

TOWN OF EDDINGTON
BUILDING PERMIT/SITE PLAN REVIEW ORDINANCE

Prepared for

EDDINGTON PLANNING BOARD

By

PENOBSCOT VALLEY REGIONAL PLANNING COMMISSION

a division of

EASTERN MAINE DEVELOPMENT CORPORATION

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TOWN OF EDDINGTON

BUILDING PERMIT/SITE PLAN REVIEW ORDINANCE

ARTICLE 100 – Title and Purpose – This Ordinance shall be known and may be cited as the Building Permit/Site Plan Review Ordinance of the Town of Eddington Maine and will be referred to herein as this “Ordinance: It is enacted by the voters of the Town of Eddington to protect public health, safety, and general welfare; provide for efficiency of public service; prevent and control pollution; and provide for orderly development in Eddington.

ARTICLE 200 – Authority and Administration –

210 – Authority – This Ordinance is enacted pursuant to the authority given the town in M.R.S.A. Title 30A, Section 3001-3006 Ordinance, power limited (Home Rule).

220 – Administration – The Planning Board of the Town of Eddington, The Code Enforcement Officer, and the Town Manager (as specified in this Ordinance) shall administer this Ordinance.

230 – Effective Date – The effective date of this ordinance shall be the day it is adopted by vote of the legislative body of the Town of Eddington.

ARTICLE 300 – Applicability – This Ordinance shall apply to all building or structures hereinafter erected, reconstructed, enlarged, or moved, and all uses of premises in the Town of Eddington.

ARTICLE 400 – Severability – Should any section of this Ordinance be declared by the courts to be invalid, such decision will not invalidate any other section or provision of this Ordinance.

ARTICLE 500 – Conflict with other Ordinances – This Ordinance shall in no way impair or remove the necessity of compliance with any other rule, regulation, by-law, permit or provision of law. Where this Ordinance imposes a greater restriction upon the use of the land, buildings, or structures, the provisions of the Ordinance shall prevail.

ARTICLE 600 – Repeal of Conflicting Ordinances - The following ordinances of the Town of Eddington are hereby repealed: the Building Permit Ordinance; the Eddington Multihousing-Housing Regulations; and the Billboard and Outdoor Advertising Ordinance.

ARTICLE 700 – Amendment

710 – Initiation of Amendment – An amendment to this Ordinance may be initiated by:

1. The Planning Board provided that a majority of the Board has so voted; or
2. Request of the Selectmen to the Planning Board for their review, input and recommendations; or
3. Written petition of 10% of the voters of the Town of Eddington voting in the last gubernatorial election.

720 – Adoption – All proposed amendments shall be referred to the Planning Board for their recommendation. The Planning Board may hold a public hearing on any proposed amendment. Within 30 days of receiving a proposed amendment, the Planning Board shall make their recommendation known to the Selectmen and the Town. After receiving the recommendation of the Planning Board, the amendment may be adopted or rejected by a majority vote of the Town at Town Meeting. Copies available at town meeting.

ARTICLE 800 – Filing – A copy of this Ordinance and any amendments hereto shall be filed with the Town Clerk and shall be accessible to any member of the public.

ARTICLE 900 – Building or Use Permit Required

910 – Building Permit Required – Any person wishing to undertake any of the following activities in the Town of Eddington shall first apply for and obtain a building permit from the Code Enforcement Officer:

1. Erect a building, structure, or manufactured housing including but not limited to mobile homes; or
2. Reconstruct a disaster-destroyed building, structure or manufactured housing including but not limited to mobile homes; or
3. Enlarge, move or remove a building, structure or manufactured housing including but not limited to mobile homes.

No building permit shall be issued except in conformity with the provisions of the Ordinance.

920 – Use Permit Required – No building or other structure for which a building permit is required shall be inhabited or used until, and unless, a Certificate of Occupancy Use Permit has first been obtained from the Code Enforcement Officer. In addition, a Use Permit shall be required for the following activities undertaken in the Town of Eddington:

1. To change the use of land on non-conforming lots; or
2. To excavate, remove and/or fill, excluding landscaping, more than 1000 cubic yards of material from or onto any lot; or
3. To use any vacant land for any purpose except the raising and harvesting of crops; the keeping of animals, and the raising and harvesting of forest products; or
4. To initiate a use requiring site plan review (see Section 1020 – Site Plan Review Applicability of this Ordinance) but not requiring a building permit.

930 – Procedure

1. Any person requiring a Building or Use Permit shall file an application with the Town Manager who shall forward the application to the Code Enforcement Officer immediately. Within seven (7) days of the filing of an application for a Building or Use Permit, the Code Enforcement Officer shall act on the application. The Code Enforcement Officer shall determine whether Site Plan Review is required.
 - a. If site plan review is required, the code Enforcement Officer shall so inform the applicant in writing, and shall inform the applicant of the procedures for Site Plan Review.
 - b. If Site Plan is not required, the Code Enforcement Officer shall review the application to determine whether it meets the provisions of this ordinance including all applicable performance standards in 1100 – Performance Standards of this Ordinance. If all applicable performance standards are met, the Code Enforcement Officer shall issue the permit. If all the applicable standards are not met, the Code Enforcement Officer shall deny the permit and inform the applicant, in writing, of the reasons for denying the permit.
 - c. No Use Permit may be issued until the Code Enforcement Officer has inspected the site and determined that the conditions of the Site Plan (if required) and/or the Building Permit have been followed.
2. No Building Permit for a building or structure on any lot shall be issued except to the owner of record thereof, or his authorized agent. The Code Enforcement Officer “shall”, as appropriate to the proposed development, require that any application for such permit shall be accompanied by a plan, accurately drawn to scale, showing the actual shape and dimensions of the lot to be built upon, and on-site soils survey, the exact location and size of all building or structures already on the lot, the location of new building to be constructed, together with the lines within which all buildings and structures are to be constructed, the existing and intended use of each building or structure, and such other information as may be necessary to provide for the execution and enforcement of this Ordinance.
3. The Code Enforcement Officer shall maintain applications with their accompanying plans and Building Permits as a permanent record.
4. A Building Permit and/or Site Plan Review Permit in all zones be secured under the provisions of this Ordinance shall expire if the work or change is not commenced within “90” days of the date on which the permit is granted, or if the work or change is not substantially completed (i.e. habitable) within “one year” of the date on which the permit is granted. At such time a new permit shall be secured.
5. No Building Permit shall be issued without payment of a fee according to the fee schedule set by the Board of Selectmen.
6. Plumbing Permit Required – No Building Permit shall be issued for any structure or use

involving the construction, installation or alteration of plumbing facilities unless a valid Plumbing Permit has been secured by the applicant or his authorized agent in conformance with the Plumbing Code of the State of Maine.

ARTICLE 1000 – Site Plan Review

1010 - Purpose – These Site Plan Review provisions are established to promote the public health, safety and general welfare by requiring plans to be submitted to and reviewed by the Planning Board for certain uses which have a potential for significant impact on a neighborhood, but which when properly designed with respect to their surroundings be acceptable uses in the neighborhood. The overall purpose of such a review shall be to ensure orderly and beneficial development of the Town of Eddington and to encourage the most appropriate use of the land. It is the Planning Board’s job to review developments for consistency with this ordinance.

1020 – Applicability – The Planning Board shall review and make recommendations concerning all plans for non-residential uses, public and semi-public buildings, group homes, multifamily-family residential units, and mobile home parks whether or not such development involves new construction or change in use of an existing structure or includes subdivision of a site. The construction of a residential single-family dwelling and uses or structures customarily accessory to a single-family dwelling shall not be covered by this section. (revised 3/22/94)

1030 – Applications and Review Procedures

1031 – Procedure

1. Persons seeking Site Plan approval shall submit an original and seven (7) copies of an application, with all the information required in Section 1032 of this Ordinance, together with an application processing fee in such an amount as may be established from time to time by the Board of Selectmen to the Code Enforcement Officer at least 15 days before a regularly scheduled meeting of the Planning Board. This application processing fee is in addition to any advertising fees which may also be established by the Board of Selectmen. The Code Enforcement Officer shall immediately forward a copy of the application to the members of the Planning Board. Before being placed on the agenda, the Planning Board must have the application for a minimum of ten (10) days for review.
2. Within thirty (30) days of the filing of an application for Site Plan approval, the Planning Board will schedule a public hearing.
3. Public Hearing – The Planning Board shall hold a public hearing within 60 days of receipt of such application. Prior to the public hearing and in accordance with this ordinance, the Planning Board shall give proper notice of said hearing that the application is complete. The hearing shall be advertised, at least one (1) time, in a newspaper of general circulation in Eddington, the date of the first publication to be at least 7 days prior to the hearing. The purpose of the public hearing shall be to receive input from the general public relative to the elements listed in Section 1040 – Standards for Review of the Ordinance. The names and addresses of said property owners within 500 feet of the property of the applicant shall be furnished by the applicant. If the Planning Board determines that it will hold a public hearing on the application, such hearing shall be held within 30 days of the Board’s determination.

4. Planning Board Review and Action – Within 30 days after the public hearing the Planning Board shall approve, approve with modifications, or disapprove the Site Plan. The Board shall limit its review to the criteria set forth in Section 1040 – Standards for Review of this Ordinance. The Board may consult with the applicant or any other party in making its review. The Board shall inform the applicant of its decision in writing and in cases of disapproval or approval with modifications, reasons for such actions shall be stated. A copy of the Board’s decision shall be filed with the Code Enforcement Officer. No Building or Use Permit shall be issued until Site Plan approval is granted.
5. Applications for Site Plan approval with their accompanying plans and the Planning Board’s action shall be maintained as part of the permanent record of the Planning Board.
6. After Site Plan approval has been granted, the Code Enforcement Officer shall issue the appropriate Building, or Land Use Permit.

1032 – Required Information on Plans – Applications for the establishment of uses requiring Site Plan Review shall be accompanied by plans, drawn to scale, containing the following information:

1. Scale of the map. Such scale shall be no smaller than one (1) inch equals 100 feet and will include a dimensional scale line.
2. Name and address of applicant.
3. Name and address of owner of property, if different than applicant.
4. What interest does the applicant have in the property (deed option, land purchase contract, lease, recorded ownership, etc.)? Copy of documentation to be included.
5. Boundaries of the tract of land.
6. Location of existing and proposed buildings and other structures, including use and proposed use thereof.
7. Location of buildings on abutting properties and within 500 feet of the property line of the proposed development and will include abutting owners names.
8. Location of existing public streets.
9. Location of proposed access drives to the lot from public streets.
10. Location and arrangement of proposed off-street parking and loading areas and their appurtenant drives and maneuvering areas.
11. Location of existing and proposed pedestrian walkways.
12. Location of existing and proposed utilities and easements thereof, includes sanitary

sewerage, water and electricity.

13. Location of existing natural drainage ways and proposed storm drainage facilities, including dimensions of culverts, pipes, etc.
14. Location, intensity, type, size and direction of all outdoor lighting.
15. Location and proposed use of areas proposed for outdoor recreation.
16. Location and type of existing and proposed landscape improvements, fences, hedges and trees of 12-inch diameter and over at a point 4.5 feet above ground level.
17. Contour lines at appropriate intervals to show the effect on the land of existing and proposed grades for areas proposed to be excavated or filled.
18. Location and size of signs and all permanent outdoor fixtures.
19. Information About Soils Conditions on the Site – If subsurface sewage disposal is proposed, the information shall include evidence of soil suitability according to the Maine State Plumbing Code. The Site Plan shall show the location of soil test areas. If no subsurface sewage disposal is proposed, medium intensity soils survey information about the site shall be included in the application. The Planning Board may require more intensive soil information if they need it in order to adequately review the proposal.

1040 – Standards Governing Site Plan Review – In approving an application for Site Plan Review, the Planning Board shall first determine that the development, as planned, will conform to the requirements of this Ordinance. Following such determination, the Board shall proceed to find that the proposed plan adequately meets the following standards, where applicable to the proposed development. In all cases, the burden of proof shall be upon the applicant.

1. The proposed use, building, design and layout meets the provisions of all applicable regulations and ordinances of the Town of Eddington and meets the intent of the comprehensive plan, as amended.
2. The proposed design layout will be of such size and character that it will be in harmony with the appropriate and orderly development of the surrounding area.
3. The proposed layout will be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved. Factors for the Planning Board to consider in this determination are the turning movements relative to traffic flow, proximity to intersections, location and access of off street parking, provision of pedestrian traffic, and minimization of pedestrian-vehicular contacts.
4. The proposed location and height of buildings or structures, walls and fences, parking, loading and landscaping shall be such that it will not interfere with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its economic value.
5. Signs shall be in accordance with the provisions of this Ordinance and in addition shall

be so designed and located as not to present a hazard or glare to either adjacent property or to motorists.

6. The development is designed and programmed so as to minimize earth moving, erosion, tree clearance, and the destruction of natural amenities.
7. All manufactured slopes, other than those constructed of stone, concrete or other impervious materials shall be planted or otherwise protected from the effects of storm runoff or any other soil erosion. All graded slopes shall be of a character so as to cause the slope to blend with the surrounding terrains and development.
8. Adequate drainage is provided for storm water runoff from paved areas, areas covered by buildings and other imperious surfaces.

ARTICLE 1100 – Performance Standards – These standards shall apply to all buildings or structures and all uses of premises in the Town of Eddington.

1110 – Lot Dimensions – The following minimum lot dimensions shall apply to all uses in the Town of Eddington:

- | | | |
|---|--|--------------------------|
| 1. Minimum lot area - | Two (2) acres per dwelling unit
(Revised 3-18-03) | |
| 2. Minimum road frontage on a public road or a 60-foot deeded right-of-way - | “200 feet” | |
| 3. Minimum setback of all structures or buildings from all property lines - | “10 feet” | |
| 4. Minimum setback of all structures or buildings from water bodies - | Regulated by the Shoreland Zoning Ordinance | |
| 5. Minimum lot area for multifamily-family housing two (2) acres for every dwelling unit. There shall be no more than four (4) dwelling units in a dwelling (building). Each dwelling will be on a separate parcel of land sized according to the number of dwelling units in the dwelling. | | |
| Three dwelling unit | - | requires six (6) acres |
| Four dwelling unit | - | requires eight (8) acres |
| | | Revised 3-18-2003 |
| 6. More than one detached single family dwelling unit may be placed on a single lot of record as long as all dimensional requirements are met for each detached single family dwelling unit located on that lot. (Revised 3-18-03) | | |
| 7. In lots that can not meet the dimensional requirements for placement or construction of a second dwelling unit, the Planning Board under the following conditions may grant permission for additional single family dwelling unit. (Revised 3-18-03) | | |
| a. Subsurface sewage disposal shall meet all requirements of the State of Maine | | |

Subsurface Wastewater Disposal Rules (Chapter 241) for all uses on the lot.
Revised 3//28/00.

- b. Residents of all dwelling units on the premises are related to the landowner by blood, marriage or adoption. (Revised 3/24/94)
- c. The additional single family unit is not a part of and/or does not create subdivision, as defined, in the Subdivision Ordinance of the Town of Eddington. (Revised 3/22/94)
- d. Establishing the additional dwelling unit on the lot creates no unsafe or unhealthy condition. (Revised 3/28/00)

1120 – Excavation, Removal or Fill of Land

- 1. General – The following provisions shall apply to excavation, removal or fill of soil, earth, loam, sand, gravel, rock, peat and/or other deposits. Excavation, removal, fill of land, or other earth moving activity which would result in erosion, sedimentation, impairment of water quality, or fish and aquatic life is prohibited. All landfilling or deposit of demolition debris, hazardous waste, industrial waste, sludge, petroleum products, tires, radio-active waste and white goods are prohibited without prior approval by the Maine Department of Environmental Protection.
- 2. Excavation, removal, or fill activities not requiring a permit. The following activities shall be allowed without a permit.
 - a. The excavation, removal or fill of less than 1000 cubic yards of material from or onto any lot.
 - b. Excavation, removal or fill activities associated with the construction of any structure for which a valid building permit or a valid plumbing permit has been issued.

Revised 3/18/2003

- 3. Review and Permit Required – All excavation, removal, or fill activities not exempted in Section 1120.b of the Ordinance shall require Site Plan Review and a Use Permit before the activity is commenced. In addition to the information required in a Site Plan Review application (Section 1032 of this Ordinance), before granting Site Plan approval, the Planning Board shall require that the applicant present a conservation plan for the operation of the activity and the restoration of the land. Such plan shall indicate the manner of operation of the activity; it shall include provision for preventing erosion, siltation, sedimentation, and runoff; and it shall include plans for temporary and permanent conservation practices. The restoration plan shall indicate how the site will be stabilized and revegetated at the completion of the operation; the expected completion date; and the final relief of the land after it has been restored. One condition of the issuance of Site Plan approval shall be that the plan approved by the Planning Board is followed by the operator.
- 4. All excavation, removal and fill operations shall be subject to the following conditions:

- a. No earth moving activity shall be conducted within fifty (50) feet of a property or right-of-way line except in the case when a tract of land is contiguous to another active earth moving activity of a similar nature. In such case the setback may be common to both tracts. No required setback area shall be disturbed or undercut, but shall be allowed to remain in its natural state.

1130 – Signs Please refer to the Sign Ordinance

(This sign section is replaced by the new Sign Ordinance that was accepted March 24, 2009.)

1140 – Road Entrances, Curb Cuts, Driveways – All road entrances, curb cuts and driveways shall be designed, considering land topography, street design, available site distance and existing and expected traffic patterns, so as to promote to the greatest extent possible, safe pedestrian and vehicular traffic and to protect public safety. Driveways and roads in multifamily-family housing projects shall be designed and laid out so as to provide adequate traffic circulation and for access for emergency service vehicles to every housing unit and structure on the premises. All driveways and roads proposed in connection with in multifamily-family housing projects shall follow the design and construction standards as defined fewer than 562 – DESIGN and CONSTRUCTION STANDARDS of the Town of Eddington Subdivision Ordinance.

1150 – Off Street Parking and Loading Requirements – Off street parking spaces, as specified below, together with property designed maneuvering room and access to public streets shall be provided wherever any new use is established or existing use enlarged.

<u>USE</u>	<u>PARKING SPECES REQUIRED</u>
1. Single, two family or multi-family residential use	1. Two spaces per dwelling unit.
2. Low income housing for elderly	2. ¾ space per dwelling
3. Retail business and personal service	3. One space for each 180 square of gross usable area plus parking for employees
4. Employee parking	4. One space per employee plus adequate space for business expansion
5. Tourist home, boarding of lodging house, motel or hotel	5. One space for each sleeping room plus parking for employees
6. Church, school, other place of public assembly	6. One space for each 3 seats in the largest assembly room

Planning Board may consult with a qualified transportation specialist to determine number that is reasonable.

1160 – Swimming Pools – Any in-ground private or public swimming pool shall be enclosed by a fence no less than four (4) feet high designed so as to prevent uncontrolled access.

1170 – Utilities

1171 – Sewage Disposal

1. All plumbing facilities in the Town of Eddington and all sewage disposal systems shall be installed and operated in compliance with the State of Maine Plumbing Code.
2. Plumbing and sewage disposal systems shall be installed only after plumbing permit has been obtained.

1172 – Water Supply

1. Where at all possible water supply shall be obtained from a public water system.

1180 – Fire Safety - All structures in the Town of Eddington shall be constructed so as to meet the requirements of the Eddington Fire Safety Ordinance.

ARTICLE 1200 – Standards for Non-Conforming Lots

1. A single lot of record which, at the effective date of adoption or amendment of this Ordinance, does not meet the area or road frontage width requirements, or both, of this Ordinance, may be built upon without the need for a variance provided that all other provisions of this Ordinance shall be met. Variance of yard or other requirements not involving area or width shall be obtained only by action of the Board of Appeals.
2. If two or more contiguous lots or parcels are in single ownership of record at the time of adoption or amendment of this Ordinance, and if all or part of the lots do not meet the dimensional requirements of the Ordinance, the lands involved shall be considered to be a single parcel for the purposes of this Ordinance. Division of such a parcel shall not be made which creates any dimension or area below the requirements of this Ordinance.

ARTICLE 1300 - ENFORCEMENT

1310 – Nuisances – Any violation of this Ordinance shall be deemed to be a nuisance.

1320 – Code Enforcement Officer – It shall be the duty of the Code Enforcement Officer to enforce the provisions of this Ordinance. If the Code Enforcement Officer shall find, “or is notified” that any provision of and in accordance with MRS 30-A, Section 4452 this Ordinance is being violated, the Code Enforcement Officer shall notify within two (2) business days in writing by certified mail, with a return receipt requested from the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it, including discontinuance of illegal use of land, buildings, structures, or work being done, removal of illegal buildings or structures, and abatement of nuisance conditions. A copy of such notices shall be maintained as a permanent record.

1330 – Legal Actions – When the above action does not result in the abatement and correction of the violation or nuisance condition, within 45 days the Municipal Officers, upon notice from the Code Enforcement Officer, are hereby authorized and directed to institute any and all actions and proceeding, either legal or equitable, including seeking injunctions of violations and the imposition of fines, that may be appropriate or necessary to enforce the provisions of this Ordinance in the name

of the municipality court decrees.

1340 – Fines – any person who continues to violate any provision of this Ordinance after receiving notice of such violation shall be guilty of a misdemeanor subject to a fine of up to \$100.00 for each violation. Each day such a violation is continued is a separate offense.

ARTICLE 1400 – Appeals

1410 – Board of Appeals - The Board of Appeals established in the Town of Eddington Shoreland Zoning Ordinance shall hear appeals relative to this Ordinance.

1420 – Jurisdiction of the Board of Appeals

1421 – Variance – The Board of Appeals may, upon written application of the affected landowner, grant a variance from the strict application of this Ordinance. When the Board finds that such application would cause undue hardship to the petitioner and his property. The words “undue hardship” mean:

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;
3. That the hardship is not the result of action taken by the applicant or prior owner; a variance is authorized only for lot area, frontage, setback.
4. Shall not alter the essential character of the neighborhood.

1422 – Administrative Appeals – The Board of Appeals may, upon written application of an aggrieved party and after public notice, hear appeals from determinations of the Planning Board or Code Enforcement Officer in the administration of this Ordinance. Such hearings shall be held in accordance with State laws. Following such hearing, the Board of Appeals, may reverse the decision of the Planning Board or Code Enforcement Officer only upon a finding that the decision is clearly contrary to specific provisions of this Ordinance, or unsupported by substantial evidence in the record.

ARTICLE 1500 – Definitions

1510 – Construction of Language – In this Ordinance, certain terms or words shall be interpreted as follows:

The word “person” includes a firm, association, organization, partnership, trust, company or corporation as well as an individual; the present tense includes the future tense, the singular number includes the plural, and the plural includes the singular; the word “shall” is mandatory, and the word “may” is permissive; the words “used” or “occupied” include the words “intended”, “designed”, or “arranged to be used or occupied”, the word “building” includes the word “structure”: and the word “dwelling” includes the word “resident”, the word “lot” includes the words “plot” or “parcel”. In the case of any difference of meaning or implication between the text of this Ordinance and any map or illustration, the text shall control.

Terms not defined shall have the customary dictionary meaning.

1520 – Definitions – In this Ordinance the following terms shall have the following meanings unless a contrary meaning is required by the context or is specifically prescribed:

Dwelling: a fixed structure containing one or more dwelling units.

Dwelling Unit: a room or group of rooms designed and equipped exclusively for use as living quarters for only one family, including provisions for living, sleeping, cooking and eating.

Excavation: any removal of earth or earth material rock or peat from its original location.

Family: One or more persons occupying a premise and living as a single housekeeping unit. A family member or relative defined as spouse, child, parent, grandparent, grandchild, brother and sister by blood, marriage or adoption.

Filling: depositing or dumping any matter on or into the ground or water.

Frontage Road: The horizontal distance between the intersections of the side lot line with the front lot line.

Lot Area: the total horizontal area within the lot lines.

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 Penobscot County Register of Deeds.

Lot Lines: the line bounding a lot as defined below:

Front Lot Line: on an interior lot, the line separating the lot from the street. On a corner or through lot, the line separating the lot from either street.

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 lot line of lease dimension.

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

Multifamily-Family Structure: a building containing more than two (2) dwelling units but no more than four (4) dwelling units and being no more than two (2) stories high.

Group Homes: living arrangements as defined by 30 M.R.S.A. 4962-A shall be considered single family residences with respect to all performance standards, but shall be subject to Site Plan Review. Community living arrangements not meeting the definitions of 39 M.R.S.A. 4962-A shall be considered multifamily-family dwellings, and every eight (8) residents shall constitute one (1) dwelling unit and be subject to Site Plan Review.

Mobile Homes: a structure, transportable in one or more sections that is eight (8) body feet or more in width and in 32 body feet or more in length and that 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 the plumbing, heating, air conditioning and electrical systems contained herein.

Mobile Home Park: a parcel or adjoining parcels of land under single ownership which has been planned and improved for the placement of two (2) or more mobile homes. Nothing herein shall be construed to apply to premises whether solely for storage or display of mobile homes for sale. All mobile home parks shall be considered a subdivision.

Premises: one or more lots, which are in the same ownership and are contiguous or separated only by a waterbody, including all buildings, structures and improvement.

Screening: is either:

1. a hedge or buffer strip at least 5 feet wide consisting of densely planted shrubs or trees, at least 4 feet in height at the time of planting, and eventually reaching a mature height or at least 6 feet;
2. a wall or fence at least 6 feet in height, but not exceeding 7 feet, which provides an effective visual barrier.

Setback: the minimum horizontal distance from a lot line to the nearest part of a structure.

Structure: anything constructed or erected, including manufactured housing and including, but not limited to, mobile homes, except a fence or boundary wall or unattached buildings, 100 square feet or less, the use of which requires location on the ground or attachment to something on the ground. A sign is a structure.

Use: the purpose for which land or a structure is arranged, designed, or intended, or for which land or a structure is or may be occupied.