

Development: A change in land use involving alteration of land, water or vegetation, or the addition or alteration of structures or other construction not naturally occurring.

Dimensional Requirements: Numerical standards relating to spatial relationships, including but not limited to setback, lot area, shore frontage, and height.

District: A specified portion of the municipality, delineated on the Official Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.

Domestic Animal: An animal such as the horse or cat, that has been tamed and kept by humans as a work animal, food source or pet, especially a member of those species that have, through selective breeding, become notably different from their wild ancestors.

Domestic Animal Services: Establishments primarily engaged in providing care services, including but not limited to training and grooming (cleaning, maintaining, or clipping the appearance) of domestic animals that do not require housing or boarding of such animals.

Duplex: A fixed structure containing two dwelling units.

Driveway: A vehicular access serving one or two private lots.

Dwelling: Any building or structure, or portion thereof, designed or used for residential purposes. ~~A fixed structure containing one or more dwelling units.~~

Dwelling Single-Family: A building containing only one (1) dwelling unit for occupation by not more than one (1) family.

Dwelling Multi-Family: A building containing two (2) to four (4) dwelling units, such buildings being designed for residential use and occupancy by two (2) to four (4) families living independently of one another, with the ~~of~~ families not exceeding the number of dwelling units.

Dwelling unit: A room or suite of rooms designed and equipped exclusively for use by one family at a time as a permanent seasonal or temporary habitation, and which contains independent living, cooking, sleeping, bathing and sanitary facilities. The term includes manufactured housing and rental units that contain independent living, cooking, sleeping, bathing and sanitary facilities regardless of the time period rented. Recreational vehicles are motel units that do not contain independent living, cooking, sleeping, bathing and sanitary facilities are not dwelling units.

~~A room or group of rooms designed and equipped exclusively for use as living quarters for one household, including provisions for living, sleeping, cooking, bathing, and eating. The term shall include mobile homes but shall not include trailers or recreational vehicles.~~

Duplex: a dwelling containing exactly two (2) dwelling units.

Electronic Messaging Boards (EMC): Are computerized programable electronic visual communications devices, specifically manufactured for the outside environment. They are capable of storing and displaying multiple messages in dozens of formats and at varying intervals.

Extraction (or “water extraction” or “extraction of water”): Withdrawal, removal, diversion, taking or collection by means of water from groundwater sources, aquifers, springs, wells, pumps, or similar.

Extraction Point or Extraction Facility: The physical location where water is extracted, whether by well, pump, pipeline, catchment or other similar method.

Façade: The face of a building, especially the principal front that looks onto the street or open space.

Family: One or more persons occupying a premise and living as a single housekeeping unit.

Farming: Farming means primarily engaging in the commercial production of agricultural products as a livelihood and includes dairy farming; raising livestock, freshwater fish, fur-bearing animals or poultry; producing, cultivating, growing and harvesting fruit, produce or floricultural or horticultural commodities; or any practices on a farm is incident to or in conjunction with these farming operations.

Financial Institution: A business or nonprofit organization providing retail financial services, including but not limited to banks, credit unions, financial exchanges, and check cashing facilities.

Filling: Depositing or dumping soil, topsoil, loam, sand, gravel, clay, rock, peat or other like material on or into the ground or water.

Flea Market: The sale of used merchandise customarily involving tables or space leased to vendors.

~~A shop or open market customarily providing tables or space rented to vendors selling antiques, used and new household goods, curios and the like.~~

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

Forest Products Industry: A business involved in the processing of logs, tree length timber or re-sawn lumber to produce a product such as lumber, firewood, chips, mulch, pellets, or sawdust.

Forest Wetland: A freshwater wetland dominated by woody vegetation that is six (6) meters tall (approximately twenty (20) feet) or taller.

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

Free-Standing Sign: A self-supporting sign not attached to any building, wall, or fence, but in a fixed location. This does not include portable or trailer type signs.

Frontage: Street: The distance between the sidelines of a lot as measured along the front lot line of the street right-of-way limits. **Shore:** The horizontal distance, measured in a straight line, between the intersections of the lot lines with the shoreline at “normal high-water line” as defined in this Ordinance.

~~The length of the lot bordering on the public right of way, or in the case of land fronting on public water, the length in a straight line measured along the extreme boundaries adjacent to such public water at mean high water level.~~

~~**Front Yard:** Area of land extending for the full width of a lot between the nearest portion of a building and the nearest side of the right of way.~~

Garage Sale: See Yard Sale.

Guest House: See Inn.

Government/Municipal Facilities: Any facility, including but not limited to buildings, property, recreation areas, police protection, fire protection, libraries, and municipal offices which are owned, leased or otherwise operated or funded by a governmental body.

Great Pond: Any inland body of water which, in a natural state, has a surface area in excess of ten (10) acres, and any inland body of water artificially formed or increased which has a surface area in excess of thirty (30) acres, except for the purposes of this Ordinance, where the artificially formed or increased inland body of water is completely surrounded by land held by a single owner.

Grand fathered: A lawfully pre-existing nonconforming use, structure or lot that does not conform to one or more requirements of the current ordinance.

Guest House: See Inn.

Hammerhead Turn: A gravel or paved area built entirely outside of the right of way a minimum of fourteen feet by fifty feet (14' x 50') with fifteen feet (15') radii for the purpose of vehicular maneuvering.

Harvest Area: The area where timber harvesting and related activities, including the cutting of trees, skidding, yarding, and associated road construction take place. The area effected by a harvest encompasses the area within the outer boundaries of these activities, excepting un-harvested areas greater than ten (10) acres within the area affected by a harvest.

Hazard Tree: A tree with a structural defect, combination of defects, or disease resulting in a structural defect and loss of a major structural component of the tree in a manner that will strike a target. A normal range of environmental conditions does not include meteorological anomalies, such as but not limited to: hurricanes, hurricane-force winds; tornados; microburst; or significant ice storm events. Hazard trees also include those trees that pose a serious and imminent risk to bank stability. A target is the area where personal injury or property damage could occur if the tree or portion of a tree fails. Targets include roads, driveways, parking areas, structures, campsites, and any other developed area where people frequently gather and linger.

Health Care Facility: Any facility, whether public or private, proprietary or not for profit, required to obtain a certificate of need in accordance with federal laws and regulations under the National Health Planning and Resources Development Act of 1974, or any amendment, and shall include hospitals, psychiatric hospitals, tuberculosis hospitals, skilled nursing facilities, kidney disease treatment centers including free standing hemodialysis units, intermediate care facilities, rehabilitation facilities, ambulatory surgical facilities, home health care providers and health maintenance organizations. The term shall not apply to any facility operated by religious groups relying solely on spiritual means through prayer for healing.

Home Occupation: 1). An occupation or profession carried on within a dwelling unit or accessory structure that is clearly incidental to the use of the dwelling unit for residential purposes. Customary home occupations include, but are not limited to: hairdressing, millinery, laundering, craft-making, woodworking, preserving and home cooking, or similar uses, or the office of a doctor, dentist, lawyer, musician, teacher, architect, real estate broker, computer programmer, or member of any recognized profession. Home occupation shall also include any occupation or trade carried on or away from the premises and not requiring outside storage of an inventory, stock in trade, or other equipment. This definition does not apply to farming and agriculture. A structure, use or activity not otherwise permitted by this ordinance shall not be permitted as a home occupation and -2). which employs no more than two(2) persons other than family members residing in the house.

Hotel: A building in which lodging, or meals and lodging are offered to the general public for compensation and in which ingress and egress to and from the rooms are made primarily through an inside lobby or office. The hotel may contain such accessory services and facilities as newsstands, personal grooming facilities and restaurants.

Housing for the elderly: Housing constructed or adapted specifically for occupancy by elderly persons which may include central dining facilities and the provision of supportive social services.

Impervious: Non-vegetation or no vegetation. (see also pervious).

Industrial: Uses involving manufacturing, finishing, packaging or processing of goods or the extraction of minerals.

Increase in Non-Conformity of a Structure: any change in a structure or property which causes further deviation from dimensional standard(s) creating the non-conformity 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 a non-conformance of the existing structure shall not be considered to increase non-conformity. For example, there is no increase in non-conformity 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 non-conforming structure. Hence a structure may be expanded laterally provided that the expansion extends no closer to the water body, tributary stream, or wetland than the closest portion of the existing structure from that water body, tributary stream, or wetland. Included in this allowance are expansions, which in-fill irregularly shaped structures.

Individual Private Campsite: An area of land which is not associated with a campground, but which is developed for repeated camping by only one group not to exceed ten (10) individuals, and which

involves site improvements which may include, but need not be limited to, a gravel pad, parking area, fireplace, or tent platform.

Industrial: Of, relating to, concerning, or arising from the assembling, fabrication, finishing, manufacturing, packaging or processing of goods, except for mineral extraction.

Inn: A building, which contains a dwelling unit occupied by an owner or resident manager, in which up to ten (10) lodging rooms or lodging rooms and meals are offered to the general public for compensation, and in which entrance to bedrooms is made through a lobby or other common room. Inn includes such terms as guest house, lodging house and tourist house.

A single building containing fewer than 20 sleeping rooms and built or converted to accommodate, for a fee, travelers who are staying for a limited duration. An inn may provide dining services to its guests and may host special functions, such as weddings, but does not include a restaurant to serve the public at large, unless restaurants are otherwise allowed in the zoning district.

Junk: "Junk" as defined in 30-A M.R.S.A. § 3901, as may be amended from time to time.

Junkyard: A "junkyard" as defined in 30-A M.R.S.A. § 3752(4), as may be amended from time to time.

Kennel: A place where dog and cats are bred or boarded for commercial purposes or where more than eight (8) dogs six (6) months old or older reside.

An establishment operated as a business to house dogs, cats or other domesticated animals not considered to be livestock and where such animals are groomed, bred, boarded, trained or sold.

Large Scale Water Extraction: Extraction of water from ground water sources, aquifers, springs, wells, or similar in a total daily amount on any given day of five thousand (5000) gallons or more, as extracted by the same individual or entity, or consortium or association of individuals or entities, regardless of the number of extraction facilities utilized.

Lodging House: See Inn.

Lot Area: The total horizontal area within lot lines, minus the area below the upland edge of a wetland or water body and areas beneath roads serving more than two (2) lots.

Lot, Back: A lot without frontage adjacent to an existing street.

Lot, Corner: A lot with at least two contiguous sides abutting upon a street or right of way.

Lot, Coverage: The percentage of the lot covered by all buildings.

Lot, Interior: Any lot other than a corner lot.

Lot Lines: The lines bounding a lot as defined below:

Front Lot Line: The lot line separating the lot from the street or right of way. On a corner or through lot, the line separating the lot from both streets or right of way.

Rear Lot Line: The lot line opposite the front lot line. On a lot pointed at the rear, the rear lot line, shall be an imaginary line between the side lot lines parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line. On a corner lot, the rear lot line shall be opposite the front line of least dimension.

Side Lot Line: Any lot line other than the front lot line or the rear lot line.

Lot of Record: a parcel of land a legal description of which or the dimensions of which are recorded on a document or map on file with the York County Register of Deeds.

Lot, Through: Any interior lot having frontages on two (2) or more or less parcel streets or rights of way or between a street and water body, or a right of way and a water body, or between two (2) water bodies, as distinguished from a corner lot. All sides of through lots adjacent to streets, rights of way, and water bodies shall be considered frontage. For purposes of determining setbacks, the front lot line shall be on the street or right of way only. The remaining lot lines shall be treated, for purposes of determining required setback, as side lot lines.

Lot Width: The distance between the side lot lines of the lot measured at the front lot line.

Manufacturing: ~~A use that involves the manufacture, compounding, assembly, or treatment of articles or materials.~~

Manufactured Housing: A structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by the use of its own chassis or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For purposes of this section, two types of manufactured housing are included. Those two types are:

1. This term also includes any structure which meets all the requirements of this sub-paragraph, except the size requirements and with respect to which the manufacturer voluntarily files certification required by the secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured housing Construction and Safety Standards Act of 1974, United Code, Title 42, Section 5401, et seq.; and

Those units constructed after June 15, 1976 commonly called "newer mobile homes", which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development Standards, meaning structures transportable in one or more sections, which in traveling mode are fourteen (14) body feet or more in width and seven hundred and fifty (750) or more square feet, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations when connected to the required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

2. Those units commonly called "modular homes", which the manufacturer certified are constructed in compliance the Title 10, Chapter 957, and rules adopted under that chapter, meaning structures, transportable in one or more sections, which are not constructed on a

permanent chassis are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

“Manufactured housing” as defined in 30-A M.R.S.A. § 4358, as may be amended from time to time.

Manufacturing: The making of goods and articles by hand or machinery. Manufacturing shall include assembling, fabricating, finishing, packaging or processing operations.

Marijuana (Cannabis): The leaves, stems, flowers and seeds of a Marijuana plant, whether growing or not. “Marijuana” “Cannabis” includes Marijuana (Cannabis) concentrate but does not include industrial hemp as defined in M.R.S.A. Title 7 Section 2231, 1, or a Marijuana (Cannabis) product.

As defined by 7 M.R.S.A. Sec. 2442.

Marijuana Establishment: A cultivation facility, a products manufacturing facility, a testing facility or a marijuana store licensed by the State of Maine.

Marijuana Flower: The pistillate reproductive organs of a mature plant, whether processed or unprocessed, including the flowers and buds of a plant. “Marijuana Flower” does not include marijuana trim or whole mature marijuana plants.

Marijuana Plant: All species of the plant genus cannabis, including, but not limited to, a mother plant, a mature marijuana plant, an immature marijuana plant or a seedling.

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

Mechanized Recreation: Recreation activities which require the use of motors or engines for the operation of equipment or participation in the activity except for the personal use of ATVs, snowmobiles and other similar vehicles.

Medical Marijuana: Marijuana specifically permitted pursuant to the Maine Medical Use of Marijuana Act and Rules.

Medical Marijuana Caregiver: A caregiver who is not required to be registered with the state. This caregiver is limited to serving no more than 2 qualifying patient household members or family members. These caregivers are not allowed to sell marijuana wholesale, organize as a business entity or operate a retail store. This is considered an accessory use to a legally permitted residential dwelling unit.

Medical Marijuana Cooperative: Two or more medical marijuana caregivers claiming a location as a primary residence in order to conduct medical marijuana home production. Medical marijuana cooperatives are considered medical marijuana production facilities under this ordinance.

Medical Marijuana Home Production: Growing, cultivating, processing, and/or storing medical marijuana by a registered medical marijuana caregiver at his/her primary residence as a home occupation use.

Medical Marijuana Production Facility: A building used for cultivating, processing, testing, storing of medical marijuana; and / or distribution by a medical marijuana caregiver at a location which is not the caregiver's primary year-round residence or their qualifying patient's primary year-round residence. This shall be considered a commercial use.

Medical Marijuana Qualifying Patient: A person who has been a resident of the State for at least 30 days and who possesses a valid written certification regarding medical use of marijuana.

Medical Marijuana Registered Caregiver: A person, licensed hospice provider or licensed nursing facility that is designated by a qualifying patient to assist the qualifying patient with the medical use of marijuana in accordance with state law. A person who is a medical marijuana caregiver must be at least 21 years of age and may not have been convicted of a disqualifying drug offense.

Medical Use: Medical use means the acquisition, possession, cultivation, manufacture, use, delivery, transfer or transportation of medical marijuana or paraphernalia relating to the administration of medical marijuana to treat or alleviate a patient's debilitating medical condition or systems associated with the qualifying patient's debilitating medical condition.

Minimum Lot Width: The closest distance between the side lot lines of a lot. When only two (2) lot lines extend into the Shoreland zone, both lot lines shall be considered to be side lot lines.

Mobile Classroom: A self-contained building transportable in one or more sections used for the purpose of providing educational instruction to students and which may or may not be attached to another building.

Mobile home: A structure transportable in one or more sections which is ten (10) body feet or more in width and is thirty-two (32) body feet or more in length and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes plumbing, heating, air conditioning and electrical systems contained therein. Such a structure shall be certified by the United States Department of Housing and Urban Standards or by the applicable federal agency or act as described in 30-A M.R.S.A § 4358, as may be amended from time to time.

Mobile home pad or pad: A concrete area that has been established for the placement of a mobile or manufactured home, appurtenant structures, or addition.

Mobile home park: **Minimum Lot Width:** The closest distance between the side lot lines of a lot. When only two (2) lot lines extend into the Shoreland zone, both lot lines shall be considered to be side lot lines.

~~A "mobile home park" as defined in 30-A M.R.S.A. § 4358, as may be amended from time to time.~~

~~**Mobile home subdivision:** A "mobile home subdivision" as defined in 30-A M.R.S.A. § 4358, as may be amended from time to time.~~

Modular Home: A construction style of buildings that are prefabricated or manufactured at a central location and shipped.

Motel: A building or group of buildings in which lodging is offered to the general public for compensation, and where entrance to rooms is made directly from the outside of the building. Motel includes such terms as tourist cabins and tourist court. And transient accommodations which do not meet the definition of Bed and Breakfast, Hotel or Inn shall be deemed to be a motel for the purposes of this ordinance. A building or group of buildings in which lodging is offered to the general public for compensation and where entrance to rooms may be made directly from the outside of the building.

Motor Vehicle Repair & Service Facility: An establishment that provides service and maintenance to motor vehicles, including the accessory sale of fuel, parts and supplies. Such establishments include service stations; muffler, transmission and brake shops; car washes; tune up centers; painting and auto body work shops; and establishments performing engine rebuilding or structural repairs and alterations to motor vehicles.

Multifamily Development: A lot which contains one or more multifamily dwellings, two or more duplexes, three or more single family dwellings, or any combination of buildings containing three or more dwelling units or land in common ownership, such as apartment buildings, condominiums, or mobile home parks.

Multi-family residential building: A building or portion thereof principally designed, adapted, or composed of three or more dwelling units.

Naturally Internally Drained: Areas of a site that, as a result of predevelopment topography and interim and final topography produced during development of the site, are and will remain at all times over the course of the development graded so that neither eroded material(s) or runoff either crosses the property boundary or enters a river, brook, stream, great pond or freshwater or coastal wetland or other protected area. Areas that rely on man-made structures to maintain internal drainage are not considered naturally internally drained.

Non-Conforming Condition: Non-conforming lot, structure, or use which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

Non-Conforming Lot of Record: A lot legally existing as of the date on which this Ordinance is adopted, which does not meet the applicable area, frontage, width, or depth requirements established by this Ordinance.

Non-Conforming Structure: A structure that does not meet any one or more of the following dimensional requirements: set-backs, height, lot coverage, or footprint which is allowed solely because it was in lawful existence at the time this Ordinance or subsequent amendments took effect.

Non-conforming use: A building or structure or the use of land, buildings or structures lawfully existing at the time of enactment of this ordinance, or any amendment thereto, that currently does not conform to the regulations of the district in which it is situated.

Noxious: Being invasive, for example Knot weed. Also see Toxic.

Nuisance(s): The erection, continuance or use of any building or place for the exercise of a trade, employment or manufacture that, by noxious exhalations, offensive smells or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or of the public; causing or permitting abandoned wells or tin mining shafts to remain unfilled or uncovered to the injury or prejudice of others; causing or suffering any offal, filth or noisome substance to collect or to remain in any place to the prejudice of others; obstructing or impeding, without legal authority, the passage of any navigable river, harbor or collection of water; corrupting or rendering unwholesome or impure the water of a river, stream, pond or aquifer; imprudent operation of a watercraft as defined in MSA 2802 Title 12, section 13068-A, subsection 8; unlawfully diverting the water of a river, stream, pond or aquifer from its natural course or state to the injury or prejudice of others; and the obstructing or encumbering by fences, buildings or otherwise of highways, private ways, streets, alleys, commons, common landing places or burying grounds are nuisances within the limitations and exceptions mentioned. Any places where four or more old, discarded, worn-out or junked motor vehicles as defined in MSA Title 29-A, section 101, subsection 42, or parts thereof, are gathered together, kept, deposited or allowed to accumulate, in such manner or in such location or situation either within or without the limits of any highway, as to be unsightly, detracting from the natural scenery or injurious to the comfort and happiness of individuals and the public, and injurious to property rights, are public nuisances.

Nursing Home: A facility licensed by the State that provides skilled nursing care and medical supervision to persons who are unable to care for themselves.

Older mobile homes, trailers: Terms used interchangeably that mean any factory-built home that fails to meet the definition of "manufactured housing" above and, more specifically, any mobile home constructed prior to June 15, 1976.

Parking area: An unobstructed area consisting of one or more 162 sq. ft. parking spaces no part of which is located in or on any public or private right-of-way and the principal use of which is the temporary storing and maneuvering of vehicles.

Parking Space: A parking space shall be a minimum of 10'10' wide x 20' deep. An angled parking space shall be increased by 140% and 25%

Permanent foundation:

1. A full, poured concrete or masonry foundation;
2. A poured concrete frost wall or a mortared frost wall, with or without a concrete floor;
3. A floating slab for which the municipality may require an engineer's certification if it is to be placed on soil with high frost susceptibility; and

4. Any foundation, which pursuant to the building code of the municipality, is permitted for other types of single-family dwellings.

~~A “permanent foundation” as defined in 30-A M.R.S.A. § 4358, as may be amended from time to time.~~

Personal Services Establishment: An establishment primarily engaged in providing services involving the non-medical care of a person or of his or her apparel. Such establishments may include but are not limited to beauty shops, barber shops, shoe repair shops, photographic studios, coin-operated laundries, fitness studios, and similar establishments.

Pitched, shingled roof: A “pitched, shingled roof” as defined in 30-A M.R.S.A. § 4358, as may be amended from time to time.

Portable Signs: A sign standing on, rather than fixed to, the ground. Such signs are usually, but not necessarily, supported from the ground by one (1) or more poles or posts or similar uprights with or without braces, including benches and/or sandwich boards.

Principal Structure: The structure in which the principal use of the lot is conducted.

Principal Use: The primary use to which the premises or lot are devoted.

Private Road: See Streets.

Processing Facility: A facility that prepares or packages and sells beef, poultry, fish products, vegetables, fruit etc.

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

Public Way: A road opened to use by the public and maintained privately or by a governing agency. Roads discontinued subject to gates and bars are included.

Reader Boards: A reader board is a visual display board that conveys information about a wide variety of subjects, including advertising for products or services, travel, news or event information.

Recreation Facility, Indoor: A building or portion of a building designed and equipped for the conduct of indoor sports, leisure time activities and other customary and usual recreational activities. Such facilities include, but are not limited to, skating rinks, gymnasias, bowling alleys, and video arcades.

Recreation Facility, Outdoor: A facility offering outdoor recreation activities including, but not limited to, cross country ski centers, ball fields, parks and playgrounds, livery, and ski tows, but not including campgrounds, outdoor movies, and outdoor dine and dance facilities, or games and activities as described in the definition of amusements.

Repeater: A small receiver/relay transmitter of not more than 20 watts output designed to provide service to areas which are not able to receive adequate coverage directly from a Base Station.

Retail Business: An establishment that sells goods or commodities directly to the consumer. For the purposes of this Ordinance, the term retail business shall include sales rooms or showrooms.

Reviewing Authority, Reviewing Agency, Planning Board: These terms are used interchangeably in these regulations and have the same meaning.

Right-of-Way: The easement encompassing an existing or future public or private road.

Reviewing Authority, Reviewing Agency, Planning Board: These terms are used interchangeably in these regulations and have the same meaning.

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

Road, Private: ~~A road or way that is privately maintained. A private road shall receive no Town services, such as snowplowing, grading, paving or other maintenance. See Streets~~

Road, Public: See Streets

- ~~A. An existing accepted state, county or Town way;~~
- ~~B. A road dedicated to public use and shown upon a plan approved by the Planning Board and recorded in the York County Registry of Deeds;~~
- ~~C. A road dedicated for public use and shown on a plan recorded in the York County Registry of Deeds prior to the establishment of the Planning Board;~~
- ~~D. Does not include those ways which have been discontinued or abandoned.~~

Sapling: A tree species that is less than two (2) inches in diameter at four and one half (4.5) feet above ground level.

Seasonal Camp/Cottage: A camp/cottage that is intended for residential use no more than six (6) months in any calendar year. Considered an additional dwelling unit for purposes of the Growth Ordinance.

Seasonal residence: ~~Buildings used for seasonal residence only, including camps and cottages, that are structurally permanent and occupied less than six (6) months in any one twelve (12) month period.~~

Seedling: A young tree species that is less than four and one half (4.5) feet in height above ground level.

Single-family residence: A fixed structure containing one dwelling unit.

Street: Public and private ways such as alleys, avenues, highways, roads, and other rights-of-way, as well as areas on subdivision plans designated as rights-of way for vehicular access. Driveways, as defined, are excluded

Street Classification:

Arterial Street: A major thoroughfare, which serves as a major traffic way for travel between and through the municipality. The following roadways shall be considered arterial streets: List streets designated as arterials in the Comprehensive Plan or other planning document.

Collector Street: A street with average daily traffic of 200 vehicles per day or greater, or streets which serve as feeders to arterial streets, and collectors of traffic from minor streets.

Cul-de-sac: A street with only one outlet and having the other end for the reversal of traffic movement.

Industrial or Commercial Street: Streets servicing industrial or commercial uses.

Minor Residential Street, Private Road: A street servicing only residential properties and which has an average daily traffic of less than 200 vehicles per day.

Street Construction: The construction of a new street or the upgrading of an existing street or right-of-way. Routine street maintenance is not considered street construction.

Structure:

Anything built for the support, shelter or enclosure of persons, animals, goods or property of any kind, anything constructed or erected on or in the ground, exclusive of:

- A. Fences;
- B. Poles, wiring and other aerial equipment normally associated with service drops as well as guying and guy anchors;
- C. Mailboxes;
- D. Light fixtures;
- E. Flagpoles;
- F. Equipment or structures necessary for the purpose of making a dwelling accessible to a person with a disability, as defined by this chapter;
- ~~G. Subsurface wastewater disposal systems as defined in 30-A M.R.S.A. §4201, Subsection 5;~~
- ~~H. Geothermal heat exchange wells as defined in 32 M.R.S.A. §4700-E, Subsection 3-C; or~~
- ~~I. Wells or water wells as defined in 32 M.R.S.A. §4700-E, Subsection 8.~~

The term "structure" includes structures temporarily or permanently located, including, but not limited to, decks, satellite dishes, or portable storage garages.

Substantial Start: Completion of thirty (30) percent of a permitted structure or use measured as a percentage of estimated total cost.

Temporary Sign: Any sign erected, affixed or maintained on a premise for a short, fixed period of time including portable and/or mobile signs such as sandwich boards and signs on trailers. For purposes of measuring length of time a temporary sign is displayed, use of a sign for any length of time in a twenty-four (24) hour period shall constitute a day.

Temporary Structure: A structure without any foundation, footing, not connected to water and sewer, and removed when the designated time period, activity or use for which the temporary structure was erected has ceased, not to exceed 180 days.

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

Toxic: Toxic contaminants are chemicals that have the potential to harm living organisms. Whether a contaminant actually induces toxicity depends on several factors including concentration, chemical form, availability, and target biological system.

Trailer, Utility: A vehicle without motive power, designed to be towed by a passenger automobile but not designed for human occupancy and which may include a utility trailer, boat trailer, horse trailer, or snowmobile trailer.

Transportation Service: A business engaged in the movement of goods and materials, including a for-hire service. Such businesses include, but are not limited to, the transportation of logs, sand & gravel, produce, freight and passengers.

Tree: a woody perennial plant with a well-defined trunk(s) at least two (2) inches in diameter at four and one half (4.5) feet above the ground, with a more or less definite crown, and reaching a height of at least ten (10) feet at maturity.

Two-family residence: A fixed structure containing two dwelling units, also known as a duplex.

Undue Hardship:

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

Unreasonable Adverse Impact: Means that the proposed project would produce an end result which is:

1. Excessively out of character with the designated scenic resources affected, including existing buildings, structures and features within the designated scenic resources, and
2. Would significantly diminish the scenic value of the designated scenic resource.

Upland Edge of a Wetland: The boundary between upland and wetland. For purposes of a freshwater wetland, the upland edge is formed where the soils are not saturated for a duration sufficient to support wetland vegetation; or where the soils support the growth of wetland vegetation, but such vegetation is dominated by woody stems that are six (6) meters (approximately twenty (20) feet) tall or taller.

Used Merchandise Sales: The outdoor sale of used articles, conducted for more than five consecutive days or for more than two weekends per year. Used Merchandise Sales include flea markets.

Variance: A variance is a relaxation of the terms of this ordinance. Variances permissible under this ordinance are limited to dimensional and area requirements. No variance shall be granted for the establishment of any use otherwise prohibited, nor shall a variance be granted exclusively because of the presence of nonconformities in the immediate or adjacent areas.

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

Vehicle Sales: Any business which involves a parking or display area for the sale of new or used cars, trucks, motorcycles, campers, farm equipment, recreational vehicles, mobile homes, or similar products.

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

Wayfinding Signs: Is particularly important in complex built environments such as urban centers, healthcare and educational campuses, and transportation facilities. **Wayfinding** systems can help reduce their stress by providing easy-to-follow **signage** and legible directions to their destinations.

