

## **SECTION 6. PERFORMANCE REQUIREMENTS AND STANDARDS FOR SPECIFIC ACTIVITIES**

**The following requirements and standards apply to the specific activities listed in addition to the requirements and standards of Sections 4 and 5:**

### **A. Campgrounds and Individual Private Campsites.**

1. Campgrounds shall conform to the minimum requirements imposed under the State licensing procedure and the following:
  - a. Campgrounds shall contain a minimum of five thousand (5,000) square feet of land, not including roads and driveways, for each site. Land supporting wetland vegetation, and land below the normal high-water line of a water body shall not be included in calculating land area per site.
  - b. The areas intended for placement of a recreational vehicle, tent or shelter, and utility and service buildings shall be set back a minimum of 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 the streams, or upland edge of those wetlands designated on the official Dresden Land Use Map.
2. Individual, private campsites not associated with campgrounds are allowed without a permit, provided the following conditions are met:
  - a. One campsite per lot existing on the effective date of this Ordinance, or thirty thousand (30,000) square feet of lot area within the Shoreland District, whichever is less, may be permitted.
  - b. Campsite placement on any lot, including the area intended for a recreational vehicle or tent platform, shall be set back 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 upland edge of those wetlands designated on the official Dresden Land Use Map.
  - c. Recreational vehicles shall not be located on any type of permanent foundation except for a gravel pad, and no structure(s) except canopies shall be attached to the recreational vehicle.
  - d. The clearing of vegetation for the siting of the recreational vehicle, tent or similar shelter in a Resource Protection District shall be limited to one thousand (1,000) square feet.
  - e. A written sewage disposal plan describing the proposed method and location of a sewage disposal shall be required for each campsite and shall

be approved by the Local Plumbing Inspector. Where disposal is off-site, written authorization from the receiving facility of land owner is required.

- f. When a recreational vehicle, tent or similar shelter is placed on-site and occupied for more than one hundred and twenty (120) days per year, all requirements for residential structures shall be met, including the installation of a subsurface sewage disposal system in compliance with the State of Maine Subsurface Wastewater Disposal Rules, as revised, unless served by public sewage facilities.

B. Cluster Development.

1. Purposes. The purposes of these provisions are:
  - a. to provide for efficient use of land and the preservation of open space, prime farmland, and rural character;
  - b. to provide adequate recreation areas;
  - c. to provide for development in harmony with the natural features of the land;
  - d. to allow for innovative concepts of housing development;
  - e. to encourage efficient use of infrastructure; and
  - f. to encourage the construction of affordable housing in the community.

The Planning Board may modify the dimensional requirements of this Ordinance (Table 2) to permit innovative approaches to housing and environmental design in accordance with the following requirements and standards.

In no case shall shore frontage and setback be reduced below the minimum normally required by the State shoreland zoning requirements.

2. Cluster development shall be mandatory on prime agricultural soils, designated by the U.S. Soil Conservation Service.
3. Basic Requirements for Cluster Developments.
  - a. Cluster developments shall be a minimum of three (3) lots or dwelling units and shall meet all requirements for a subdivision, the Town's road standards, and all other applicable ordinances, including the General Performance Standards of this Ordinance and State laws and regulations.
  - b. The applicant shall illustrate the placement of buildings and the treatment of spaces, paths, roads, service and parking and in so doing shall take into consideration all requirements of this section and of other relevant sections of this Ordinance.
  - c. Each building shall be an element of an overall plan for the site development.

d. Net Residential Density (NRD) shall not exceed the single lot density permitted, except that the Planning Board may permit increases in NRD in accordance with one, and only one, of the following:

<u>IF:</u>	<u>THEN NRD MAY BE INCREASED UP TO:</u>
i. At least 75% of the buildable land included in the development is reserved as permanent common open space, use of which is restricted; or	10%
ii. Development includes lands designated by U.S. Soil Conservation Service as prime farmland soils, and at least 80% of such lands are preserved as permanent common open space; use of which is restricted; or	15%
iii. Development includes natural areas which, in the Planning Board's judgement have significant potential for use and enjoyment by the public, and the developer either dedicates such lands to public ownership or grants an easement for access to and use of such lands by the public on mutually agreeable terms.	20%

e. Attached single-family dwellings shall include no more than four (4) such dwellings attached in any single series.

f. Multi-family dwellings shall include no more than six (6) dwelling units per structure nor more than two (2) dwelling units arranged one above the other.

g. The location of subsurface wastewater disposal systems and an equivalent reserve area for replacement systems shall be shown on the plan. The reserve areas shall be restricted so as not to be built upon. The report of a licensed Site Evaluator shall accompany the plan. If the subsurface disposal system is an engineered system, approval from the Department of Human Services, Division of Health Engineering, shall be obtained prior to Planning Board approval.

h. Buildings shall be oriented to preserve and/or take maximum advantage of scenic vistas, natural landscape features, topography, solar energy, and natural drainage areas.

- i. The applicant shall demonstrate the availability of water adequate for domestic purposes as well as for fire safety. The Planning Board may require the construction of storage ponds and dry hydrants. The location of all wells shall be shown on the plan.
- j. The common open space created by the Cluster Development shall:
  - i. be shown on the cluster plan with appropriate notation that it is restricted and shall not be used for future building lots;
  - ii. be accessible to the owners or residents of the development, subject to any necessary limitations in connection with the uses of the land (e.g., farming), which may be permitted;
  - iii. be usable for low-intensity recreation, agriculture, or other passive outdoor living purposes and for preserving the natural features of the site. Potential uses (e.g., farming) may be by the subdivider, owners or residents, or a lessee or agent. Such uses shall not include above-ground rights-of-way or parking areas, or tennis courts, swimming pools, or similar recreation development. The use of any open space may be further limited or controlled at the time of final subdivision approval as necessary to protect adjacent properties;
  - iv. not be further subdivided. Open space shall be used only for agriculture, non-commercial recreation, forestry or conservation. However, easements for public utilities, but no structure, may be permitted in the open space area; and
  - v. be adequately maintained into the future. The developer shall provide a plan and related documentation sufficient to insure this. Such plan may provide for common ownership, directly or through a homeowner's association, dedication of the common areas to the Town or other appropriate representative of the public, a perpetual trust fund, or other means. The maintenance of open space may include provision for cutting or planting of vegetation, tilling of soil, or other means of maintenance.
- k. Access from public ways, internal circulation, and parking shall be designed to provide for vehicular and pedestrian safety and convenience, emergency and fire equipment, snow clearance, street maintenance, and delivery and collection services. Any streets which may be offered to the Town shall be constructed in accordance with Town Road Standards.
- l. Adequate provision shall be made for storm water runoff, particularly effluent draining from the site. Erosion that could result from any changes on the site shall be prevented by landscaping or other means of

maintenance.

- m. Where practicable, all utilities shall be installed underground. Transformer boxes, pumping stations and meters shall be located so as not to be unsightly or hazardous to the public.
- n. The total area of open space within the development shall be a minimum of 25% of the total development, and shall equal or exceed the sum of the areas by which any building lots are reduced below the minimum lot area normally required in the District, except where density bonuses are permitted.
- o. Every building lot that is reduced in area below the amount normally required should abut the open space for a distance of 50 feet, or be within 500 feet walking distance of such land, as measured along public ways.
- p. Where a cluster development abuts a body of water, a usable portion of the land along the water, as well as reasonable access to it, shall be a part of the common land. This open space land shall have a minimum depth of 100 feet.

#### 4. Siting and Buffering Standards

- a. Buildings shall be oriented with respect to scenic vistas, natural landscape features, topography, south-facing slopes (where possible) and natural drainage areas , in accordance with an overall plan for site development and landscaping.
- b. Buildings shall be designed and laid out to protect bedroom windows from light invasions by vehicle headlights or glare from existing outdoor lighting or illuminated signs where allowed, insofar as practicable.
- c. Where parking spaces or storage areas are located in areas abutting existing residential properties, a permanent wood or masonry screen at least four feet high shall be erected along the property line in addition to the green perimeter strip described below.
- d. A vegetative buffer strip, not less than twenty (20) feet wide shall be maintained with grass, bushes, flowers, or trees along all lot lines (except for entrance and exit driveways). Such buffer strip shall not be built on or paved or used for parking or storage. There shall be no removal of trees over 4 inches in diameter within this buffer. Vegetation shall be retained in its natural state, although tree planting shall be permitted as a matter of right.

#### C. Home Occupations

1. Permitted home occupations must be carried out without: offending custom or disturbing neighbors; altering the residential character of the structure or neighborhood; or changing the character of the lot from its principal use as a residence.
2. The home occupation shall be carried on wholly within the principal or accessory structures. There shall be no outside storage or display of materials, products, equipment or vehicles.
3. A home occupation shall be carried on by permanent residents of the dwelling unit, and shall not exceed five hundred (500) square feet or twenty-five percent (25%) of the total floor area of the dwelling unit, whichever is greater. A home occupation shall not have more than the equivalent of (2) two non-resident full-time employees.

D. Hotels, Motels and Inns. For traffic safety on and immediately adjoining each motel, hotel or inn and to assure health, safety and welfare of occupants and of the neighborhood generally, the following land, space, building, traffic, utility, and service design requirements shall be met.

1. No part of any building on a motel lot shall be closer than sixty (60) feet to the front lot line, rear lot line or either side line of such lot. A green space, not less than twenty-five feet wide, shall be maintained open and green with grass, bushes, flowers or trees all along each side lot line, the rear lot line, the front line of such lot, except for entrance and exit driveways. The green space shall not be used for automobile parking.
2. Hotel building construction plans shall be reviewed and approved by the State Fire Marshall's Office prior to Planning Board decision.

E. Junkyards. Junkyard shall meet all applicable State requirements and shall not be located within one-hundred (100) feet of a public or private water supply, with the exception of a supply serving the junkyard or junkyard owners' abutting residence.

F. Mineral Exploration and Extraction

The following requirements are consistent with the DEP requirements for related activities.

1. Groundwater Protection
  - a. No excavation may occur between five (5) and two (2) feet of the seasonal high-water table unless sufficiently detailed information is submitted, documenting the position of the seasonal high-water table, to allow the Planning Board to determine that the groundwater will not be adversely affected. No excavation may occur within two (2) feet of the seasonal

high-water table.

- b. Petroleum products, or other substances that could contaminate groundwater, must be stored on the affected land in accordance with a spill prevention, control and containment plan. Refueling operations, oil changes and maintenance activities requiring the handling of hydraulic fluids, as well as any other on-site activity involving the use of products which, if spilled, could contaminate surface water and ground water, must also be conducted in accordance with such plan.
- c. A three-hundred (300) foot horizontal separation must be maintained between the limit of excavation and any predevelopment private drinking water supply. A one-thousand (1,000) foot horizontal separation must be maintained between the limit of excavation, and any water source which qualifies as a public drinking water supply.
- d. The borrow pit or topsoil mining operation must not withdraw more than five-thousand (5,000) gallons of groundwater per day.

2. Surface Water Protection/Stormwater Management

- a. If the estimated peak rate of stormwater runoff from the affected land is calculated, at any time, to be greater than the predevelopment runoff peak rate in any watershed within the boundaries of the affected land, a detention basin must be designed and constructed to maintain the predevelopment runoff peak rate.
- b. The outlet structures of each detention basin must be designed to control 24-hour storms of 25-year frequency. Each detention basin must be constructed with an emergency spillway designed to independently convey the runoff from a 25-year, 24-hour storm event if the primary spillway is blocked or its capacity exceeded.
- c. All processing water must be discharged to a sedimentation basin. No chemicals may be used to process borrow.

3. Erosion and Sedimentation Control

- a. The working pit may not exceed ten (10) acres, at any one time, in order to limit the potential for erosion and sedimentation damage.
- b. Ditches, sedimentation basins, dikes, and other control measures must be used as necessary to prevent sediments from being washed or deposited into classified bodies of water. Each sedimentation basin must be designed and constructed with capacity to detain runoff from a storm of 10-year frequency and 24-hour duration for a minimum of ten (10) hours. Each

sedimentation basin must be inspected, and accumulated sediments removed as necessary, to ensure that the design limit for accumulated sediments is not exceeded.

- c. Topsoil stockpiles must be seeded, mulched, anchored, or otherwise temporarily stabilized.

4. Natural Buffer Strips.

- a. A natural buffer strip at least seventy five (75) feet plus four (4) feet for every one percent average slope within the first 75 feet must be maintained between the affected land and a classified body of water.
- b. A natural buffer strip at least one-hundred and fifty (150) feet wide must be maintained between the borrow pit (affected land) and a public road. A natural buffer strip at least twenty-five (25) feet wide must be maintained between the topsoil mining operation (affected land) and a public road.
- c. A natural buffer strip at least one-hundred and fifty (150) feet wide must be maintained between the affected land and the property boundary. This buffer may be reduced to twenty-five (25) feet with written permission of the abutting property owner. It may be eliminated between abutting properties containing borrow pits or topsoil mining operations with written permission of the abutting property owner.

5. Air Quality. Any dust generated, including dust associated with traffic to and from the working pit, must be controlled by sweeping, paving, watering or other best management practices for control of fugitive emissions so that the particulate standards set forth in 38 M.R.S.A 584-A(1), as revised, are not exceeded.

6. Noise

- a. A borrow pit or topsoil mining operation may only be operated or reclaimed between the hours of seven o'clock (7:00) a.m. and seven o'clock (7:00) p.m., Monday through Saturday.
- b. Hourly sound levels must not exceed the sound level limits set forth in the DEP Site Law 06-096 CMR 375.10, as revised.

7. Solid Waste. Refuse spoils; unused soil stockpiles; stumps and associated debris; and other solid waste generated must be disposed of in accordance with 06-096 CMR 400-409, as revised.

8. Reclamation. The affected land must be restored to a condition or physical state which either is similar to and compatible with that which existed prior to any development, or encourages the future productive use of the land.

- a. The borrow pit or topsoil mining operation must be reclaimed in phases so that:
  - i. the working pit (operation phase) does not exceed ten (10) acres at any time; and
  - ii. the area being actively reclaimed (reclamation phase) does not exceed fifteen (15) acres at any time.

A single stockpile area, not to exceed five (5) acres, is allowed in addition to the ten (10) acre working pit.

- b. Within thirty (30) days of completion of excavation, the side slopes of the borrow pit or topsoil mining operation must be regraded to a slope no steeper than the ratio of two and one-half (2.5) horizontal to one (1) vertical. Slopes up to two (2) to one (1) vertical may be allowed, if a slope stability analysis is submitted showing that there will be no major failure or sloughing of slopes under construction loads.
- c. Haul roads must be reclaimed.
- d. Vegetative cover must be established on all affected land. Top soil must be placed, seeded and mulched within thirty (30) days of final grading.
  - i. A minimum of four (4) inches of topsoil must be placed on the excavated slopes and surfaces. Two (2) inches of the loam must be mixed or harrowed into the substrate and two (2) inches of the loam must be placed on top. The topsoil must be mixed into the original material to provide a gradual transition between soil layers, and to avoid distinct plains resulting in slope failure. The topsoil must have a soil compaction sufficient to sustain vegetative growth.
  - ii. Vegetative material used in reclamation must consist of grasses, legumes, herbaceous or woody plants, shrubs, trees or a mixture thereof. Plant material, except material for dormant seedlings, must be planted during the first growing season following the beginning of the reclamation phase. Selection and use of vegetative cover must take into account soil and site characteristics such as drainage, pH, nutrient availability, and climate.
  - iii. The vegetative cover is acceptable only if:
    - (a) the planting of trees and shrubs results in a permanent stand, or stand capable of regeneration and succession, sufficient to assure a seventy-five percent (75%) survival rate; and

- (b) the planting of all materials results in ninety percent (90%) coverage.

NOTE: Dormant seeding is defined as seeding done at twice the permanent or temporary seeding rate, and mulched at a rate of two (2) tons per acre. The seed and mulch are applied to bare earth between November 10th and April 15th.

G. Mobile Home Parks. Mobile home parks shall be developed in accordance with the following requirements.

1. General Requirements.

- a. The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.
- b. No dwelling unit other than a manufactured housing unit shall be located within the park.
- c. Each mobile home park owner shall establish and enforce regulations governing the conduct of the internal affairs of the park.

2. Lot Area and Lot Width Requirements: Lots in a mobile home park shall meet the following lot area and lot width requirements.

- a. Lots served by individual subsurface wastewater disposal systems:

Minimum lot area: 20,000 square feet  
Minimum lot width: 100 feet

- b. Lots served by a central subsurface wastewater disposal system approved by the Maine Department of Human Services:

Minimum lot area: 12,000 square feet  
Minimum lot width: 85 feet

- c. The overall density of any park served by any subsurface wastewater disposal system shall not exceed one unit per 20,000 square feet of total park area.

3. Unit Setback Requirements: Each manufactured home within a mobile home park shall be set back a minimum of:

- a. Twenty (20) feet from the boundaries of the lot on which the mobile home is placed; and
- b. Fifty (50) feet from all mobile home park boundary lines.

4. Buffer/Screening Requirements.

- a. Each mobile home park shall retain or have a buffer strip at least fifty (50) feet wide around the perimeter of the park parcel. No structures, roads or utilities may be placed in the strip except that roads and utilities may cross the strip to serve the park. The outer twenty-five (25) foot wide portion of the strip shall have natural screening (trees, other vegetation, terrain, etc.) to provide a visual and sound buffer between the park and adjacent properties.
- b. The Planning Board may require the developer to plant trees or other vegetation, or do landscaping, so that there is adequate buffering and screening where the natural screening is insufficient.

5. Groundwater Protection Requirements.

- a. No mobile home park shall increase any contaminant concentration in the groundwater to more than one-half (1/2) of the Primary Drinking Water Standards or more than the Secondary Drinking Water Standards.
- b. If groundwater contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.
- c. If groundwater contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed one-hundred fifty percent (150%) of the ambient concentration.
- d. Subsurface wastewater disposal systems and drinking-water wells shall be constructed as shown on the map submitted with the assessment.

6. Road Design, Circulation and Traffic Requirements.

- a. All mobile home parks shall have safe and convenient vehicular access from abutting public streets or roads.
- b. Roads which the applicant proposes to be accepted as public ways by the Town shall be designed and constructed in accordance with the Town Road specifications.
- c. Private roads within the Mobile Home Park, which the applicant or owner does not intend to offer to the Town for acceptance as a Town way, shall:

- i. Have a minimum right-of-way of twenty-three (23) feet in width, twenty (20) feet of which must be the travelway;
  - ii. Conform to Town Road Standards regarding road base, surface, shoulders, ditching and culverts, (pp 39-40).
- d. Such roads, as the Planning Board determines, shall have a designated four (4) foot wide minimum walkway along its boundary. The walkway shall be marked or built so that its bounds and function are clearly distinguishable from the road.
- e. Any dead-end roads shall be no longer than five-hundred (500) feet. The closed end shall have a clear turnaround area with a minimum radius of sixty (60) feet.
- f. Off-road parking for at least two cars shall be furnished for each mobile home. Parking spaces shall only be located within the individual mobile home lots that they are intended to serve.
- g. Any mobile home park expected to generate average daily traffic of two-hundred (200) trips per day or more shall have at least two (2) road connections with existing public roads, other roads within the park, or other roads shown on an approved subdivision plan.
- h. No individual lot within a park shall have direct vehicular access onto an existing public road.
- i. The intersection of any road within a park and an existing public road shall meet the following standards.
  - i. Angle of intersection. The desired angle of intersection shall be ninety (90) degrees. The minimum angle of intersection shall be seventy-five (75) degrees.
  - ii. Maximum Grade. The maximum grade within 75 feet of the intersection shall be two (2) percent.
  - iii. Minimum Sight Distance. A minimum sight distance of ten (10) feet for every mile per hour of posted speed limit on the existing road shall be provided. Sight distances shall be measured from the drivers seat of a vehicle that is ten (10) feet behind the curb or edge of shoulder line with the height of the eye three and one-half (3 1/2) feet above ground level and the height of object four and one-quarter (4 1/4) feet above ground level.
  - iv. Distance from other intersections. The centerline of any road within a park intersecting an existing public road shall be no less than one-

hundred twenty-five (125) feet from the centerline of any other road intersecting that public road.

7. Conversions of Mobile Home Parks. No development or subdivision which is approved under this section as a mobile home park may be converted to another use without the approval of the Dresden Planning Board, and meeting the appropriate lot size, lot width, setback and other requirements.
8. Permit Term and Change of Ownership. All conditional use permits for mobile home parks shall expire upon a change in ownership of the mobile home park, unless sooner suspended or revoked, within thirty (30) days of the change of ownership. The new owner must apply for a continuation of the mobile home park permit and submit any information, requested by the Planning Board.

A new permit shall be issued unless the information indicates the new owner or plan will not comply with the terms and conditions of the prior permit and approved plans.

9. Recording. Within sixty (60) days of final Town action, the Mobile Home Park plan shall be recorded at the Lincoln County Registry of Deeds, filed with the Town Clerk and shall include any other restrictions, notes or conditions of approval.

H. Multi-Family Development. The following apply to all multi-family developments.

1. An adequate water supply shall be provided to the development for fire fighting purposes. Wet or dry fire hydrants or fire ponds shall be located so that they are not more than five-hundred (500) feet from any building, as fire hose is laid on the street.
2. No structures shall be located on land unsuitable for development under the net buildable acreage calculation.
3. All developments containing fifteen (15) or more dwelling units may be required by the Planning Board to have more than one street access for emergency and safety purposes. No more than two (2) accesses shall be allowed on any single street or roadway.
4. A vegetative buffer strip, not less than twenty (20) feet wide shall be maintained with grass, bushes, flowers, or trees along all lot lines (except for entrance and exit driveways). Such buffer strip shall not be built on or paved or used for parking or storage. There shall be no removal of trees over 4 inches in diameter within this buffer. Vegetation shall be retained in its natural state, although tree planting shall be permitted as a matter of right.
5. All multi-family developments of ten (10) dwelling units or more shall provide a developed open recreation area of no less than five-hundred (500) square feet per dwelling unit.

6. The owner(s) shall be responsible for rubbish disposal, snow removal, and site maintenance.

I. Single-Family Development

All single-family development will be constructed in accordance with Section 5 of this Article, the **Dresden Building Code**, and pertinent State regulations.

J. Subdivisions. The following apply to all subdivisions as defined by this Ordinance.

1. Lots.

- a. Wherever possible, side lot lines shall be perpendicular to the street.
- b. The subdivision of tracts into parcels with more than twice the required minimum lot size shall be laid out in such a manner as will either provide for or preclude future division. Deed restrictions and notes on the plan shall either prohibit future divisions of the lots or specify that any future division shall constitute a revision to the plan and shall require approval from the Board, subject to the criteria of the Subdivision Statute, the standards of these regulations and conditions placed on the original approval.
- c. If a lot on one side of a stream, tidal water, road or other similar barrier fails to meet the minimum requirements for lot size, it may not be combined with a lot on the other side of the stream, tidal water, or road to meet the minimum lot size.
- d. The ratio of lot length to width shall not be more than three to one. 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.
- e. No lots in any subdivision may access directly onto an existing State or Town road, unless approved otherwise by the Planning Board.
- f. When lots in a subdivision have frontage on an outstanding river segment, the proposed subdivision plan must require principal structures to have a combined lot shore frontage and setback from the normal high-water mark of 500 feet. To avoid circumventing the intent of this provisions, whenever a proposed subdivision adjoins a shoreland strip narrower than 250 feet which is not lotted, the proposed subdivision shall be reviewed as if lot lines extended to the shore.

2. Roads. The Planning Board may require that all roads within the subdivision be constructed to meet or exceed (e.g. pavement may be required) the Town Road Standards.

The road and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as much as possible.

The Planning Board, on the advice of the Road Commissioner, may, for vehicles involved in the construction of the subdivision, specify the travel flow of heavy vehicles to and from the subdivision and the maximum vehicle loading permitted in Town roads connecting to the subdivision. The subdivider must repair or pay for the repair of any damage to Town roads resulting from the travel of heavy vehicles, as determined by the Road Commissioner.

When a subdivision abuts a road with high traffic volume, the Board may require the subdivider to construct a loop road at the entrance to the subdivision so that a school bus or other vehicle can be driven off the main road to pick up or discharge passengers safely, persons may deliver and receive mail, or for similar reasons.

3. Phosphorous Export. When a proposed subdivision is within the direct watershed of Dresden Bog and Nequasset Lake, the applicant shall make provision 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.
4. Shoreland Buffer Strips. Within a strip of land extending one-hundred (100) feet inland from the normal high-water line of Dresden Bog, and seventy-five (75) feet from any other water body or the upland edge of a wetland, a buffer strip of vegetation shall be preserved. The deeds to any lots which include such land shall contain the following restrictions:
  - a. There shall be no cleared opening greater than 250 square feet in the forest canopy as measured from the outer limits of the tree crown. However, a footpath not to exceed ten (10) feet in width as measured between tree trunks is permitted provided that a cleared line of sight to the water through the buffer strip is not created. Adjacent to Dresden Bog, or a tributary to Dresden Bog, the width of the foot path shall be limited to six 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 forty percent (40%) of the total volume of trees four (4) inches or more in diameter, measured at four and one-half (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, 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 above.

d. Pruning of tree branches, on the bottom 1/3 of the tree is permitted.

5. Net Buildable Acreage Calculation

The net buildable acreage for all proposals involving subdivisions shall be calculated by taking the total area of the lot and subtracting, in order, the following:

- a. Portions of the lot which are unsuitable for development in their natural state due to wetland soils, steep slopes, flood plains, etc.;
- b. Portions of the lot subject to travel rights-of-way;
- c. Portions of the lot located in the Resource Protection District;
- d. Portions of the lot covered by surface waters;
- e. Portions of the lot utilized for storm water management facilities;
- f. Portions of the lot which, because of existing land uses or lack of access, are isolated and unavailable for use in common with the remainder of the lot, as determined by the Planning Board;
- g. Fifteen (15) percent of the area of the lot to account for roads and parking.

K. Commercial Communication Towers

1. Commercial communication towers may not exceed the height of 150 feet above ground surface, including antennas or other structures attached to the tower.
2. All towers shall be setback from the lot lines a distance of double the structure height, but not less than the minimum setback requirements for that district.
3. When regulated by the U.S. Federal Aviation Agency (FAA) or the Federal Communications Commission (FCC), applications for such facilities shall be accompanied by evidence that such facility meets, or can meet the requirements and specifications of the FAA and FCC.
4. The entire facility must be aesthetically and architecturally compatible with its environment.
5. Fencing must be provided to secure the site. No barbed wire or razor wire fencing is to be permitted within 1000 feet of an occupied residence.
6. Vegetative buffering must be provided to separate the facility from adjacent land uses.

7. All obsolete or unused facilities, or portions must be removed within twelve (12) months of cessation of operation at the site. A performance guarantee for the full cost of removal of the tower must be provided to the Town within 5 business days of the date that the application is approved.
8. Applications for new tower structures must include a copy of a current contract with a carrier for the use of the tower.
9. Co-location is required of all towers. Applicants for new towers within 1.5 miles of an existing tower must provide evidence that the existing tower is at maximum capacity and cannot be expanded.
10. No tower, which requires lighting, may be erected or operated.