

Town of Hampden

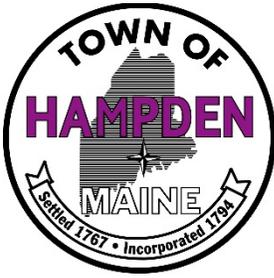
Planning and Development Committee

Wednesday October 19, 2016, 6:00 pm

Municipal Building Council Chambers

Agenda

1. Approval of September 21, 2016 Minutes
(Note, there was no meeting held October 5, 2016)
2. Committee Applications:
3. Updates:
 - A. Status of MRC/Fiberight
4. Old Business:
 - A. Business Park TIF – Planner K. Cullen
5. New Business:
6. Zoning Considerations/Discussion
 - A. Discussion of format of use listings in the Zoning Ordinance; conversion to table format
 - B. Discussion of “Question 1” – Potential Zoning Ordinance Amendment regarding Retail Marijuana
7. Citizens Initiatives:
8. Public Comments:
9. Committee Member Comments:
10. Adjourn



Town of Hampden
Planning and Development Committee
Wednesday September 21, 2016, 6:00 pm
Municipal Building Council Chambers
Minutes – Draft

Attending:

Committee/Council

Ivan McPike-Chair
Terry McAvoy
Mark Cormier
Greg Sirois
Stephen Wilde

Staff

Angus Jennings, Town Manager
Myles Block, Code Enforcement Officer

Public

none

Chairman McPike called the meeting to order at 6 p.m.

1. Approval of September 7, 2016 Minutes – Motion to approve as presented made by Councilor McAvoy with second by Councilor Wilde; carried 5/0/0.
2. Committee Applications: None.
3. Updates:
 - A. Status of MRC/Fiberight
Town Manager Jennings gave an update on the project, primary points included:
 - Town is waiting for engineering plans for the road and sewer to be submitted for review;
 - Was not done as a subdivision since it technically did not meet the criteria under state statute to be a subdivision;
 - Road will be proposed to be accepted under the Town Ways Ordinance and sewer will be done under the Sewer Ordinance;
 - Road construction will be more robust than standard residential road;
 - Concerns about future division of the parcels along the new road, given the lack of subdivision review and approval;
 - Regarding the conservation easement, if MRC opts to do 100% fee-in-lieu then there may be a reduction in the 80 acres to be preserved, which will create a need to make some adjustments to the Planning Board's Order (decision).

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- MRC Board meeting Friday September 23; we expect them to take action on scope of services for review and construction inspections for road and sewer, and also on payment of the balance remaining on the review fees for the Planning Board process.

4. Old Business:

- A. Market Study Scope and potential collaboration with other municipalities: Town Manager Jennings gave a summary of staff meeting with Bangor and Brewer staff. He said partnering with either or both municipalities will add resources to the project but will also add complexity. At this point it appears Bangor is quite interested in partnering on the project, while Brewer is less interested since they did a market study for a portion of their town recently.

Discussion points:

- Concern regarding competition between the municipalities; the market study will not include location recommendations but will say Hampden could pull in x amount of y industry/business.
 - Market study will be useful to test a scenario, e.g. a mixed use waterfront development or the town center project.
 - Potential also exists that the market study could tell us that Hampden is unlikely to get industry but high end residential development would be a market niche the town could promote.
 - TM Jennings said he sees three values in the study:
 - The report itself, the data;
 - The process with focus groups and building relationships; and
 - The report will provide talking points that will last for years.
 - Timeframe has changed, we will move forward to get under contract ASAP but it will not be as early as October as originally planned.
 - Consensus of the P&D Committee members present tonight is to move forward with this and to do both phases as quickly as possible. Partner with Bangor to the extent they don't cause a long delay in getting the work completed.
- B. Business Park TIF Scope: Town Manager Jennings reviewed his comments for changes to the draft scope that was included in the packet, and noted the cost for this work will be borne by Sargent. Discussion on the area covered by the TIF; there may be value in amending the district to include the entire park and not exclude the lots currently not in the district. Discussion on original assessed value, calculation of it for the west side (road built) and the east side (road not built).

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- C. Emera TIF: Town Manager Jennings said this is really a housekeeping item; the end dates in the credit enhancement agreement and the TIF agreement don't match, the result of a scrivener's error. Rudman Winchell has done the work to make the necessary correction and they recommend that Town Council re-vote this to ensure no problems in the future.

Motion by Councilor Sirois to refer this to the Town Council to amend the TIF Agreement with Emera as presented; seconded by Councilor McAvoy. Motion carried 5/0/0.

5. New Business: None.
6. Zoning Considerations/Discussion: None.
7. Citizens Initiatives: None.
8. Public Comments: None.
9. Committee Member Comments:
Chairman McPike said he is very pleased with the committee's willingness to move ahead with the market study and he is looking forward to getting the report.
10. Adjournment: Motion to adjourn at 6:49 by Councilor McAvoy; seconded by Councilor Sirois, carried 5/0/0.

*Respectfully submitted by
Karen Cullen, Town Planner
Compiled from audio recording and
notes by Town Manger Jennings*

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Town of Hampden
Memorandum

To: Planning & Development Committee
From: Karen M. Cullen, AICP, Town Planner *KMC*
Date: October 17, 2016
RE: Zoning Ordinance - Uses

As you are aware, Hampden's Zoning Ordinance is organized by district, with the permitted uses and conditional uses listed out in paragraph form. This format does not allow readers to easily see what uses are permitted or prohibited within a single district, nor does it allow readers to see how uses are handled across the fifteen districts.

A common format for listing the uses permitted by right, conditional use, or are prohibited is within a table which lists the uses down one side and the districts across the top, and includes codes to specify whether the use is permitted by right, permitted subject to site plan review, permitted by conditional use approval, or not permitted for each district. I am drafting such a table for Hampden, based on the existing Zoning Ordinance (i.e. no modification to content, just format), and will present this at the meeting this week.

I have included three samples of use tables from nearby communities: Brewer, Hermon, and Holden. These will give you an idea of what a use table is and how to read it.

Updated as of June 10, 2013

306.5 SCHEDULE OF USES (#31)

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB	DD
OPEN AREA USES													
Accessory Use	P	P										P	
Agriculture	Y	Y											
Barnyard Animals	Y-8,25	Y-8,25											
Farm Stand	P	P											P
Forestry	P	P											
Public Parks / Trails	S	S	S	S	S	S	S	S	S-63	S-63	S	S	S
Public Playground	S	S	S	S	S	S	S	S			S		S
Removal of Fill, Gravel, Stone, Loam	S	S											
Water storage-Farm Pond	P-1,2,or 21	P-1, 2,or 21											
RESIDENTIAL USES													
Accessory Use	P	P	P	P	P	P	P				P		P
Single-family Dwelling	P	P	P	P	P	P	P	P-61			P		
Home Occupations	P	P	P	P	P	P	P				P		
Manufactured Housing*													
Mobile Home Park		S-15,16				S-15,16							
Multi-family, 3 or more, Dwelling Units (#18)		S			S	S	S	P-61			S		S-65
Planned Unit Development Of Residential Units		S	S-12,15,16	S-12,15,16	S	S-12,15,16	S-12,15,16						
Two-family Dwelling Units (#18)		P		P	P	P	P	P-61			P		S-65
Any non-residential uses allowed with or without a permit which creates 5,000 square feet of new gross floor area, or creates 5,000 square feet or greater of new un-vegetated area in the development, separately or collectively, shall be subject to Site Plan Review. Any proposed non-residential uses allowed, with or without a permit, exceed the 5,000 square foot area for new gross floor area or new un-vegetated area, or any proposed combination of the two activities, within a two (2) year period shall be considered cumulative activity and shall require site plan review. (#17)													

306.5 SCHEDULE OF USES (#31)

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB	DD
COMMERCIAL USES													
Accessory Uses	P	P	P	P	P	P	P	P	P	P	P	P	P
Adult Amusement Store								S-6					
Adult Motion Picture Theater and On-Site Adult Video Screening									S-6				
Adult Entertainment Nightclub, Bar or Cabaret									S-6				
Adult Relaxation Spa or Adult Spa									S-6				
Animal Clinic								S	S-64	S-64		S	
Animal Hospital		S-2,3							S-64	S-64			
Art Galleries							P	P			P	S	P
Auto Repair							S-12,22,39	S-12	S-12,38	S-12,38			
Auto Service							S-12,22,39	S-12	S-12,38	S-12,38			
Auto, Truck, Equip., Sales							S-5	S-5	S-5				
Aviation		P-1,7								P-1,7		S-1,7	
Barbers, Beauty Shops							P	P			P	S	P
Bed & Breakfast		P			P	P					P		P-65
Boarding of Horses	P-1,2,8												
Building Supply Business								S	S	S			
Business Offices			S-55	S-55	S		P	P	P		S	S	S
Camping Parks	S	S											
Catering Facility							P	P	P			S	
Child Care Center							S		S-60			S	

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306.5 SCHEDULE OF USES (#31)

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB	DD
COMMERCIAL (continued)													
Day Care Facility, Children	P-62	P-62	P-62	P-62	P-62	P-62	P-62					S-62	
Day Care Facility, Adult	P-62	P-62	P-62	P-62	P-62	P-62	P-62					S-62	
Drinking Establishments, Dance Halls, Night Clubs							S	S					S
Financial Institutions							P	P	P		S	S	S
Funeral Homes					S-12,55		S-55				S-55		
Golf Course	S	S-14										S	
Industrial Laundry Facility									S-64	S-64			
Kennels	S-2,3	S-2,3											
Laundromat, Dry Cleaners							P	P				S	
Mobile Home Sales								S					
Motel and Hotel							P-12	P-12				S	S-65
Museums					P-55		P	P			P	S	P
Newspaper & Job Printing							P	P	P		P		
Nurseries & Greenhouses	P	P						P	P			S	
Planned Group Development (#9)												S	
Professional Offices		S	S	S	S		P	P	P		S	S	S
Recreational Facilities- Indoors							S	S				S	S
Recreational Facilities- Outdoors	S	S					S	S				S	S
Recycling Center, other than Automobile recycling facility								S	S				
Redemption Center							S						
Restaurant							P	P				S	S
Retail Stores							P	P				S	S

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306.5 SCHEDULE OF USES (#31)

USE	RURAL	LDR	MDR-1	MDR-2	HDR	HDR-2	CB	GB	IND	IND-2	OR	PB	DD
COMMERCIAL (continued)													
Rooming, Boarding Houses					S-55		S						
Service Businesses							P	P			P	S	S
Shopping Centers							S	S					
Takeout Food Services							S	S				S	S
Telecommunication Facilities Not exempt							S-17	S-17	S-17	S-17		S-17	
Theaters							S	S				S	S
Transportation Uses								S	S	S			
Truck Terminal									S				
Warehousing							S	S	S	S			
Wholesaling							S	S	S	S		S	
INDUSTRIAL USES													
Accessory Uses							P	P	P	P		P	
Automobile Graveyards, Automobile Recycling Facility & junkyards									S				
Bulk Oil & Fuel Tanks									S				
Construction Equipment Storage								S	P	P-38			
Firewood Processing									S	S			
Light Manufacturing							S	S	P	P			
Manufacturing									S	S			
Research and Development Facility(#13)									S			S	
Research Facility (#13)									S			S	

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306.5 SCHEDULE OF USES (#31)

Footnotes to Schedule of Land Uses

* See Manufactured Housing Overlay District

** Permits are not required when a Utility Permit or Street Opening Permit has been issued. Permits are not required when the utility is located entirely upon the premises of the customer requesting service or for the purpose of maintenance except when a Utility Permit or Street Opening Permit is required. All utilities, both public and private, must be installed underground when located within the right-of-way and/or 150 feet from the right-of-way property line of any accepted City street within the Professional Business (PB) District. This requirement does not apply to Parkway South Wilson Street, and Greenpoint Road except for those areas within or 150 feet from Dirigo Drive as described prior. (#10)

1. Two Hundred (200) feet from any public right-of-way.
2. Two Hundred (200) feet from any abutting property line.
3. One Hundred (100) feet from any public right-of-way.
4. One Hundred (100) feet from any abutting property line.
5. The sales and display of which shall not be within the City's right-of-way.
6. The following Chapters, Articles and Sections shall apply: Chapter 20, Article 5, Section 509 Permitted Locations. Chapter 28 Signs. Chapter 24, Land Use Code, Article 4, Section 424 and Article 6.
7. Enclosed with a fence of a minimum height of six (6) feet and of such design so as to prevent any readily accessibility other than a gate.
8. Fenced along a public way six (6) feet in height.
9. The following Chapters, Articles and Sections shall apply: Chapter 24, Land Use Code, Article 4, Sections 424 & 437, and Article 6. The facility shall be located no closer than 250 feet from the property line of any public and/or private school. (#11)
10. Enclosed with a fence of a minimum height of four (4) feet, so as to prevent any readily accessibility by an automobile other than by a gate.
11. The following Chapters, Articles and Sections shall apply: Chapter 24, Land Use Code, Article 4, Sections 424.2, 424.3 & 438, and Article 6, Section 607.7.1. No Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility shall be located within 1,000 feet of any property line upon which the Dispensary or Facility is or are located and the nearest property line of a preexisting public or private school. Additionally, no medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility shall be located within 500 feet of any property line upon which the Dispensary and/or Facility is or are located and the nearest property line of any of the following, which is or are in existence when an application for a Medical Marijuana Registered Dispensary and/or Medical Marijuana Cultivation Facility is made:
 - a. Preexisting church or other facility for religious worship;

- b. Preexisting private residence,
- c. Preexisting license daycare facility, or
- d. Preexisting methadone clinic. (#16)

- 12. The traveled area of automobile entrances shall not be more than thirty (30) feet wide or pedestrian entrances more than six (6) feet wide.
- 14. Abutting street must be at least twenty-eight (28) feet in width.
- 15. Water- public water- available.
- 16. Sewer- public sewer- available.
- 17. The essential services building can be located at the discretion of the Planning Board; Notwithstanding the requirements of this ordinance, Essential Services Buildings as defined, shall be exempt from the lot area, coverage, width and frontage requirements of the district in which they are located, provided such structures shall be screened from a public or private street and from any residential district. Additional screening from abutting property owners may be required. Such a buildings or structures must be architecturally similar to the surrounding buildings or structures and kept in good repair.
- 21. Enclosed by a fence if the actual use is within one hundred (100) feet of the right-of-way or property line.
- 22. Fenced from view of abutting land owners by a six (6) foot high solid fence.

- 25. Shall be enclosed by a fence built to confine such animals as are kept and such fence shall be no closer than one hundred (100) feet to any property line
- 38. All vehicles or parts of vehicles stored outside of buildings shall be fenced from view by a six (6) foot high solid fence within one (1) week from the date that such vehicles are stored.
- 39. The number of automobiles for sale shall not exceed three (3) automobiles, and the display area for automobile sales shall no exceed six hundred (600) square feet (#9)
- 49. Lot must contain at least ten (10) acres of land.
- 54. Structures limited to 2,500 square feet total ground coverage and two stories in height.
- 55. Located on North Main Street, South Main Street, Wilson Street or State Street.
- 56. Access drives/driveways: Limited to a single driveway with a minimum width of fifteen (15) feet and a maximum of twenty-four (24) feet; a curb radius of at least five (5) feet and a maximum of fifteen (15) feet. The minimum distance between adjacent driveways shall not be less than ten feet at the highway right-of-way.
- 60. As an ancillary use to existing use which is limited to the children of employees.
- 61. As an ancillary use of the principal structure, limited to the area above the ground floor level.
- 62. To be reviewed by Planning Board referencing only the requirements of Article 4, Section 411.
- 63. Trail only.
- 64. Only when served by public water and sewer. (#8)
- 65. Residential uses/rooms are not allowed or permitted on ground floors or first floors (ie. the first floor facing the street).

§ 154.046 SCHEDULE OF USES.

(A) *Activity categories.* Land uses permitted in the town's zoning districts, in conformance with the performance standards contained in §§ 154.065 through 154.096 are shown in a matrix in division (E) below. The various land uses contained in the matrix are organized into the following activity classifications:

- (1) Agriculture and other open space uses;
- (2) Residential;
- (3) Commercial;
- (4) Industrial;
- (5) Institutional; and
- (6) Miscellaneous.

(B) *Symbols used in schedule of uses.* The following symbols contained in the schedule of uses in division (E) below have the following meanings:

- (1) *District symbols.*
 - (a) AF - Agriculture/Forestry;
 - (b) RA - Residential A District;
 - (c) RB - Residential B District;
 - (d) RC - Residential C District;
 - (e) C - Commercial District;
 - (f) VC - Village Commercial; and
 - (g) I - Industrial District.

- (2) *Permit required symbols.*

- (a) Y- Uses allowed without a permit;
- (b) P - Uses requiring a building permit or other type of permit from the Code Enforcement Officer. All "class 1" uses require site plan review approval from the Code Enforcement Officer.
- (c) S - Uses requiring site plan review approval from the Planning Board in accordance with the requirements of §§ 154.065 through 154.096, using the procedures found in §§ 154.180 through 154.190.
- (d) N - Not permitted.

- (C) *Uses substantially similar to permitted uses.*

- (1) *Uses allowed without a permit.* Uses substantially similar to those allowed without a permit, but which are not listed in the schedule of land uses, may be permitted upon a ruling of the Code Enforcement Officer (CEO) that such use is substantially similar to such uses.

- (2) *Uses requiring a permit from the CEO.* Uses substantially similar to those requiring the review and approval of the CEO under this chapter, but which are not listed in the schedule of land uses, may be permitted by the CEO.

- (3) *Uses requiring site plan review approval.* Uses substantially similar to those requiring site plan review approval of the planning board under this chapter, but which are not listed in the schedule of land uses, may be permitted by the Planning Board.

- (4) *Prohibited uses.* Uses substantially similar to a prohibited use in the schedule of land uses, as determined by the CEO, are prohibited.

(D) *Compliance with performance standards.* All uses which are permitted, including those that are allowed without a permit, must occur and be maintained in compliance with the applicable requirements of the performance standards listed in §§ 154.065 through 154.096.

(E) *Schedule of land uses.*

(1) *Agriculture and other open space uses.*

<i>Agriculture and other open spaces</i>	<i>AF</i>	<i>RA</i>	<i>RB</i>	<i>RC</i>	<i>C</i>	<i>VC</i>	<i>I</i>
Agricultural landspreading of pre-treated septage	S	N	N	N	N	N	N
Animal husbandry							
On parcel 2 acres or larger	Y	N	P	N	N	N	N
On parcel less than 2 acres	Y	N	S	N	N	N	N
Commercial feed lot	S	N	N	N	N	N	N
Equestrian activity - riding, training, showing, breeding	Y	N	S	N	N	N	N
Farm stand	Y	N	Y	N	N	N	N
Off site farm stand ¹	N	N	N	N	P ¹	P ¹	P ¹
Forestry	S	S	S	S	S	S	S
Fur farm	S	N	N	N	N	N	N
General agriculture	Y	N	P	N	N	N	N
Goat farm	S	N	N	N	N	N	N
Livestock for home use							
On parcel 5 acres or larger	Y	N	P	N	N	N	N
On parcel less than 5 acres	Y	N	S	N	N	N	N
Rasing of pigs	S	N	N	N	N	N	N
Public parks, playgrounds	S	S	S	S	N	S	N
Recreation trails	Y	Y	Y	Y	Y	Y	Y
Accessory structure or use	P	P	P	P	P	P	P

Note to table of agricultural and other open space uses:

¹Off-site farm stand - Applicants for an off-site farm stand shall provide to the CEO a signed lease agreement from the property owner(s). Off-site farm stands may be in operation only during the months of July, August, September, and October of each year and the stand shall be removed from site by November fifteenth of each year. Adequate off-street parking shall be provided. Signage shall be of the temporary sandwich type (A-frame) or located on the stand itself. Items sold from an off-site farm stand shall be limited to those relating to vegetables, fruit and flowers.

(2) Residential uses.

<i>Residential uses</i>	<i>AF</i>	<i>RA</i>	<i>RB</i>	<i>RC</i>	<i>C</i>	<i>VC</i>	<i>I</i>
Single-family dwelling	P	P	p ³	P	N	P	N
Elder living quarters (ELQ)	P	P	P	P	N	P	N
Mobile home for ELQ	S	N	S	S	N	N	N
Group home	N	N	S	P	N	N	N
Home occupation ¹	P	P	P	P	P	P	P
Home occupation 2	S	N	S	N	P	S	P
Home occupation ³	S	N	S	N	P	S	P
Manufactured housing exclusive of mobile homes	P	P	P	P	N	P	N
Mobile homes	P	N	P	P	N	N	N
Mobile home park	N	N	N	S	N	N	N
Two-family dwelling	p ²	N	p ³	p ⁴	N	p ⁴	N
Multiple-family dwelling	N	N	p ⁴	p ⁴	N	s ⁴	N
Non-commercial greenhouse	Y	Y	Y	Y	N	Y	N
Planned unit development ⁵	S	S	S	S	N	S	N
Multi-family development ⁶	N	N	S	S	N	S	N
Rooming, boarding house	N	N	P	P	N	N	N
Rear lot development, in accordance with § 154.090	N	N	P	N	N	P	S
Accessory structure or use	P	P	P	P	N	P	N

Notes to table of residential uses:

² AF District - Minimum lot size for a two-family dwelling shall be one and one-half acres with one unit owner occupied.

³ RB District - Single and two-family dwellings
(a) Minimum lot size for a single-family dwelling shall be one acre.
(b) Minimum lot size for a two-family shall be one and one-half acres.

⁴ RB, RC and VC Districts - Multi-family dwellings shall meet the following requirements:
(a) All acreage required must be classified as buildable. Easement areas, freshwater wetlands and other unusable areas shall not be classified as buildable for the purpose of determining minimum lot size.
(b) Minimum lot size for a three-family dwelling shall be two acres.

(c) Minimum lot size for a four-family dwelling shall be two and one-half acres.

(d) RC District: The maximum residential density shall be six dwelling units per acre.

(e) VC District: The two units per acre - maximum of eight units per lot.

(f) RB District: Each multi-family dwelling shall be limited to no more than four units.

(g) Minimum frontage for each multi-family dwelling shall be 200 feet.

(h) Multi-family dwellings on rear lots as described in this subchapter shall have the lot sizes detailed above, with setbacks twice the minimum requirements of the zone.

⁵ See §§ 154.065 through 154.096, § 154.086(C)(3)

⁶ See §§ 154.065 through 154.096, § 154.087(B)(1)

(3) *Commercial uses.*

<i>Commercial Uses</i>	<i>AF</i>	<i>RA</i>	<i>RB</i>	<i>RC</i>	<i>C</i>	<i>VC</i>	<i>I</i>
Auction barn	P	N	N	N	S	S	S
Automobile body shop	N	N	N	N	S ⁸	S ⁸	P
Automobile service station	N	N	N	N	P	S	P
Aviation field	S	N	N	N	N	N	S
Bakery	N	N	N	N	P	P	P
Barber shop, beauty shop	N	N	N	N	P	P	P
Bed and breakfast	P	N	P	N	N	P	N
Building supply/lumber yard	N	N	N	N	P	N	P
Business and professional office, Class 1 ⁷	N	N	N	N	P	P	P
Business and professional office, Class 2 ⁷	N	N	N	N	S	S	S
Business park	N	N	N	N	S	S	S
Campground	S	N	N	N	N	N	S
Commercial art studio	P	N	N	N	P	P	P
Commercial greenhouse	S	N	N	N	S	S	S
Commercial complex (shopping center)	N	N	N	N	S	S	N
Communication facility	S	N	N	N	S	N	N
Contract postal unit	N	N	N	N	P	P	P
Home day care	P	P	P	P	N	P	N

Adult day care	S	N	S	S	N	S	N
Child/adult day care center	N	N	N	N	S	S	S
Funeral home	N	N	N	N	S	S	S
Golf, ski, other recreation facility	S	N	S	N	S	S	S
Gymnasium, fitness center	N	N	N	N	P	S	P
Hotel/motel/overnight cabin	N	N	N	N	P	N	P
Kennel, breeding ⁹	S ⁹	N	S ⁹	N	S ⁹	S ⁹	S ⁹
Kennel, commecial ¹⁰	S ¹⁰	N	N	N	S ¹⁰	S ¹⁰	S ¹⁰
Kennel, non-commercial ⁹	P ⁹	N	P ⁹	N	P ⁹	P ⁹	P ⁹
Laundromat/dry cleaner	N	N	N	N	P	P	P
Medical, dental clinic	N	N	N	N	P	P	P
Substance abuse clinic ¹¹	N	N	N	N	S ¹¹	S ¹¹	S ¹¹
Medical labs	N	N	N	N	S	S	S
Motor vehicle sales and rentals	N	N	N	N	P	S	P
Neighborhood grocery store	N	N	S	S	S	S	S
Newspaper/printing facility	N	N	N	N	P	N	P
Nursing home	N	N	S	N	S	S	N
Place of public amusement	N	N	N	N	N	N	N
Place of public assembly or culture	N	N	N	N	P	S	P
Place of public entertainment	N	N	N	N	P	N	P
Recreational vehicle sales and rental	N	N	N	N	P	S	P
Redemption center ¹²	N	N	N	N	S ¹²	S ¹²	P ¹²
Restaurant	N	N	N	N	S	S	S
Retail store Class 1	N	N	N	N	P	P	P
Retail store Class 2	N	N	N	N	S	S	S
Service establishments Class 1 ⁷	N	N	N	N	P	P	P
Service establishments Class 2	N	N	N	N	S	S	S
Storage self facility							
1 - 10 units	P	N	N	N	P	N	P
11 and up	S	N	N	N	S	N	S
Veterinary clinic	S	N	N	N	P	S	P
Accessory structure or use	P	N	P	P	P	P	P

Notes to Table of Commercial Uses:

⁷ Class 1 Uses require site plan review approval by the Code Enforcement

Officer.
⁸ Automotive Body Shop - Vehicles awaiting bodywork shall be in a screened in area as approved by the Planning Board.
⁹ Breeding kennels and noncommercial kennels shall have a minimum lot size of 5 acres. Setbacks for structures shall be the same as for the underlying zone. Setbacks for outdoor runs shall be 200 feet to nearest residence or 50 feet to nearest residential side line, whichever is greatest. In no case shall outside runs for kennels be within the minimum setback for the zone.
¹⁰ Commercial kennels shall have a minimum lot size of 5 acres. Setbacks for structures shall be the same as for the underlying zone. Setbacks for outdoor runs shall be 300 feet to nearest residence or 100 feet to nearest residential side line, whichever is greatest. In no case shall outside runs for kennels be within the minimum setback for the zone.
¹¹ Substance Abuse Clinic (a) All substance abuse clinics shall have a minimum of five acres. (b) All substance abuse clinics shall be situated on land owned by the care provider. (c) All buildings associated with the clinic must be located at least 100 feet from all property lines which abut the VC, C and I Districts and at least 500 feet from the AF, RA, RB and RC Districts. (d) No clinic shall be operated within a half mile radius of any school or daycare facilities operating at the time of the application for a substance abuse clinic.
¹² Redemption Center - Beverage containers shall not be stored onsite for more than 30 days.
¹³ Reserved.
¹⁴ Reserved.

(4) *Industrial uses.*

<i>Industrial Uses</i>	<i>AF</i>	<i>RA</i>	<i>RB</i>	<i>RC</i>	<i>C</i>	<i>VC</i>	<i>I</i>
Administrative offices of manufacturing, research corporations	N	N	N	N	P	N	P
Firewood processing	S	N	N	N	N	N	P
Fuel storage	N	N	N	N	N	N	S
Junkyard	N	N	N	N	N	N	S
Living quarters for security							

personnel ¹⁶	N	N	N	N	N	N	P ¹⁶
Manufacturing, heavy	N	N	N	N	N	N	S
Manufacturing, light	N	N	N	N	S	N	S
Recycling facilities	N	N	N	N	N	N	S
Railroading	N	N	S	N	P	N	P
Research and testing facilities of a laboratory nature	N	N	N	N	N	N	P
Sawmill	S	N	N	N	N	N	S
Septage storage and/or handing	N	N	N	N	N	N	S
Storage of pulpwood or logs for shipping	Y	N	N	N	S	N	P
Storage, processing of agricultural products	S	N	N	N	N	N	S
Truck terminal	N	N	N	N	S	N	P
Warehousing	N	N	N	N	P	N	P
Wholesaling of goods and products	N	N	N	N	P	N	P
Rear lot development, in accordance with § 154.090	N	N	P	N	N	P	S ¹⁵
Accessory structure or use	S	N	S	N	P	N	P

Notes to Table of Industrial Uses:

¹⁵ Rear Lot Development in Industrial District: Only "Open Space Uses" are allowed as rear lot development in the Industrial District.

¹⁶ Living quarters for security personnel, employed by a company located in the industrial park, limited to one dwelling unit. The living quarters may be located within the principal structure.

¹⁷ Reserved.

¹⁸ Reserved.

(5) *Institutional uses.*

<i>Institutional Uses</i>	<i>AF</i>	<i>RA</i>	<i>RB</i>	<i>RC</i>	<i>C</i>	<i>VC</i>	<i>I</i>
Cemetery	N	N	S	N	N	N	N
Church	N	N	S	P	N	S	N
Club	N	N	S	P	P	S	P
Community service organizations	N	N	S	N	S	S	S
Educational uses and structure	N	N	S	P	N	P	N
Governmental use	N	N	N	N	N	S	S

Hospice	N	N	S	N	N	N	N
Hospital	N	N	S	N	N	N	N
Municipal uses and structures	N	N	S	P	S	P	S
USPS Post Office	N	N	S	N	S	S	S
Accessory structure or use	N	N	P	P	P	P	P

(6) *Miscellaneous uses.*

<i>Miscellaneous Uses</i>	<i>AF</i>	<i>RA</i>	<i>RB</i>	<i>RC</i>	<i>C</i>	<i>VC</i>	<i>I</i>
Earth filling ¹⁹							
< 1,000 yards	Y	Y	Y	Y	Y	Y	Y
1,000 - 10,000 yards	P	P	P	P	P	P	P
> 10,000 yards	S	S	S	S	S	S	S
Earth excavation ¹⁹							
< 1,000 yards	P	P	P	P	P	P	P
1,000 yards or more	S	S	S	S	S	S	S
Essential services	P	P	P	P	P	P	P
Essential services structures	S	S	S	S	S	S	P
Signs							
Outside of complexes and parks (see §§ 154.225 through 154.233, signs)	N	P	P	P	P/S	P/S	P/S
Commercial complex (shopping center) (see §§ 154.225 through 154.233, signs)	N	N	N	N	S	S	S
Business/commercial/industrial park (see §§ 154.225 through 154.233, signs)	N	N	N	N	S	S	S
Mobile home park (see §§ 154.065 through 154.096, performance standards)	N	N	N	S	N	N	N
Outdoor wood boilers (see §§ 154.065 through 154.096, performance standards)	P	N	P	N	N	N	S
Small wind energy systems (see §§ 154.065 through 154.096, performance standards)	S	N	S	N	N	N	N
Accessory structure or use	P	P	P	P	P	P	P
Notes to Table of Miscellaneous Uses:							

19 Earth filling and excavation - Erosion control measures shall be placed so as to avoid situation of neighboring property, streams, brooks, and wetlands. No fill shall be placed within 20 feet of neighborhood property.

(Ord. passed 1-3-2013)

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

401 ACTIVITIES DESCRIBED

A matrix listing the uses permitted in the various Zones, under this Ordinance begins on page 4-2.

The various land uses contained in the matrix are organized according to the following eight (8) activity classifications:

- Non-Commercial Recreational Activities
- Resource Management Activities
- Resource Extraction Activities
- Residential Activities
- Institutional Activities
- Commercial Activities
- Industrial Activities
- Transportation and Utilities

402 SYMBOLS USED IN SCHEDULE OF USES

The following symbols contained in the Schedule of Uses have the following meanings:

402.1 ZONE SYMBOLS

<i>SYMBOL</i>	<i>DESCRIPTION</i>
R1	High Density Residential Zone
R1G	High Density Residential Growth Zone
R2	Low Density Residential Zone
R3	Rural Resource/Residential Zone
R4	Shoreland Residential Zone
GC	General Commercial Zone
LC	Limited Commercial Zone
CS/I	Community Service/Institutional Zone
RP	Resource Protection Zone
VC	Village Center Zone

402.2 PERMIT REQUIRED SYMBOLS

<i>SYMBOL</i>	<i>DESCRIPTION</i>
Y	Use Allowed Without a Permit.
C	Use Requiring a Building Permit from the Code Enforcement Officer pursuant to Article 7 of this Ordinance.
P	Use Requiring Site Plan Review and Approval of the Planning Board pursuant to Article 8 of this Ordinance.
N	Use Prohibited Within the Zone.
SP	Special Exception Permit

403 USES SUBSTANTIALLY SIMILAR TO PERMITTED USES MAY BE PERMITTED

403.1 USES ALLOWED WITHOUT A PERMIT

Uses substantially similar to those allowed without a permit, but are not listed in the Schedule of Uses, may be permitted upon a ruling by the Code Enforcement Officer that such use is substantially similar to such uses.

403.2 USES REQUIRING A BUILDING PERMIT FROM THE CODE ENFORCEMENT OFFICER

Uses substantially similar to those requiring the review and approval of the Code Enforcement Officer under this Ordinance, but which are not listed in the Schedule of Uses, may be permitted by the Code Enforcement Officer.

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

403.3 USES REQUIRING SITE PLAN REVIEW AND APPROVAL OF THE PLANNING BOARD

Uses substantially similar to those requiring site plan review and approval of the Planning Board under this Ordinance, but which are not listed in the Schedule of Uses, may be permitted by the Planning Board.

404 USES SUBSTANTIALLY SIMILAR TO PROHIBITED USES ARE PROHIBITED

Uses substantially similar to any uses listed as a Prohibited Use in the Schedule of Uses, as determined by the Code Enforcement Officer, shall be prohibited.

405 COMPLIANCE WITH LAND USE STANDARDS REQUIRED

All uses permitted must occur and be maintained in compliance with the applicable requirements and land use standards contained in Articles 5 and 6.

406 SCHEDULE OF USES

ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.1 NON-COMMERCIAL RECREATIONAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Individual private campsites ¹	N	N	C ²	C	N	N	N	N	N
c) Motorized vehicular traffic on existing roads and trails, and snowmobiling	Y	Y	Y	Y	Y	Y	Y	Y	Y
d) Non-permanent docking and mooring structures	C	C	C	C	C	C	C	C	C
e) Permanent docking or mooring structures	P	P	P	P	P	P	P	P	P
f) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent camping, canoe portaging, cross country skiing, and snowshoeing	Y	Y	Y	Y	Y	Y	Y	Y	Y
g) Trails, provided they are constructed and maintained so as to avoid sedimentation of water bodies	Y	Y	Y	C	Y	Y	Y	C	Y

FOOTNOTES:

¹ Provided that such sites are not used by more than 10 persons at one time and are not used for more than 60 days in any one calendar year.

² Private individual campsites, located on lots containing another permitted residential use, shall be considered accessory uses in this Zone under Section 406.1.g.

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.2 RESOURCE MANAGEMENT ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Commercial agricultural management activities, including fertilizer application	Y	Y	Y	P	Y	Y	Y	P	N
c) Commercial forest management activities, not including timber harvesting and land management roads	Y	Y	Y	Y	Y	Y	Y	Y	Y
d) Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations	Y	Y	Y	Y	Y	Y	Y	Y	Y
e) Fire prevention activities	C	C	C	Y	C	C	C	Y	C
f) <i>Land management roads</i>	C	C	C	Y	C	C	C	P	C
g) Mineral exploration to discover or verify the existence of mineral deposits, including the removal of specimens or trace quantities, provided such exploration is accomplished by methods of hand sampling, including panning, hand test boring, diggings, and other non-mechanized methods which create minimal disturbance and take reasonable measures to restore the disturbed area to its original condition	Y	Y	Y	Y ¹	Y	Y	Y ¹	Y	Y
h) Non-commercial structures for scientific, educational, or nature observation purposes, which are not of a size or nature which would adversely affect the resources protected by the district in which it is located	C	C	C	C	C	C	C	P	C
i) Soil and water conservation practices	C	C	C	Y	C	C	C	Y	C
j) Surveying and other resource analysis	Y	Y	Y	Y	Y	Y	Y	Y	Y
k) Wildlife and fishery management practices	Y	Y	Y	Y	Y	Y	Y	Y	Y

FOOTNOTES:

¹ Requires permit from Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.3 RESOURCE EXTRACTION ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Clearing or removal of vegetation for activities other than timber harvesting ²	Y	Y	Y	Y	Y	Y	Y	C ¹	Y
c) Commercial timber harvesting and production of commercial forest products, in compliance with the applicable Land Use Standards regarding Timber Harvesting in Article 6 and under the supervision of a registered professional forester	Y	Y	Y	P	Y	Y	Y	P	P
d) Filling, grading, draining, dredging, or alteration of water table or water level, not including individual wells	C	C	C	C	C	C	C	N	C
e) Mineral extraction affecting an area of less than 1 acre in size	N	N	C	N	C	C	C	N	N
f) Mineral extraction affecting an area 1 acre or greater in size	N	N	P	N	P	P	P	N	N
g) Production of commercial agriculture products, in compliance with the applicable Land Use Standards regarding Agriculture in Article 6	Y	Y	Y	P	Y	Y	Y	P	P
h) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	N
406.4 RESIDENTIAL ACTIVITIES									
a) Accessory apartments	C	C	C	N	C	C	C	N	C
b) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
c) Home Occupations	C	C	C	N	P	P	P	N	C
d) Low Impact Use as Defined	N	N	N	N	P	P	P	N	P
e) Mobile Home, including driveways	N	N	C	N	N	N	N	N	N
f) Mobile Home Park	P	N	N	N	P	N	N	N	N
g) Multi-Family Dwelling: 2 family Duplexes, including driveways	C	C	N	N	N	N	N	N	C

FOOTNOTES:

¹ In RP not allowed within 75 feet, horizontal distance, of the normal high water mark of great ponds, except to remove safety hazards.

² Provided such clearing in shoreland areas meets the requirements of Section 604.

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1 G	R 2	R 3	R 4	G C	L C	C SI	R P	V C
406.4 RESIDENTIAL ACTIVITIES (continued)									
h) Multi-Family Dwelling: 3 or more families, including apartments, grouped houses, and row houses, including driveways	P	P	N	N	N	N	N	N	P
i) Nursing/Convalescent Home, Congregate Housing, and Boarding Care Facilities	P	P	P	N	P	P	P	N	P
j) Residential back lot development ¹	P	P	P	N	N	N	N	N	N
k) Seasonal Single-Family Detached Dwelling, including driveways	C	C	C	C	C	C	C	S P	C
l) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	N
m) Year-Round Single-Family Detached Dwelling, including driveways	C	C	C	N	C	C	C	N	C
406.5 INSTITUTIONAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Cemetery	P	P	P	P	N	P	P	N	N
c) Churches	P	P	N	N	P	P	P	N	P
d) Conference Centers	N	N	N	N	P	P	P	N	P
e) Day Care Centers	P	P	P	N	P	P	P	N	P
f) Fraternal Orders and Service Clubs	P	N	N	N	P	P	P	N	P
g) Government Facilities and Grounds	P	P	P	N	P	P	P	N	P
h) Hospital	N	N	N	N	P	P	P	N	N
i) Medical Center	N	N	N	N	P	P	P	N	P
j) Museum	N	N	N	N	P	P	P	N	P
k) Private Schools	P	P	N	N	P	P	P	N	P
l) Public Schools	P	P	N	N	N	P	P	N	P
m) Research and Development Facility	N	N	N	N	P	P	P	N	P
n) Summer Youth Camp	N	N	P	P	N	P	P	N	N

Footnote:

¹ Provided such residential back lot meets the requirement of Section 529

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.6 COMMERCIAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Automobile and Engine Repair	N	N	N	N	P	P	N	N	N
c) Automobile Convenience Market and Service Station	N	N	N	N	P	P	N	N	N
d) Automobile Sales Lot	N	N	N	N	P	N	N	N	N
e) Banks, Credit Unions, and similar Financial Institutions	N	N	N	N	P	P	P	N	P
f) Cocktail Lounge	N	N	N	N	P	P	N	N	N
g) Commercial Complex (e.g. shopping malls)	N	N	N	N	P	P	N	N	P
h) Commercial Greenhouse and Nurseries	N	N	P	N	P	P	N	N	P
i) Commercial indoor recreation activities and uses, not elsewhere listed, and as defined herein	N	N	N	N	P	P	P	N	P
j) Commercial kennels	N	N	N	N	P	P	N	N	N
k) Commercial outdoor recreation activities and uses, not elsewhere listed, and as defined herein	N	N	N	N	P	P	P	N	N
l) Commercial Parking Garage/Parking Lot	N	N	N	N	P	P	P	N	P
m) Conversion of Residential Use to Business	N	N	N	N	P	P	P	N	P
n) Funeral Parlors	N	N	N	N	P	N	N	N	N
o) General Contractors, Construction, Plumbing, and Heating Contractors	N	N	N	N	P	N	N	N	N
p) Hardware Stores	N	N	N	N	P	P	P	N	P
q) Health Spas, Fitness Clubs, Gymnasiums, etc.	N	N	N	N	P	P	P	N	P
r) Large Outdoor Displays as defined herein	N	N	N	N	P	N	N	N	N
s) Laundry/Drycleaning Establishment	N	N	N	N	P	P	P	N	P
t) Liquor Store	N	N	N	N	P	P	N	N	P
u) Non-Industrial Lumber Yard	N	N	N	N	P	P	N	N	N
v) Professional Offices and Office Building	N	N	N	N	P	P	P	N	P

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1G	R 2	R 3	R 4	G C	L C	C SI	R P	V C
406.6 COMMERCIAL ACTIVITIES (Continued)									
w) Radio and TV Studios and Offices	N	N	N	N	P	N	N	N	N
x) Recreational vehicles, boats, mobile homes, farm machinery, and equipment sales	N	N	N	N	P	N	N	N	N
y) Repair Service (other than auto and engine)	N	N	N	N	P	P	P	N	P
z) Retail Establishments	N	N	N	N	P	P	P	N	P
aa) Restaurant	N	N	N	N	P	P	P	N	P
bb) Roadside Stands ¹	C	C	C	N	C	C	C	N	C
cc) Services Businesses	N	N	N	N	P	P	P	N	P
dd) Stables	N	N	P	N	P	P	N	N	N
ee) Take Out Food Services	N	N	N	N	P	P	N	N	P
ff) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	P
gg) Theater	N	N	N	N	P	P	N	N	P
hh) Transient Accommodations I: Bed and Breakfast	C	C	C	N	P	P	P	N	P
ii) Transient Accommodations II: Motels, Hotels, and Inns - maximum of 25 Rooms	P	N	N	N	P	P	N	N	P
jj) Transient Accommodations III: Motels, Hotels, and Inns - more than 25 rooms	P	N	N	N	P	P	N	N	N
kk) Transient Accommodations IV: Campgrounds	N	N	P	N	P	P	P	N	N
ll) Upholstery Shop	N	N	N	N	P	P	P	N	P
mm) Veterinary Clinic	N	N	N	N	P	P	P	N	P

Footnote:

¹ Provided that they meet the parking requirements of Section 522

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.7 INDUSTRIAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Automobile Junk Yards	N	N	N	N	P	N	N	N	N
c) Bulk Oil and Fuel Tank Storage, except for on-site heating purpose	N	N	N	N	P	N	N	N	N
d) Food Processing and Freezing	N	N	N	N	P	N	N	N	N
e) Light Manufacturing Assembly Plant	N	N	N	N	P	N	N	N	N
f) Lumber Yard and Building Materials	N	N	N	N	P	N	N	N	N
g) Newspaper and Printing Facility	N	N	N	N	P	N	N	N	N
h) Other Processing and Manufacturing Facilities	N	N	N	N	P	N	N	N	N
i) Sewage Collection and Treatment Facilities	P	P	P	P	P	P	P	N	P
j) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	N
k) Transportation Facility and Terminal Yard	N	N	N	N	P	N	N	N	N
l) Warehousing and Storage Facility	N	N	N	N	P	N	N	N	N

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

ACTIVITIES/ZONES	R1 R1G	R 2	R 3	R 4	G C	L C	C SI	R P	V C
406.8 TRANSPORTATION AND UTILITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Airports	N	N	N	N	N	N	N	N	N
c) Auxiliary Public Utility Structures	P	P	P	P	P	P	P	P	P
d) Essential Services									
Roadside distribution lines (34.5kV and lower)	C	C	C	C	C	C	C	C ²	C
Non-roadside or cross-country distribution lines involving ten poles or less	C	C	C	C	C	C	C	P ²	C
Non-roadside or cross-country distribution lines involving eleven or more poles	P	P	P	P	P	P	P	P ²	P
Other essential services as defined	P	P	P	P	P	P	P	P ²	P
e) Major utility facilities, such as transmission lines, but not including service drops;	P	P	P	P	P	P	P	P	P
f) Public and Private road construction projects, other than land management roads, which are part of projects requiring Planning Board Review	P	P	P	P	P	P	P	P	P
g) Service drops, as defined, to allowed uses	Y	Y	Y	Y	Y	Y	Y	Y	Y
h) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	P
i) Transmitter, Communication, Radio, and TV Towers	N	N	P ¹	N	P	N	N	N	N

FOOTNOTES:

- ¹ Only in the Telecommunications Overlay Zone
- ² See further restrictions in Section 608