsurface wastewater disposal system shall have a lot size of at least 12,000 square feet and a lot width of 75 feet. The Overall Density of the park shall not exceed one unit per 20,000 square feet of the total park area.
- (13) Each mobile home park lot shall be marked with a lot number.
- (14) Existing mobile home parks may be expanded in the district in which they are located subject to the requirements of this section.
- (15) A recreation area consisting of a park and/or playground shall be built and maintained for the use of the residents of the mobile home park.
 - (a) There shall be 200 feet of recreation area for every mobile home in the park.
 - (b) Existing parks that expand shall create a recreation area as in 1 above for the entire park including for what existed before the adoption of this ordinance.

9.11. Junkyards :

- 9.11.1. All automobile graveyards, automobile recycling businesses and junkyards shall be licensed in accordance with Title 30-A MRSA Sections 3751 through 3760.
- 9.11.2. The area used for the facility shall be setback a minimum of 100 feet of any property line.
- 9.11.3. A buffer consisting of vegetation, fences, berms, or any combination thereof shall be installed along all property lines and shall be capable of providing a year-round screen to a minimum height of 8 feet or to the height necessary to block the view of any materials, whichever is higher.
- 9.11.4. All facilities shall conform to all the applicable provisions of State law and regulations.
- 9.11.5. Each facility shall also obtain a permit from the Board of Selectmen as required by State Law.

9.12. Mineral Extraction:

- 9.12.1. All new mineral extraction activities and the expansion of any existing site shall comply with the applicable requirements of Title 38, MRSA Sections 490A through 490M as most recently amended and shall meet the following standards.

- 9.13.6. Any Wind Turbine that is unused or out of service for a period of 18 continuous months shall be considered abandoned and shall be removed as soon as practicable.
- 9.13.7. Existing unlighted towers and any newly constructed towers shall remain unlighted.
- 9.13.8. Manufacturing specifications of and audible noise from Wind Turbines shall not exceed noise limits in Section 8.N of the Ordinance except during short term events such as severe windstorms.
- 9.13.9. Meteorological Towers shall require the same application procedures and applicable standards as Wind Turbines.

9.14. Strip Mall Development:

- 9.14.1. Strip Mall Development shall be reviewed under the provisions of this Ordinance and are not required to undergo subdivision application review. Strip Mall Development shall meet the following standards:
 - (1) Evidence shall be provided to show that the wastewater disposal system will be available to supply the needs of the project, according to applicable State regulations.
 - (2) Evidence shall be provided to show that a source of potable water is available to serve the project.
 - (3) Evidence shall be provided from the State of Maine Fire Marshall Office that the project meets all applicable State regulations including but not limited to the Life Safety Code.
 - (4) Strip Mall Development shall conform to the following dimensional requirements:
 - (a) The applicable dimensional requirements for the district in which the project is located shall be met.
 - (b) The minimum lot size for the district the Strip Mall Development is in shall be increased by 25% for every 1000 feet of floor area.
 - (5) A covered structure or a covered trash container shall be provided. It shall be screened from view from the road and side and rear property lines.
 - (6) Parking areas and any accessory structures including trash containers shall not be located within the front setback area.

9.15. Vehicle Sales and Service:

- 9.15.1. Vehicle Sales and Service establishments shall meet the following standards:

- (3) Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the developer shall install turning lanes, traffic directional islands, frontage roads, signalization, or other traffic controls within public streets. All such installations shall conform to standards in the "Manual on Uniform Traffic Control Devices" published by the American Traffic Safety Services Association.
- (4) A traffic study shall be required as follows: when in any one hour period traffic attributable to the development equals or exceeds 35 trips at the project driveway, or when in the opinion of the Planning Board, a traffic safety or road capacity deficiency exist in the vicinity of the development.
- (5) Access points shall be designed and have sufficient capacity to avoid the stopping or standing of vehicles attempting to enter from the street.
- (6) The developer shall plan or install interconnections with adjoining properties where such links will serve to reduce demand for vehicular movement on public roads.
- (7) Interconnections for new uses over existing uses may be approved without a new review of the existing use when the combined vehicle trips do not change traffic volume as in Section 10 (B)(2) and there is documentation of the applicant's right, title or interest in the connection.
- (8) In order to provide adequate visibility, all access points shall be kept free from visual obstructions, including signs, higher than 3 feet above street level within a triangular area defined by legs of 25 feet measured along the driveway and street lines.

10.2.2. Location and Design of Access Points:

- (1) All access points shall be designed and located to provide minimum sight distance of 10 feet for each mile per hour of posted speed limit in both directions. Sight distance shall be measured from a point 10 feet behind the edge of the traveled way, with the height of the eye at 3.5 feet to the top of an object 4.5 feet above the pavement.
- (2) Access points shall be designed and constructed to a standard consistent with their estimated volume as follows:
 - (a) Low Volume: peak hour volume of 10 or fewer vehicles.
 - (b) Medium Volume: any access that is not a low volume or high volume.
 - (c) High Volume: peak hour volume of 400 or more vehicles.
- (3) All access points shall intersect the road at an angle as nearly 90 degrees as site conditions permit, but in no case less than 75 degrees.
- (4) The curb radius for two-way access points shall be between 10 feet and 20

- (2) Vehicle access points shall conform to the requirements of section B above.
- (3) All parking areas and aisles shall be set-back at least 5 feet for any side or rear lot line, unless more is required for buffer yards.
- (4) Required parking shall not be located within right-of-way of the public street.

10.3.2. Interior Vehicular Circulation

- (1) Interior travel lanes should be designed to allow continuous and uninterrupted traffic movement, with particular reference to the necessity of avoiding slowing vehicles on the public road.
- (2) Interior travel lanes shall be designed so that circulation patterns in the parking area will provide for the safe and efficient flow of traffic and minimize driving movements across parking isles.
- (3) Parking aisles should be oriented perpendicular to stores or businesses for easy pedestrian access and visibility.

10.3.3. Parking Stalls and Aisles

- (1) Parking stalls shall be a minimum of 9 feet wide by 18 feet in length. Handicap spaces shall be provided in accordance with applicable State and Federal requirements.
- (2) In paved parking areas painted strips shall be used to delineate parking stalls and travel lanes.
- (3) Two-way aisles shall be a minimum of 22 feet in width. One-way aisles shall be a minimum of 18 feet in width.
- (4) Parking areas serving more than 20 vehicles shall be paved with bituminous concrete or an equivalent surface treatment. Seasonal operations such as fairgrounds, recreational areas and similar operations shall be exempt from this requirement.

10.3.4. Parking Space Requirements:

The following table contains parking space requirements for different uses.

Number of Spaces	Land Use Activity
Spaces per room or dwelling unit	Place of Residence or Accommodation
1/3	Dedicated retirement home, Nursing care facility
1	Hotel, Motel, Bed & breakfast.

Number of Spaces	Land Use Activity
1 per 1,000 sq. feet	Indoor sports facility, No spectators
1 per 4 seats	Stadiums, arenas other spectator sport activities
30 per acre	Mini-golf, go-carts and other outdoor amusements

- (1) Parking spaces for uses not shown in the table shall be based upon a similar type of use illustrated in the table.
- (2) The required number of parking spaces shall be provided on the same lot as the land use activity unless the parking area is located on an adjacent lot located no more than 200 feet from the principal structure.
- (3) Parking areas should not contain more than 25 % more of the required parking established for the use.
- (4) Mixed use buildings shall have the required number of spaces to meet each use unless the property owner can show a difference in parking demand based upon time of day.
- (5) Areas for loading and unloading of goods shall be provided as necessary. Loading areas shall not reduce the safe and efficient flow of traffic in the parking lot and shall not be located in the front setback area.

10.3.5. Screening Requirements:

Parking areas for commercial and industrial uses shall meet the following screening requirements.

- (1) The area adjacent to the road right-of-way shall contain a buffer between the parking area and the front property line. The buffer shall consist of a vegetative strip except for necessary driveway crossings.
- (2) The buffer width shall be: 20 feet within the Rural District; 10 feet within the Planned Development District; and, 5 feet within the Village District.
- (3) The vegetative strip shall consist of ground cover, trees, shrubs, fences, berms or any combination thereof that will provide a barrier of not less than 3 feet in height. Vegetation should comply with the 3 foot height requirement within 3 years of planting.

SECTION 11 DEFINITIONS

a. books, magazines, periodicals or other printed matter, or photographs, films, motion picture, video cassettes or video reproductions, slides, or other visual representations that are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas;" or

b. instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities."

A principal business purpose exists if materials offered for sale or rental depicting or describing "specified sexual activities" or "specified anatomical areas" occupy 10% or more of total floor space. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as Adult Book Store. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an Adult Book Store so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials that depict or describe "specified sexual activities" or "specified anatomical areas."

Adult Business - Any operation of adult amusement stores, adult video stores, adult bookstores, adult novelty stores, adult motion picture theaters, on-site video screening establishments, adult arcades, adult cabaret, adult entertainment nightclubs or bars, establishments featuring strippers or erotic dancers, escort agencies or other sexually oriented businesses.

Adult Cabaret / Adult Entertainment Nightclub or Bar - A nightclub, bar, restaurant, café, or similar commercial establishment that regularly, commonly, habitually, or consistently features:

a. persons who appear in a state of nudity or semi-nudity; or

b. live performances that are distinguished or characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

c. films, motion pictures, video cassettes, slides, photographic reproductions, or other image producing devices that are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or

d. persons who engage in "exotic" or erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customers.

Adult Motion Picture Theater - A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly, commonly, habitually, or consistently shown that are distinguished or characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Adult Novelty Store / Adult Amusement Store / Adult Video Store – Means the same as Adult Bookstore.

Adult Theater - A theater, concert hall, auditorium, or similar commercial establishment that

Automobile recycling business - The business premise of a person who purchases or acquires salvage vehicles for the purpose of reselling the vehicles or component parts of the vehicles or rebuilding or repairing salvage vehicles for the purpose of resale or for selling the basic materials in the salvage vehicles, provided that 80% of the business premises specified in the site plan in Title 30-A MRSA Section 3755-A subsection 1, paragraph C is used for automobile recycling operations.

Aquiculture - the growing or propagation of harvestable freshwater, estuarine, or marine plant or animal species.

Bed and Breakfast - A house or portion thereof, providing short-term lodging, where meals are provided only to overnight guests, and where the proprietors live on the premises.

Boarding/Group Facility - A residential structure where lodging or lodging and meals are provided for compensation for a period of at least 2 weeks. Common areas are provided for cooking and recreational activities. This use does not include hospital and care facilities which offer medical care or supervision.

Bulk Fuel Oil Storage /Facility - Structures, buildings and fuel storage facilities designed for the storage of oil and gas for re-sale to retail fuel distributors.

Building - Any structure having a roof supported by columns, walls, or other framework intended for the housing or enclosure of persons, animals, or personal property.

Building / Structure Height - The vertical distance measured between the average finished grade of the ground at the front of a building and the highest point of the roof, not including chimneys, spires, towers, or similar auxiliary structures.

Business Service and Office - The place of business used primarily as an office such as a doctor office, real estate office and similar activities it also includes an activity in which the principal source of income is the provision of labor for compensation and shall include by example: barber shop, beauty salon, printing and banks. The term excludes vehicle sales and service and retail which shall be considered a commercial use.

Campground - any area or tract of land to accommodate two (2) or more parties in temporary living quarters, including, but not limited to tents, recreational vehicles or other shelters.

Cemetery - Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbaria, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Changeable Sign – an on premises sign created, designed, manufactured or modified in such a way that its message may be electronically, digitally, or mechanically altered by the complete substitution or replacement of one display by another on each side.

Church - A building or structure, or group of buildings or structures, designed, primarily intended and used for the conduct of religious services.

Code Enforcement Officer - A person or persons appointed by the Litchfield Board of Selectmen to administer and enforce this Ordinance. Reference to the Code Enforcement

but not limited to setback, lot area, and height.

Direct Watershed of a Pond - That portion of the watershed which drains directly to the pond through sheet or concentrated flow without first passing through an upstream pond or river.

Disability - any disability, infirmity, malformation, disfigurement, congenital defect or mental condition caused by bodily injury, accident, disease, birth defect, environmental conditions or illness; and also includes the physical or mental condition of a person which constitutes a substantial handicap as determined by a physician or in the case of mental handicap, by a psychiatrist or psychologist, as well as any other health or sensory impairment which requires special education, vocational rehabilitation or related services.

Driveway - a vehicular access-way other than a lane or a road. that provides access to a building, structure or parking area.

Dwelling - A room or group of rooms designed and equipped exclusively for as use as a permanent, seasonal, or temporary living quarters. The term shall include mobile homes but not recreational vehicles.

Single Family Residential Dwelling: A building containing only one dwelling unit. It may also include the addition of one accessory housing unit.

Duplex Residential Dwelling: A building containing 2 dwelling units.

Dwelling Unit - A room or suite of rooms which contains independent living, cooking, sleeping, bathing and sanitary facilities designed for use a single household unit.

Eating or Drinking Establishment - An establishment where food and/or beverages are prepared and served to the general public for immediate consumption in exchange for compensation. The sale or pre-packaged meal items or preparation of food intended exclusively for consumption off premises (delivery or take-out) are considered retail sales and are not included in this definition.

Escort - A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Escort Agency - A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

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

for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

Height of a structure - the vertical distance between the mean original grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances which have no floor area.

Hospital/Care Facility - An institution providing, but not limited to overnight health services, care for the sick or injured. surgical care and services, nursing homes or other related care facility not defined as a boarding/group facility, or a community living facility. A medical office shall be considered as a business service and office use.

Home occupation - an occupation or profession which is conducted in a residential structure or accessory building and which is 1) clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and 2) which employs no more than one person other than family members residing in the home, and meets the performance standards contain in this Ordinance.

Horse Stables - Facilities for the boarding and care of horses including riding areas and similar activities which are commercial enterprises. Facilities that are for personal use and which are secondary to an existing agricultural operation are not included in this definition.

Impervious Surface - Any hard surface that is human-made and does not readily absorb or retain water. Examples include building roof, paved or graveled driveway and parking areas, sidewalks and paved recreational facilities, among others.

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

Indoor Recreation - A recreation facility designed and equipped for the conduct of sports, leisure time activities, performances and other customary recreation activities which take place indoors.

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

Level of Service - A term used by traffic engineers, indicating a scale of "A" to "F" measuring the volume of vehicular traffic in relation to the capacity of an intersection or road segment. Levels of service "E" or "F" describe road situations with severe problems attributable to traffic congestion.

Outdoor Recreation - A public recreation facility, operated for income producing purposes and intended for the conduct of sports and other recreational activities which take place predominately outdoors.

Overnight Accommodation - A building or group of buildings in which lodging is offered to the general public for compensation. The term includes establishments referred to as hotels, motels, inns, guest houses, and 3 or more rental cottages.

Parking Facility - An area or structure where the parking of motor vehicles, trucks, and, trailers is the primary use.

Parks/Playgrounds - Non-commercially operated recreation facilities including but not limited to, playground monuments, neighborhood parks, athletic fields and similar uses.

Passive Recreation - Outdoor recreation activities which involve no structural or mechanical components or facilities such as hiking, fishing, hunting and snowmobile trails.

Permit - An official document or certificate issued by the Code Enforcement Officer, which authorizes performance of an activity or activities described in the permit application.

Person - an individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity.

Principal structure - a building other than one which is used for purposes wholly incidental or accessory to the use of another building or use on the same premises.

Principal use - a use other than one which is wholly incidental or accessory to another use on the same premises.

Public facility - any facility, including, but not limited to, buildings, property, recreation areas, and roads, which are owned, leased, or otherwise operated, or funded by a governmental body or public entity.

Recreational facility - a place designed and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities, excluding boat launching facilities.

Residential dwelling unit - a room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family. The term shall include mobile homes, and manufactured housing but not recreational vehicles.

Resource Protection Activities - Activities include hunting, fishing, forest management, wildlife management, fire protection activities, and similar activities.

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

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

purpose of attaching a sign.

Sketch Plan - A plan showing in simple sketch form (scaled is preferable) the proposed layout of buildings, parking areas, driveways and other features in relation to existing site conditions and showing the general location of lot boundaries and steep slopes, wetlands, vegetative cover (trees, grassland, or other).

Specified anatomical areas - Means:

- a. the human male genitals in a discernibly turgid state, even if fully and opaquely covered;
- b. less than completely and opaquely covered human genitals, pubic region, buttocks, or a female breast below a point immediately above the top of the areola.

Specified sexual activities - Means and includes any of the following:

- a. the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts, whether covered or uncovered;
- b. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
- c. masturbation, actual or simulated; or
- d. excretory functions as part of or in connection with any of the activities set forth in (A) through (C) above.

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

Strip Mall Development- A development that includes a building not exceeding 5000 square feet in gross floor area that houses non-residential multiple uses that may include retail, personal services, professional services, food sales or restaurants.

Structure - anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, together with anything constructed or erected with a fixed location on or in the ground, exclusive of fences. The term includes structures temporarily or permanently located, such as decks and satellite dishes, this term excludes subsurface sewage disposal systems and roads.

Subdivision - As defined in Title 30-A MRSA Section 4401 and in addition, lots greater than 40 acres shall be deemed to be a lot.

Subsurface sewage disposal system - a collection of treatment tank(s), disposal area(s), holding tank(s) and pond(s), surface spray system(s), cesspool(s), well(s), surface ditch(es),

consumption.

Wind turbine height – The distance measured from predevelopment ground elevations to the highest point of any Wind Turbine rotor blade measured at the highest arc of the blade.

See Appendix A District Map next page