

# TABLE OF CONTENTS

## **Section 1 General Provisions**

1.1	Short Title	1-1
1.2	Statutory Authority	1-1
1.3	Purpose	1-1
1.4	Basic Requirements	1-1
1.5	Availability	1-1
1.6	Validity and Severability	1-2
1.7	Conflict with Other Ordinances	1-2
1.8	Amendment	1-2
1.9	Repetitive Petitions	1-2
1.10	Effective Date	1-2
1.11	Review of Ordinances	1-2

## **Section 2 Administration and Enforcement**

2.1	Code Enforcement Officer	2-1
2.2	Enforcement	2-2
2.3	Planning Board	2-3
2.4	Board of Appeals	2-5

## **Section 3 Nonconformance**

3.1	Purpose	3-1
3.2	General Provisions	3-1
3.3	Nonconforming Uses	3-1
3.4	Nonconforming Lots of Record	3-1
3.5	Nonconforming Structures	3-2
3.6	Nonconforming Structures in a Shoreland District	3-3

## **Section 4 Permit Requirements**

4.1	Permit Requirements	4-1
4.2	Permits Not Required	4-1
4.3	Permits Required Prior to Development	4-2
4.4	Permits Issued After Appropriate Review	4-2
4.5	Plumbing and Subsurface Wastewater Permits	4-2
4.6	Public Sewer and Water	4-2
4.7	Expiration of Permit	4-2
4.8	Permit Fees	4-2
4.9	General Permit Requirements	4-2

## **Section 5 Review Requirements For Permits**

5.1	Purpose	5-1
5.2	Allowed Uses	5-1
5.3	Plumbing and Subsurface Wastewater Disposal	5-1
5.4	Building Permit	5-1

5.5	Code Enforcement Officer Permit Review	5-1
5.6	Shoreland Zoning Activities	5-1
5.7	Floodplain Management	5-1
5.8	Planning Board Permit Review	5-1
5.9	Site Review	5-1
5.10	Subdivision Review	5-1
5.11	Expansions of Nonconforming Uses or Structures	5-2
5.12	Special Exceptions	5-2
5.13	Certificate of Appropriateness	5-2
5.14	Sludge Management	5-2

## **Section 6 Procedures and Standards for Code Enforcement, Planning Board and Site Review Applications**

6.1	Purpose	6-1
6.2	Review Criteria	6-1
6.3	Site Inspection	6-2
6.4	Rights Not Vested	6-2
6.5	Performance Guarantee	6-2
6.6	Conditions	6-2
6.7	Additional Studies	6-2
6.8	Decisions	6-3
6.9	Survey Requirements	6-3
6.10	Public Hearing Requirements	6-3
6.11	Code Enforcement Officer Review	6-4
6.12	Planning Board Review	6-5
6.13	Site Review	6-5

## **Section 7 Zoning Districts**

7.1	Establishment of Districts	7-1
7.2	Location of Districts	7-1
7.3	Uncertainty of Boundary Location	7-1
7.4	Division of Lots by District Boundaries	7-2
7.5	District Purposes	7-2
7.6	District Use Table	7-5
7.7	Dimensional Requirement Table	7-9
7.8	District Performance Standards	7-10

## **Section 8 General Performance Standards**

8.1	General Lot Requirements	8-1
8.2	Access to Lots	8-1
8.3	Rear lot Access and Frontage	8-1
8.4	Accessory Buildings and Swimming Pools	8-2
8.5	Temporary Structures	8-2
8.6	Essential Services and Utilities	8-3
8.7	Exterior Lighting	8-3
8.8	Noise	8-4

8.9	Exterior Material Storage	8-5
8.10	Performance Guarantee	8-5
8.11	Buffer and Screening Standards	8-6
8.12	Non-Residential Development Standards	8-10

## **Section 9 Environmental Performance Standards**

9.1	Air Quality	9-1
9.2	Water Quality	9-1
9.3	Groundwater Protection	9-1
9.4	Waterbodies	9-2
9.5	Solid Waste	9-2
9.6	Potable Water Supply	9-2
9.7	Public and Private Sewer Provisions	9-3
9.8	Phosphorus Control	9-4
9.9	Erosion Control	9-5
9.10	Storm Water Management Design	9-6
9.11	Historic, Archeological, Wildlife Habitat, Scenic Areas and Rare and Natural Areas	9-9
9.12	Earth Moving Activity	9-9

## **Section 10 Special Activity Performance Standards**

10.1	Campgrounds	10-1
10.2	Home Occupations	10-2
10.3	Livestock and Animal Keeping	10-4
10.4	Kennels and Pet Services	10-5
10.5	Home Child Care and Day Care/Nursery Schools	10-5
10.6	Light Manufacturing	10-6
10.7	Outdoor Recreation Facility Lighting	10-6
10.8	Resource Exploration and Extraction	10-7
10.9	Overnight Accommodations	10-8
10.10	Bed and Breakfast Facilities	10-8
10.11	Roadside Stands /Farm Produce	10-9
10.12	Adult Business Establishments	10-9
10.13	Windmills	10-9
10.14	Free-standing Commercial Kiosks	10-10
10.15	Automobile, Truck and Equipment Sales and Service	10-11
10.16	Two/Multi-Family Dwelling Units	10-11
10.17	Manufactured Housing and Manufactured Housing Parks	10-13
10.18	Automobile Junkyard or Recycling Facility	10-15
10.19	Wireless Telecommunication Facilities	10-17
10.20	Public Paths	10-22
10.21	Ruins	10-23
10.22	Nuclear Facilities	10-23
10.23	Open Space Design	10-24
10.24	Signs	10-27

10.25	Sign Use Table	10-41
10.26	Fence Standards	10-42

## **Section 11 Roads, Traffic and Parking Standards**

11.1	Access Management	11-1
11.2	Residential Driveway Standards	11-6
11.3	Road Design and Construction Standards	11-6
11.4	Parking Standards	11-11

## **Section 12 Historic Preservation**

12.1	Purpose	12-1
12.2	Historic Commission	12-1
12.3	Establishment of Historic Properties, Landmarks and Districts	12-3
12.4	Procedures	12-4
12.5	Gardiner Historic Register	12-5
12.6	Certificate	12-5
12.7	Application Procedures	12-6
12.8	Standards and Evaluation	12-8

## **Section 13 Shoreland Zoning**

13.1	Purposes	13-1
13.2	Authority	13-1
13.3	Applicability	13-1
13.4	Effective Date of Ordinance and Ordinance Amendment	13-1
13.5	Amendments	13-1
13.6	Districts and Zoning Map	13-2
13.7	Table of Land Uses	13-2
13.8	Land Use Standards	13-2
13.9	Principal and Accessory Structures	13-3
13.10	Piers, Docks, Wharves, Bridges and Other Structures and Uses Extending Over or Below the Normal High-Water Line of a Water Body or Within a Wetland	13-4
13.11	Campgrounds	13-4
13.12	Individual Private Campsites	13-5
13.13	Commercial and Industrial Uses	13-5
13.14	Parking Areas	13-6
13.15	Roads and Driveways	13-6
13.16	Septic Waste Disposal	13-8
13.17	Agriculture	13-9
13.18	Timber Harvesting	13-9
13.19	Clearing or Removal of Vegetation for Activities Other than Timber Harvesting	13-11
13.20	Soils	13-14
13.21	Water Quality	13-14
13.22	Archeological Site	13-14
13.23	Shoreland Overlay, Limited Residential Building	13-14

	Envelope, Access and Slope Standards	
13.24	Special Exceptions	13-14
13.25	Installation of Public Utility Service	13-15

## **Section 14 Subdivision Standards**

14.1	Authority	14-1
14.2	Purpose	14-1
14.3	Applicability	14-1
14.4	Review Criteria	14-1
14.5	Administration and General Procedures	14-3
14.6	Preliminary Plan Review	14-7
14.7	Final Plan Review	14-11
14.8	Performance Standards	14-13

## **Section 15 Floodplain Management**

15.1	Purpose	15-1
15.2	Permit Required	15-1
15.3	Application for Permit	15-1
15.4	Application Fee and Expert's Fee	15-3
15.5	Review Standards for Flood Hazard Development Permit Application	15-3
15.6	Development Standards	15-5
15.7	Certificate of Compliance	15-10
15.8	Review of Subdivision and Development Proposals	15-10

## **Section 16 Sludge Management**

16.1	Authority	16-1
16.2	Purpose	16-1
16.3	Continuance of Existing Use	16-1
16.4	Regulated Activities	16-2
16.5	Permit Requirements	16-2
16.6	Permit Submission Requirements	16-2
16.7	Application Procedures	16-3
16.8	Performance Standards	16-5

## **Section 17 Definitions**

17.1	Construction of Language	17-1
17.2	Definitions	17-1