

## SECTION 4. GENERAL PERFORMANCE REQUIREMENTS AND STANDARDS

**The following standards apply to all lots created and all land use activities undertaken, after the effective date of this Ordinance.**

- A. Agriculture. Agricultural activities in shoreland districts shall conform to the following land use standards. Agricultural activities in other land use district shall comply with other State requirements:
1. All spreading or disposal of manure shall be accomplished in conformance with the "Maine Guidelines for Manure and Manure Sludge Disposal on Land", published by the University of Maine and the Maine Soil and Water Conservation Commission, in July, 1972;
  2. There shall be no tilling of soil within fifty (50) feet of the normal high-water mark of any lake or pond within the Shoreland Districts;
  3. Where soil is tilled in a Resource Protection District, or where soil in excess of 20,000 square feet is tilled in any other Land Use District, and the tilled area lies either wholly or partially within the shoreland areas covered by this Ordinance, such tillage shall be carried out in conformance with the provisions of a Conservation Plan which meets the standards of the regional Soil and Water Conservation District. The number of the plan shall be filed with the Planning Board. Nonconformance with the provisions of such Conservation Plan shall be considered to be a violation of this Ordinance.
- B. Air Emissions. No use, regardless of size, shall cause or involve emissions of dust, ash, smoke or other particulate matter or gasses or chemicals which exceed the standards set by the Maine Department of Environmental Protection.
- C. Beach Construction. Beach construction on any great pond, or any river, stream, or brook capable of floating watercraft may require a permit from the Department of Environmental Protection, under State law.
- D. Buffers/Screening. Buffers/screening are fences, vegetation, landscaping, berms and mounds used to minimize any adverse impacts or nuisance conditions as experienced on the site or from adjacent areas. The following standards apply to multi-family residential, commercial, industrial, institutional, and other non-residential structures or uses:
1. No such structure or use shall abut a residential use or different institutional use, or public or recreational use, unless natural vegetation or a landscaped buffer strip at least fifty (50) feet wide is provided to screen structures and uses visually. Where natural vegetation can not be maintained within the 50 foot-wide strip due to a lesser setback of development or to site conditions, the landscaping may consist of fences, walls, tree plantings, hedges or combinations, but there must be

a minimum of two (2) rows of evergreen trees or shrubs at least six (6) feet in height along the sidelines of the property on which any commercial activities (except home occupations) are occurring.

2. Natural landscape features shall be maintained wherever possible to provide a buffer between the proposed development and incompatible abutting properties. When natural features such as topography, gullies, stands of trees, shrubbery, or rock outcrops do not exist or are insufficient to provide a buffer, other kinds of buffers/screening shall be utilized. The buffering shall minimize the adverse impacts on adjacent properties (including public roads) and shall meet the following standards;
  - a. Outdoor off-street parking and loading spaces, shall be effectively screened from view by a continuously landscaped area not less than six (6) feet in height and fifteen (15) feet in width along exterior lot lines adjacent to single-family residential properties, except that driveways shall be kept open to provide visibility for entering and leaving;
  - b. Buffers shall be provided along interior roads running parallel to roads exterior to the site, to prevent confusion, particularly at night;
  - c. Exposed storage and waste disposal areas, sand and gravel extraction operations, and areas used for the storage or collection of any articles of salvage or refuse shall have sufficient setbacks and screening (such as stockade fence, a wooden or masonry screen or a dense evergreen hedge six (6) feet or more in height) so that they do not adversely affect other land uses and properties in the area;
  - d. For any use or area presenting a potential safety hazard to children, physical screening and/or barriers sufficient to deter small children from entering the hazardous area shall be provided and maintained in good condition.
3. All buffer areas shall be maintained in a neat and sanitary condition by the owner. Fencing and screening shall be durable and properly maintained and shall be so located within the property lines to allow access for maintenance on both sides without intruding upon abutting properties.
4. All plantings required under this Ordinance shall be of a type and species appropriate for the soil types and conditions of the site.

E. Clearing of Vegetation for Development within the Resource Protection and Shoreland Districts

1. Within a Resource Protection District there shall be no cutting of vegetation within the strip of land extending seventy-five (75) feet, horizontal distance, inland from the normal high-water line, except to remove safety hazards.
2. Except to allow for the development of permitted uses, a buffer strip of vegetation shall be preserved: (a) within a strip of land extending one-hundred (100) feet, horizontal distance, inland from the normal high-water line of Dresden Bog and the Kennebec and Eastern rivers; and (b) within seventy-five (75) feet, horizontal distance, of the normal high-water line of streams, or upland edge of those wetlands designated on the official Dresden Land Use Map, subject to the following provisions:
  - a. Adjacent to Dresden Bog or streams, the rivers, or upland edge of those wetlands designated on the official Dresden Land Use Map, the width of a foot path shall be limited to six (6) feet;
  - b. Selective cutting of trees within the buffer strip is permitted provided that a well distributed stand of trees and other vegetation is maintained. No more than 40% of the total volume of trees four (4) inches or more in diameter, measured at 4 1/2 feet above ground level may be removed in any ten (10) year period;
  - c. In order to protect water quality and wildlife habitat, adjacent to Dresden Bog and streams, the rivers, or upland edge of those wetlands designated on the official Dresden Land Use Map, existing vegetation under three (3) feet in height and other ground cover shall not be removed, except to provide for a footpath or other permitted uses as described in paragraphs 2 and 2a above;
  - d. Pruning of tree branches, on the bottom 1/3 of the tree, is permitted;
  - e. In order to maintain a buffer strip of vegetation, when the removal of storm-damaged, diseased, unsafe, or dead trees results in the creation of cleared openings, these openings shall be replanted with native tree species unless existing new tree growth is present.

The provisions of this paragraph shall not apply to those portions of public recreational facilities adjacent to public swimming areas. Cleared areas, however, shall be limited to the minimum area necessary.

3. At distances greater than one hundred (100) feet, horizontal distance, from Dresden Bog and seventy-five (75) feet, horizontal distance, from the normal high-water line of streams, rivers, or upland edge of those wetlands designated on the official Dresden Land Use Map, and except to allow for the development of permitted uses, selective cutting on any lot, in any ten (10) year period, forty (40) percent of the volume of trees four (4) inches or more in diameter, measured 4 1/2 feet above ground level is permitted. For the purposes of these standards, volume may be considered to be equivalent to basal area.

In no event shall cleared openings for development (including principal and accessory structures, driveways and sewage disposal areas) exceed in the aggregate 25% of the lot area or ten thousand (10,000) square feet, whichever is greater, including any land previously developed.

4. Cleared openings legally in existence on the effective date of this Ordinance may be maintained, but shall not be enlarged, except as permitted by this Ordinance.
  5. Fields which have reverted primarily to shrubs or trees measuring two (2) inches diameter measured at 4 1/2 feet above ground level, shall be regulated under the provisions of this section.
- F. Emergency Vehicle Access. Convenient and safe emergency vehicle access to all principal structures shall be provided.
- G. Glare. All exterior lighting and all reflective properties of any proposed development shall be designed to minimize adverse impact on neighboring properties. Specifically, lighting fixtures shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings or public places. Direct or indirect illumination emanating from any land use activity on one lot shall not exceed 0.5 foot candles upon abutting residential properties.
- H. Height of Structures or Buildings. No structure or building shall exceed those heights specified in Table 2, page 28, as measured from all points of the finished grade. Non-flammable features of buildings and structures, such as chimneys, towers, ventilators, and spires may exceed the Ordinance's maximum building height, but shall be set back from the nearest lot line a distance not less than the height of such feature or structure, unless a greater setback is required by other provisions of this Ordinance. Chimneys, stovepipes, and similar devices on residential structures shall be exempt from the requirements of this paragraph.
- I. Landscaping for Commercial and Industrial Uses. Landscaping shall be designed to soften, screen, or enhance the physical design of structures and parking areas to avoid the encroachment of the proposed use on abutting land uses.

Commercial and industrial uses in the Rural Living Districts will maintain the first fifteen (15) feet of the right-of-way (excluding driveways) in front of all buildings,

structures and designed impervious areas as a green strip. The green strip shall consist of a maintained vegetated area e.g., lawn, garden, landscaped shrubbery, with a two-and-one-half inch diameter measured at 4 1/2 feet above ground level, or large deciduous shade tree, spaced every twenty-five (25) feet, or a shrub two to three feet in height minimum, placed the equivalent of one per ten feet, along the green strip and parallel to the right-of-way. To ensure proper visibility for entering and departing vehicles, all driveway entrances and exits shall be kept free from visual obstructions higher than three (3) feet above street level for a distance of twenty-five (25) feet measured along the intersecting driveway and street lines.

All plantings required under this Ordinance shall be of a type and species appropriate for the soil types and climatic conditions in Dresden.

J. Lot Frontage, Access and Depth

1. Lot Frontage. All lots created shall possess a minimum frontage on 1) a public road, or on 2) a private road or other vehicular thoroughfare or access route, unless the road terminates at the lot, in which case, adequate turnaround shall be provided.
2. Lot Depth. The depth of any newly created lot with a road frontage of 300 feet or less shall not exceed three (3) times the minimum width unless the grantor or grantee has a professionally designed, recordable subdivision plot plan, approved by the Planning Board, prior to the sale. Flag lots and other odd-shaped lots in which narrow strips are joined to other parcels in order to meet minimum lot size requirements are prohibited.
3. Access. Each lot without road frontage on a public road shall be provided with deeded right of access to the property by public or private ways. The access road shall contain a minimum depth of twelve (12) inches of bank-run gravel and have drainage ditches and culverts at all appropriate points and shall provide sufficient area to allow a fire truck or other emergency vehicle to maneuver.
4. Cul-de-Sac Frontage. New building lots located at the end of cul-de-sacs or along curves in a street where the radius of the curve at the front lot line is less than ninety (90) feet, may be designed so that they have a minimum of thirty-five (35) feet of street frontage along the front lot line, so long as lot width, at the location where the principal building is to be constructed, is at least equal to the distance normally required for street frontage in that district.

K. Noise Abatement.

1. Excessive noise at unreasonable hours shall be required to be muffled, so as not to be objectionable due to intermittence, beat frequency, shrillness or volume.
2. The maximum permissible sound pressure level of any continuous, regular or frequent source of sound produced by any activity regulated by this ordinance shall be as established by the time period and type of land use district listed below. Sound pressure levels shall be measured at all major lot lines, at a height of at least four (4) feet above the ground surface.

Sound from any source controlled by this ordinance shall not exceed the following limits at the property line of said source:

**Sound Pressure Level Limits Measured in Db(A)'s:**

Applicable Hours: 10:00p.m. - 7:00a.m.

Village and General Use Districts	65
All other districts	55

- a. Where the emitting and receiving premises are in different districts, the limits governing the stricter zone shall apply to any regulated noise entering that one.
- b. The levels specified may be exceeded by 10 dB(A) for a single period, no longer than fifteen (15) minutes in any one day.
- c. Noise shall be measured with a sound-level meter meeting the standards of the American National Standards Institute, ANSI S1.2-1962 *American Standards Meter for the Physical Measurements of Sound*.
- d. These noise regulations are enforceable by law enforcement officers and by the Code Enforcement Officer (who may measure noise levels and who shall report documented violations to the police).

L. Off-Street Parking and Loading

1. Basic Design. Adequate off-street parking shall be provided with all new, expanded, or remodeled uses in accordance with this section.

2. Multi-Family Residential, Commercial, Industrial and Institutional Development.  
Development in any district shall not be extended, and no structure shall be constructed or enlarged, unless off-street automobile parking space is provided in accordance with the following requirements:
  - a. Access points from a public road to commercial and industrial operations shall be so located as to minimize traffic congestion and to avoid generating traffic on local access streets of a primarily residential character;
  - b. Except as noted below, all parking areas and driveways shall have a gravel sub-base at least twelve (12) inches in thickness and six (6) inches of finish gravel or two (2) inches of bituminous concrete or other paving, and shall have appropriate bumper or wheel guards where needed. Seasonal parking areas (used for 180 days or less in a calendar year) shall be constructed to standards suitable for their intended use, as determined by the Planning Board. Intermittent parking on grass may be allowed on the condition that grass cover is maintained on the parking area. For purposes of the prior sentence, “intermittent parking” may include parking during blocks or consecutive days if there is sufficient time between such blocks to allow for rejuvenation of the grass;
  - c. Required off-street parking for all land uses shall be located on the same lot as the principal building or facility unless otherwise authorized by the Planning Board;
  - d. Loading facilities shall be located entirely on the same lot as the building or use to be served. Trucks, trailers, and containers for loading or storage shall not be parked or located upon any Town way. Loading facilities shall also be designed so that they do not interfere with customer traffic flows and parking;
  - e. The joint use of a parking facility by two or more principal buildings or uses may be approved by the Planning Board where it is clearly demonstrated that the parking facilities will essentially meet the intent of the requirements by reason of separate times of maximum use by patrons or employees of such establishments.
  
3. Parking Lot Design Criteria (Not applicable to single- or two-family dwellings)
  - a. Vehicular Entrance and Exit
    - i. Entrances and exits shall be clearly identified by the use of signs, curb cuts, or landscaping.
    - ii. Entrance/exit design shall be in conformance with the standards of Article V, Section 4, Subsection S (Page 52).

- b. Interior Vehicular Circulation
  - i. Major interior travel lanes shall be designed to allow continuous and uninterrupted traffic movement.
  - ii. Enclosures, such as guardrails, curbs, fences, walls, and landscaping, shall be used to identify circulation patterns of parking areas and to restrict driving movements diagonally across parking aisles, but not to reduce visibility of on-coming pedestrians and vehicles.
- c. Minimum Parking Requirements
  - i. Access to parking stalls serving twenty (20) or more vehicles shall not be provided from any public way.
  - ii. All parking spaces and access drives shall be at least five (5) feet from any side or rear lot line, unless more is required in buffer requirements.
  - iii. Parking stalls and aisle layout shall conform to the design standards in Table 3:

**TABLE 3  
Parking Design Standards**

<b><u>Parking Angle</u></b>	<b><u>Stall Width</u></b>	<b><u>Skew Width</u></b>	<b><u>Stall Depth</u></b>	<b><u>Aisle Width</u></b>
90°	9'-0"		18'-5"	24'-0"
60°	8'-6"	10'-5"	10'-0"	16'-0" one way only
45°	8'-6"	12'-9"	17'-5"	12'-0" one way only
30°	8'-6"	19'-0"	17'-0"	12'-0" one way only

- iv. In paved parking areas, painted stripes shall be maintained to delineate parking stalls. Stripes should be a minimum of four (4) inches in width. Where double lines are used, they should be separated a minimum of one (1) foot on center.
- v. In unpaved parking areas, raised barriers a minimum of eighteen (18) inches in height shall be used to delineate the parking area.
- vi. Curbing and/or wheel stops shall be provided where overhang of parked cars might restrict traffic flow on adjacent through roads, restrict pedestrian movement on adjacent walkways, or damage landscape materials.

**TABLE 4**

**Parking Requirement Schedule**

<b><u>ACTIVITY</u></b>	<b><u>MINIMUM REQUIRED PARKING</u></b>
Residential Units with 2 or more bedrooms	2 spaces per dwelling unit
with 1 bedroom	1-1/2 spaces per dwelling unit
Elderly Housing	1-1/4 space per dwelling unit
Tourist Homes, Boarding and Lodging Houses, Motels, Hotels, and Inns	1 space per room/unit rental
Campgrounds	1-1/4 spaces per site rental
Churches	1 space per three (3) seats based upon maximum seating capacity
Schools	
Primary	1.5 spaces per classroom
Secondary	8 spaces per classroom
Post-Secondary	1 space for each student and 1 space for each faculty and staff member
Child Care Facility	1 space for every four (4) children for whom facility is licensed to care
Private Clubs or Lodges	1 space for every fifty (50) square feet of floor space
Theaters, Auditoria, Public Assembly Areas	1 space per three (3) seats based upon maximum seating capacity
Libraries, Museums Art Galleries	1 space for each 200 square feet of floor area
Commercial Recreation Facilities	1 space for each 100 square feet of floor area
Marinas	1 space for each boat slip and mooring

**TABLE 4**

**Parking Requirement Schedule**

<b><u>ACTIVITY</u></b>	<b><u>MINIMUM REQUIRED PARKING</u></b>
Funeral Homes maximum seating capacity	1 space per three (3) seats based upon
Medical Care Facilities	1 space for every two (2) beds
Professional Services such as Accountants, Barbers, Hair Dressers, Doctors, Lawyers, Insurance Agents, Real Estate Agents, Veterinarians	1 space for each 250 square feet of floor area
Retail and Service Businesses	1 space for every 150 square foot of sales area
Automobile Repair Garages	4 spaces for each bay or each used for repair work
Motor Vehicle Sales	1 space reserved for customers per twenty-five (25) vehicles displayed on the lot
Restaurants	1 space per three (3) seats based upon maximum seating capacity
Drive-In Restaurants	1 space per fifty (50) square feet of floor area
Industrial Businesses, Warehouses, and Wholesalers	1 space for each vehicle parked overnight on the premises
Flea Markets	2 spaces per eight (8) linear feet of table area
Mixed Uses	Total of individual uses unless Planning Board approves the sharing of parking spaces

**NOTES:**

1. Where the calculation of the aforementioned parking spaces results in a fractional part of a complete parking space, the parking spaces required shall be construed to be the next highest number.
2. The above are minimum standards, and additional parking spaces shall be required if these prove to be inadequate.
3. Where floor space is to be used in calculating the number of required parking stalls, gross floor area shall be used unless otherwise noted.

vii. Parking spaces shall be provided to conform with the requirements in Table 4.

viii. Adequate provisions for the handicapped shall be provided that conform where applicable.

M. Piers, Docks, Wharfs, Bridges and Other Structures and Uses Extending Over or Beyond the Normal High-Water Line of a Water Body or Within a Wetland

1. Access from shore shall be developed on soils appropriate for such use and constructed so as to control erosion.
2. The location shall not interfere with existing developed or natural beach areas.
3. The facility shall be located so as to minimize adverse effects on fisheries.
4. The facility shall be no larger in dimension than necessary to carry on the activity and be consistent with existing conditions, use and character of the area.
5. No new structures shall be built on, over or abutting a pier, wharf, dock or other structure extending beyond the normal high-water line of a water body or within a wetland unless the structure requires direct access to the water as an operational necessity.
6. No existing structures built on, over or abutting a pier, dock, wharf or other structure extending beyond the normal high-water line of a water body or within a wetland shall be converted to residential dwelling units in any district.

N. Road Construction

1. Standards; Offer of Road to Town. The following Road Standards shall apply to any road which is to be offered to the Town for acceptance as a Town Road (such acceptance may occur only by a vote of the Town Meeting).

If a road being offered to the Town does not meet one or more of the standards, the particulars of each variation from the standards shall be clearly stated in the warrant article presenting the question of acceptance. The Town Road Commissioner's recommendation, if any, shall also be included in the article.

2. Town Road Standards. The Town Roads Standards are as follows:
  - a. Minimum right-of-way width: 50 feet
  - b. Minimum road surface width: 18 feet
  - c. Minimum road surface construction:

- i. Graveled: The travelled way shall be surfaced to 20 (or 18) feet in width, with crushed or screened gravel to a depth of four (4) inches. No stone in the travelled surface will have a diameter greater than two (2) inches; or
  - ii. Paved (necessary for acceptance by Town): Pavement shall be a minimum of hot plant mix bituminous pavement, grade B, applied at a uniform compacted thickness of two inches, plus 1/2 inch finish coat;
  - iii. The road shall be suitably crowned.
- d. Minimum road base width: 24 feet.
- e. Minimum road base construction:
  - i. The top six (6) inches of all organic material shall be removed for the full width of the actual road base, plus ditching;
  - ii. The road base shall consist of a minimum of eighteen (18) inches of gravel, no stone being greater than six inches in diameter;
- f. Shoulders: Shoulder width shall be a minimum of two (2) feet on either side of the travelled way. The slope of the shoulders will be 1/2 inch per foot.
- g. Ditching: All ditching must be graded and seeded or otherwise stabilized. The ditching must be sufficient to handle the runoff of the area. Slope shall be at a minimum of 1/4 inch per foot.
- h. Turnarounds: Adequate turnaround areas (minimum of sixty (60) feet in diameter if circular) shall be built at any temporary or permanent dead-ends.
- i. Culverts: Culverts shall be of adequate size and their size, type, and installation shall be approved by the Town Road Commissioner.

### 3. Standards for Road and Driveways

The following standards shall apply to the construction of roads and/or driveways and drainage systems, culverts and other related features.

- a. Roads and driveways shall be set back at least one-hundred (100) feet from the normal high-water line of Dresden Bog and the Kennebec and Eastern Rivers, and seventy-five (75) feet from the normal high-water line of streams, or the upland edge of a wetland unless no reasonable alternative exists, the Planning Board may reduce the road and/or driveway setback requirement to no less than fifty (50) feet upon clear showing by the applicant that appropriate techniques will be used to prevent sedimentation of the water body. Such techniques may include, but are not limited to, the installation of settling basins, and/or the effective use of additional ditch relief culverts and turnouts placed so as to avoid sedimentation of the water body, tributary stream, or wetland.

On slopes of greater than twenty (20) percent the road and/or driveway setback shall be increased by ten (10) feet for each five (5) percent increase in slope above twenty (20) percent.

This paragraph shall neither apply to approaches to water crossings nor to roads or driveways that provide access to permitted structures, and facilities located nearer to the shoreline due to an operational necessity.

- b. Existing public roads may be expanded within the legal road right-of-way regardless of its setback from a water body.
- c. New permanent roads are not permitted within the shoreland zone along Significant River Segments except:
  - i. to provide access to structures or facilities within the zone; or
  - ii. The applicant demonstrates that no reasonable alternative route exists outside the shoreland zone. When roads must be located within the shoreland zone, they shall be set back as far as practicable from the normal high-water line and screened from the river by existing vegetation.
- d. New roads and driveways are prohibited in a Resource Protection District except to provide access to permitted uses within the district, or as approved by the Planning Board upon a finding that no reasonable alternative route or location is available outside the district, in which case the road and/or driveway shall be set back as far as practicable from the normal high-water line of a water body, tributary stream, or upland edge of a wetland.

- e. Road banks shall be no steeper than a slope of two (2) horizontal to one (1) vertical, and shall be graded and stabilized in accordance with the provisions for erosion and sedimentation control contained in Article V, Section 4, Subsection Q.
- f. Road grades shall be no greater than ten (10) percent except for short segments of less than two hundred (200) feet.
- g. In order to prevent road surface drainage from directly entering water bodies, roads shall be designed, constructed, and maintained to empty onto an unscarified buffer strip at least fifty (50) feet plus two times the average slope, in width between the outflow point of the ditch or culvert and the normal high-water line of a water body, tributary stream, or upland edge of a wetland. Road surface drainage which is directed to an unscarified buffer strip shall be diffused or spread out to promote infiltration of the runoff and to minimize channelized flow of the drainage through the buffer strip.
- h. Ditch relief (cross drainage) culverts, drainage dips and water turnouts shall be installed in a manner effective in directing drainage onto unscarified buffer strips before the flow in the road or ditches gains sufficient volume or head to erode the road or ditch. To accomplish this, the following shall apply:
  - i. Ditch relief culverts, drainage drops and associated water turnouts shall be spaced along the road at intervals no greater than indicated in the following table:

<b><u>Road Grade</u></b> <b><u>Percent</u></b>	<b><u>Spacing</u></b> <b><u>Feet</u></b>
0-2	250
3-5	200-135
6-10	100-80
11-15	80-60
16-20	60-45
21+	40

- ii. Drainage dips may be used in place of ditch relief culverts only where the road grade is ten (10) percent or less;
- iii. On road sections having slopes greater than ten (10) percent, ditch relief culverts shall be placed across the road at approximately a thirty (30) degree angle down slope from a line perpendicular to the centerline of the road;

- iv. Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.
    - i. Ditches, culverts, bridges, dips, water turnouts and other storm water runoff control installations associated with roads shall be maintained on a regular basis to assure effective functioning.
4. Additionally, all roads constructed shall conform to the following standards;
  - a. Road crossings of watercourses shall be kept to a minimum number necessary;
  - b. Bottoms of culverts shall be installed at stream bed elevation;
  - c. All cut or fill banks and areas of exposed mineral soil shall be revegetated or otherwise stabilized as soon as possible; and
  - d. Bridges or culverts of adequate size and design shall be provided for all road crossings or watercourses. The requirement for a bridge or culvert may be waived for winter use forest management only by obtaining a permit from the Planning Board.
5. Standards for Driveways;
  - a. All new driveways shall have a completed and approved Driveway Application from the Dresden Board of Selectmen or their designee before starting driveway construction or being issued a building permit.
  - b. Where a driveway enters a public way the driveway must slope away from the public way a minimum of three inches in the first ten feet. Culvert sizes and lengths for driveways will be determined by the Dresden Board of Selectmen or their designee;
  - c. Unimproved access ways to lots such as private farm roads or woods roads are not considered existing driveways under this ordinance.
  - d. Sight Distances. Driveways shall be designed in profile and grading and located to provide the required sight distance measured in each direction. Sight distances shall be measured from the driver's seat of a vehicle standing on that portion of the exit driveway with the front of the vehicle, at the stop line of the driveway, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement. The required sight distances are listed below for various posted speed limits.  
Where streets intersect with public roads, sight distances, as measured along the public way which traffic will be entering, shall be based upon the

posted speed limit and conform to the following:

Posted Speed Limit (mph)	25	30	35	40	45	50	55
Sight Distance (ft.)	250	300	350	400	450	500	550
Minimum sight distance (ft)	175	210	245	280	315	350	
	385						

O. Sanitary Standards

1. All subsurface sewage disposal facilities shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules, Chapter 241, as revised.
2. When two or more lots or buildings in different ownership share a common subsurface disposal system, the system may be owned and maintained in common by the users of the system. Provision shall be made, whether by deed covenants, lot owner's association, or otherwise, so that there is proper maintenance of the system.

P. Signs

All signs shall conform with the provisions of Title 23, Maine Revised Statutes Annotated, Sections 1901-1925, as amended and all MDOT sign regulations.

1. Exemptions. The following requirements shall not apply to:
  - a. Flags and insignia of any government;
  - b. Legal notices, identification, information, or directional signs erected or required by governmental bodies;
  - c. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter or commercial identification;
  - d. Signs indicating gasoline prices as required by State law;
  - e. Yard and garage sale signs which are no more than ten (10) square feet in area and which are posted for no more than three (3) consecutive days;
  - f. All political signs and public referendum signs which shall comply with State law;
  - g. Temporary banners and posters for special events;
  - h. Signs related to trespassing and hunting;

- i. Seasonal signs related to farm stands or farm products, not to exceed thirty-two (32) square feet.
  - j. The setback for signs for pre-existing structures that do not meet the front setback from a road is one half the distance between the paved edge of roadway or gravel shoulder of a gravel road and the part of the structure closest to the road. In this case all other requirements of this ordinance must be met to the greatest extent practicable.
2. Location and Illumination. No sign shall be erected (a) adjacent to any public way in such a manner as to obstruct clear and free vision or (b) in a place or manner which, by reason of its position, shape, color, illumination or wording, would interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device, or would otherwise constitute a hazard to pedestrian or vehicular traffic. No on-premise signs may be permitted;
  - a. Within 33 feet of the center line of any public way if the highway is less than 66 feet in width:
  - b. Within 20 feet from the outside edge of the paved portion of any public way with more than 2 travel lanes and a total paved portion in excess of 24 feet in width; or
  - c. Within the full width of the right-of-way of any public way.
  - d. No exterior signs or interior signs visible from the outside shall be illuminated with flashing, moving, or animated lights nor shall signs move or have moving parts.
  - e. All signs, if illuminated, shall be lighted by indirect light of an intensity and manner that it will not result in hazards to motorists.
  - f. No sign shall be located off the site of the lot on which the related service or occupant is located, except for MDOT approved directional signs and residential or home occupation signs.
  - g. No signs shall be placed on utility poles.
3. Residential and Home Occupation Signs. Each residence is permitted a sign, not more than ten (10) square feet, naming the owner and the nature of a "Home Occupation" and one entrance sign not to exceed two (2) square feet. The signs may either be affixed to a wall or be free-standing and may be located on the residential premise, or at intersections of private roads.

4. Non-Residential Signs

- a. Each non-residential use (except home occupations) is permitted one wall or roof sign not to exceed twelve (12) square feet, and two free-standing sign not to exceed twenty-four (24) square feet per sign face.
- b. Roof signs may not project more than six (6) feet in height above the roof line at the front wall of the structure.
- c. Free-standing signs shall not exceed fifteen (15) feet in height and shall comply with all 2a, b, and c above.
- d. In the event of a multi-use facility such as a shopping center, each use is permitted one wall sign, not to exceed twelve (12) square feet, in addition to one free-standing sign, not to exceed thirty-six (36) square feet per sign face, to identify the facility and its occupants.

5. Real Estate Signs

The sale or rental of real estate may be advertised by temporary signs, no larger than six (6) square feet in area. Each broker or person advertising the sale or rental shall be permitted only two (2) signs on any one premise. All such signs shall be removed within two (2) days of the sale or occupancy.

6. Design Standards for Signs.

- a. No free standing sign shall be located closer than one-hundred (100) feet to any other free standing sign, except where necessary to allow each business one sign.
- b. Signs shall be constructed of durable materials such as wood, metal, heavy gauge plastic or any similar material approved by the Planning Board.

7. Temporary Signs. One temporary sign, either free-standing or affixed to a building, and no larger than nine (9) square feet of display area per side, is permitted. The sign may be displayed no more than sixty (60) consecutive days or more than one-hundred eighty (180) days per calendar year.

8. All signs shall be neatly lettered and have a professional appearance.

All signs including their supporting structures and other components shall be maintained to prevent rust, peeling or similar deterioration. Vegetation and landscaping adjacent to any sign shall be maintained in a neat and sightly condition and shall not interfere with legibility of the sign. Damaged signs shall be repaired or removed within ten (10) days.

The Code Enforcement Officer may, after ten (10) days notice, have any damaged or worn sign removed, repaired, or secured at the expense of the owner or lessee of the sign.

Any sign determined by the Code Enforcement Officer to be a public safety hazard shall be removed, repaired, or secured to make it safe immediately upon notification by the Code Enforcement Officer may secure or remove the sign at the expense of the owner or lessee.

Q. Soil and Water Quality Protection

1. Soils. No construction activity shall be permitted in the Water Resource Management Overlay, any area where slopes exceed twenty percent (20%), depth to groundwater is less than twelve (12) inches, depth to bedrock is less than twelve (12) inches, the K factor for soils exceeds four-tenths (0.4) or the soils fall in hydrologic soils group D, unless satisfactory evidence is presented to the Code Enforcement Officer, within the application for a permit, or to the Planning Board, within the application for site plan review that construction methods will overcome any pertinent soil inadequacies.

2. Soil Erosion Control. Erosion of soil and sedimentation of drainage ways, wetlands and surface water shall be minimized by employing the following "best-management" practices:

a. The least possible amount of disturbance shall occur during site development in regards to tree removal, de-vegetation, and soil disturbance. In particular, strips of naturally vegetated areas existing on the down slope side of the construction site shall be maintained as undisturbed buffer areas;

b. All exposed soils during construction shall be stabilized (i.e., mulched, covered, or re-seeded) within fifteen (15) calendar days of disturbance or at the completion of work, whichever is sooner. Mulch in drainage ways, on slopes over 20% and in areas exposed to wind shall be stabilized by mulch netting.

The mulch rate shall be as follows:

<b><u>Method of Stabilization</u></b>	<b><u>Rate of Application</u></b>
Hay mulch/straw	2 tons/acre
Wood chips/bark	4" thick
Re-seeding (only between April 30 and September 30)	In accordance with application rates the S.C.S. Environmental Quality Handbook, as revised.

c. All drainage ways, swales, wetlands and surface water shall be protected from sedimentation by the installation of silt-fence barriers and/or hay-bale

barriers. Such barriers shall be installed prior to any digging, soil removal, the stripping of vegetation, scarification, or soil disturbance of any kind. The barriers shall be installed at all points immediately down-slope of all soil exposing activities.

In addition, in areas where slopes exceed fifteen percent (15%), all drainage ways, swales, wetlands and surface water shall be protected from sedimentation by the maintenance of a one-hundred (100) foot wide undisturbed vegetative buffer.

- d. Permanent (final) vegetation and mechanical erosion control measures shall be installed by the time construction is completed.
  - e. Whenever any portion of a designed impervious area over 10,000 square foot falls within the Water Resources Management Overlay or Shoreland District, five-hundred (500) feet of a drainage way, wetland, or surface water, the Planning Board shall initiate a review in conjunction with the Knox/Lincoln County Soil and Water Conservation District, or other qualified professionals, as appropriate. If it is determined that because of the slope, soil erodibility, designed impervious area, and site location there is a need for temporary or permanent sedimentation control mechanisms, the Planning Board, in consultation with the reviewing professionals and in accordance with the guidelines established in the S.C.S Environmental Quality Control Handbook, as revised, as applicable, shall require the use of debris basins, sediment basins, silt traps, or other acceptable methods to trap sediment in run-off water.
  - f. Erosion control measures shall be effectively maintained at all times.
  - g. It is the responsibility of any person doing any act on or across a communal stream, watercourse or swale or upon the floodway or right-of-way thereof to maintain as nearly as possible in its present state the stream, watercourse, swale, floodway or right-of-way during the duration of such activity and to return it to its original or equal condition after such activity is completed. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surface, drainage systems and watercourses and to repair any damage at his expense as quickly as possible.
3. Phosphorous Export. When a proposed project is within the direct watershed of a great pond, the applicant shall make provisions to limit the export of phosphorous from the site following completion of the project, consistent with the maximum allowable phosphorous standard of 0.07 - 0.08 lbs./acre.

At a minimum, vegetative buffer strips shall be provided on the downhill side of all lots, along all tributaries to great ponds and along the great pond. The minimum required width of buffer strips are designated in the following table and depend on the size of the lot, the hydrologic soil group, and whether deed restrictions are proposed to limit the area which may be cleared on each lot.

### Watershed Buffer Requirements

Hydrologic	Buffer Width (ft.) per lot	Soil Group	Clearing Restricted to 12,500 sq.ft.	No Clearing Restrictions
< 1 Acre		A	75	85
		B	130	150
		C	NA	NA
		D	NA	NA
1-1.99 Acres		A	25	25
		B	25	25
		C	55	190
		D	200	NA
2-2.99 Acres		A	25	25
		B	25	25
		C	25	50
		D	25	200

*All lots three (3) acres and larger shall provide a minimum twenty-five (25) foot buffer.*

4. Storm Water Management. The following standards shall apply to all subdivisions, non-residential and multi-family residential development that require site plan review:
  - a. All new construction and development, whether served by a storm water collection and transportation system, shall be designed to reflect or resemble, as nearly as possible, natural runoff conditions in terms of volume, velocity and location of runoff.
  - b. Prior to the initiation of any construction or development, an evaluation must be made of pre-development and post-development peak storm water runoff rates. Such evaluations shall be based on a 24-hour, 25-year recurrence interval storm, and estimates of peak storm water discharge and volume must be calculated using Urban Hydrology for Small Watersheds, TR-55, Soil Conservation Service, as revised.

- c. If runoff after development will exceed pre-development runoff conditions, all appropriate controls as presented in the S.C.S. Environmental Quality Handbook, as revised, shall be utilized to eliminate such off-site impacts as soil erosion and sedimentation, reduced drainage capacity, and impaired land use or land cover characteristics.
  - d. When two or more lots or buildings in different ownership share a common subsurface disposal system, the system may be owned and maintained in common by the users of the system. Provision shall be made, whether by deed covenants, lot owner's association, or otherwise, so that there is proper maintenance of the system.
  - e. Storm water runoff systems shall be designed to facilitate aquifer recharge when it is advantageous to compensate for groundwater withdrawals or reductions in infiltration. Conversely, designs shall avoid recharge where groundwater effects might be harmful. Design of permanent storage facilities shall consider safety, appearance, recreational use, and cost and effectiveness of maintenance operations, in addition to the primary storage function. Natural overland flows, and open drainage channel and swale locations shall be the preferred alignments for major components of a residential drainage system. The use of enclosed components (such as underground piping) shall be minimized where the existing natural systems are able to accommodate storm runoff. Energy dissipators (to reduce high-flow velocities), rip rap, and other forms of outfall protection shall be employed where enclosed drains discharge onto erodible soils.
5. Water Quality Degradation. To the extent necessary to protect water quality, no activity shall locate, store, discharge, or permit the discharge of any treated, untreated or inadequately treated liquid, gaseous, or solid materials of such nature, quality, obnoxiousness, toxicity, or temperature that runoff, seep, percolate, or wash into surface or groundwaters so as to contaminate, pollute, or harm such waters or cause nuisances, such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness, or be harmful to human, animal, plant, or aquatic life. All above ground storage facilities for fuel, chemicals, or chemical or industrial wastes shall be located on impervious pavement, and shall be completely enclosed by an impervious dike which shall be high enough to contain the total volume of liquid kept within the storage area, plus the rain falling into this storage area during a twenty-five (25) year storm, so that such liquid shall not be able to spill onto or seep into the ground surrounding the paved storage area. Storage tanks for "home heating oil" and diesel fuel, not exceeding 275 gallons in size, shall be exempted from this requirement, in situations where neither a high seasonal water table (within fifteen (15) inches of the surface) nor rapidly permeable sandy soils are involved.

R. Storage of Materials

1. Outdoor Storage. All materials stored outdoors, shall be stored in such a manner as to deter the breeding and harboring of insects, rats or other vermin. This shall be accomplished by enclosures in containers, raising materials above ground, separation of material, prevention of stagnant water, extermination procedures or other means.
2. Exemptions. The following trailers and vehicles are exempted from the provisions of paragraph 1, above:
  - a. Recreational trailers and vehicles;
  - b. Farm equipment;
  - c. Intermittently parked trailers and vehicles used by an individual who derives a substantial portion of his/her income from the operation of such vehicles off-premises, when parked on property occupied by the individual;
  - d. Trailers and vehicles parked or stored within a building or structure;
  - e. Trailers and vehicles parked on property where construction or demolition activities are in process, providing the vehicles are set back from any property line at least ten (10) feet, and are removed within twenty (20) days of project completion.

S. Street Access and Driveways for Projects requiring Site Plan Review

1. Street Access. Provision shall be made for vehicular access to the development and circulation upon the parcel in such a manner as to safeguard against hazards to traffic and pedestrians in the street within the development, to avoid traffic congestion any street and to provide safe and convenient circulation on public streets and within the development. More specifically, access and circulation shall also conform to the following standards and design criteria:
  - a. The vehicular access to the development shall be arranged to avoid through traffic use of local residential streets, unless planned, laid out and constructed to accommodate such use;
  - b. Where the entire parcel and individual lots have frontage on two or more streets, the access to the parcel or lots shall be provided across the frontage and to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians;
  - c. The street giving access to the parcel and neighboring streets which can be expected to carry traffic to and from the development shall have traffic carrying capacity and be suitably improved to accommodate the amount and types of traffic generated by the proposed use;

- d. Where necessary to safeguard against hazard to traffic and pedestrians and/or to avoid traffic congestion, provision shall be made for turning lanes, traffic directional islands, frontage roads, driveways and traffic controls within public streets;
- e. Accessways shall be of a design and have sufficient capacity to avoid queuing of entering vehicles on any street;
- f. Where topographic and other conditions allow, provision shall be made for circulation driveway connections to adjoining lots of similar existing or potential use:
  - i. When such driveway connection will facilitate fire protection services as approved by the Fire Chief and/or
  - ii. When such driveway will enable the public to travel between two existing or potential uses, generally open to the public, without need to travel upon a street.

2. Driveway Design.

- a. Sight Distances. Driveways shall be designed in profile and grading and located to provide the required sight distance measured in each direction. Sight distances shall be measured from the driver's seat of a vehicle standing on that portion of the exit driveway with the front of the vehicle, at the stop line of the driveway, with the height of the eye 3-1/2 feet, to the top of an object 4-1/2 feet above the pavement. The required sight distances are listed below for various posted speed limits.

Where streets intersect with public roads, sight distances, as measured along the public way which traffic will be entering, shall be based upon the posted speed limit and conform to the following:

Posted Speed Limit (mph)	<u>25</u>	<u>30</u>	<u>35</u>	<u>40</u>	<u>45</u>	<u>50</u>	<u>55</u>
Sight Distance (ft.)	250	300	350	400	450	500	550

b. Driveway Intersections

i. Skew Angle. Driveways shall intersect the road at an angle as nearly ninety (90) degrees as site conditions permit, but in no case less than sixty (60) degrees.

ii. Entrance Curb. Curb radii will vary depending if the driveway is one-way or two-way operation. On a two-way driveway, the curb radii shall be between twenty-five (25) feet and forty (40) feet, with a preferred radius of thirty (30) feet. On one-way driveways, the curb radii shall be thirty (30) feet for right turns into and out of the site, with a five (5) foot radius on the opposite curb.

c. Driveway Location and Spacing

i. Minimum Corner Clearance. Corner clearance shall be measured from the point of tangency (PT) for the corner to the point of tangency for the driveway. In general, the maximum corner clearance should be provided as practical based on site constraints. Special case driveways are one-way and two-way drives with partial access (right turn only) permitted.

*(feet)*

Minimum Corner Clearance

<u>Driveway Type</u>	<u>Intersection Signalized</u>	<u>Intersection Unsignalized</u>
Full Access	150	50
Special Case		
Right turn in only	50	50
Right turn out only	100	50
Right turn in or out	100	50

ii. Driveway Spacing. Driveways shall be located at least Fifty (50) feet from adjacent driveways and fifteen (15) feet from property lines (except in the case of shared drives between adjacent parcels or lots), in order to allow major through routes to effectively serve their primary arterial function of conducting through traffic. This distance shall be measured from the driveway point of tangency to the driveway point of tangency for spacing between driveways and from

the driveway point of tangency to a projection of the property line at the edge of the roadway for driveway spacing to the property line.

iii. Special Case Drives. Where the minimum standard for a full access drive cannot be met, only a special case driveway shall be permitted. If based on the criteria in paragraphs a. and b. above, full access to the site cannot be provided on either the major or minor streets, the site shall be restricted to partial access. Alternately, construction of a shared access drive with an adjacent parcel is recommended.

d. Number of Driveways. The maximum number of driveways onto a single street is controlled by the available site frontage and the above driveway spacing. In addition, no traffic generator, except agricultural uses or timber harvesting activities, shall have more than two driveways in total onto a single roadway.

e. Construction Materials/Paving

i. All driveways entering a curbed street shall be curbed at the entrance. Curbing is required around all raised channelization islands or medians.

ii. All commercial driveways, regardless of driveway volume, may be required by the Planning Board to be paved with bituminous concrete pavement within thirty (30) feet of the street right-of-way.

T. Structure Elevation within the Flood Plain

Repealed 14 June 2003. See Flood Plain Ordinance.

U. Timber Harvesting within the Shoreland District.

1. Within the strip of land extending seventy-five (75) feet inland from the normal high-water line in a Shoreland District zoned for resource protection abutting Dresden Bog and the Kennebec and Eastern rivers, there shall be no timber harvesting, except to remove safety hazards.

2. Except in areas as described in Paragraph 1 above, timber harvesting in the shoreland district shall conform with the following provisions:

a. Selective cutting of no more than forty (40) percent of the total volume of trees four (4) inches or more in diameter measured at 4 1/2 feet above ground level on any lot in any ten (10) year period is permitted. In addition:

i. Within one-hundred (100) feet, horizontal distance of the normal high-water line of Dresden Bog, the Kennebec and Eastern rivers,

and within seventy-five (75) feet, horizontal distance, of the normal high-water line of streams, or upland edge of those wetlands designated on the official Dresden Land Use Map, there shall be no clearcut openings and a well-distributed stand of trees and other vegetation, including existing ground cover, shall be maintained.

- ii. At distances greater than one-hundred (100) feet, horizontal distance, of Dresden Bog, the Kennebec and Eastern rivers, and greater than seventy-five (75) feet, horizontal distance, of the normal high-water line of streams, or upland edge of those wetlands designated on the official Dresden Land Use Map harvesting operations shall not create single clearcut openings greater than ten-thousand (10,000) square feet in the forest canopy. Where such openings exceed five-thousand (5,000) square feet they shall be at least one-hundred (100) feet apart. Such clearcut openings shall be included in the calculation of total volume removal. For the purposes of these standards volume may be considered to be equivalent to basal area.
- b. Timber harvesting operations exceeding the forty percent (40%) limitation in paragraph a. above, may be allowed by the Planning Board upon a clear showing, including a forest management plan signed by a Maine licensed professional forester, that such an exception is necessary for good forest management and will be carried out in accordance with the purposes of this Ordinance. The Planning Board shall notify the Commissioner of the Department of Environmental Protection of each exception allowed, within fourteen (14) days of the Planning Board's decision.
- c. No accumulation of slash shall be left within fifty (50) feet of the normal high-water line of a water body. In all other areas slash shall either be removed or disposed of in such a manner that it lies on the ground and no part thereof extends more than four (4) feet above the ground. Any debris that falls below the normal high-water line of a water body shall be removed.
- d. Timber harvesting equipment shall not use stream channels as travel routes except when:
  - i. Surface waters are frozen; and
  - ii. The activity will not result in any ground disturbance.
- e. All crossing of flowing water shall require a bridge or culvert, except in areas with low banks and channel beds which are composed of gravel, rock or similar hard surfaces which would not be eroded or otherwise damaged.
- f. Skid trail approaches to water crossings shall be located and designed so as to prevent water runoff from directly entering the water body or tributary stream. Upon completion of timber harvesting, temporary bridges and

culverts shall be removed and areas of exposed soil revegetated.

- g. Except for water crossings, skid trails and other sites where the operation of machinery used in timber harvesting results in the exposure of mineral soil shall be located such that an unscarified strip of vegetation of at least seventy-five (75) feet in width for slopes up to ten (10) percent shall be retained between the exposed mineral soil and the normal high-water line of a water body or upland edge of a wetland. For each ten (10) percent increase in slope, the unscarified strip shall be increased by twenty (20) feet. The provisions of this paragraph apply only to a face sloping toward the water body or wetland, provided, however, that no portion of such exposed mineral soil on a back face shall be closer than twenty-five (25) feet from the normal high-water line of a water body or upland edge of a wetland.
- h. Timber harvesting in all other land use districts shall conform to the State Forest Practices Act, as revised.