

SECTION 8 GENERAL PERFORMANCE STANDARDS **(Amended September 4, 2019/Effective October 4, 2019)**

8.1 General Lot Requirements

8.1.1 If more than one principal building is constructed on a single lot, all dimensional requirements shall be met separately for each such principal building except as follows. This requirement shall not apply to developments involving multiple principal buildings that require Planning Board Review, Site Plan Review, or Subdivision Review under the requirements of Section 7

8.1.2 No part of the yard or other open space required on any lot for any building shall be included as part of the yard or open space similarly required for another building or lot.

8.1.3 Whenever possible, new lots shall have side lot-lines perpendicular to the road unless the natural character of the site dictates otherwise.

8.1.4 Flag lots and other odd-shaped lots in which narrow strips are joined to other parcels to meet minimum lot-size requirements are prohibited except for rear lots meeting the requirements of **8.3**.

8.1.5 Only one road frontage of a corner lot shall be considered the front lot-line. The other road frontage shall be considered a side lot-line.

8.1.6 Only one road frontage of a through-lot which has frontage on one or more roads shall be designated as the front yard. The other lot lines shall comprise the side and rear lot areas. Through-lots with adequate lot area may be divided if each lot division has frontage on a road.

8.2 Access to Lots

All lots shall have frontage on a road. Provisions for access to a lot must meet the requirements of Section 11 of this Ordinance.

8.3 Rear-Lot Access and Frontage

8.3.1 New rear lots proposed to be placed behind a legally conforming lot that has existing road frontage shall be deemed to comply with the minimum road frontage requirements if they meet all of the following:

8.3.1.1 The lot conforms to all dimensional requirements for the district in which it is located except for road frontage.

8.3.1.2 The lot has access via a dedicated right-of-way or a portion of the lot that is a minimum of fifty (50) feet wide and which conforms to the applicable requirements of Section 11 of this Ordinance. The access is improved to meet the Residential Driveway Design Standards of **11.2**.

8.3.1.3 The necessary right-of-way to access the rear lot does not reduce the road frontage of the existing road lot below the minimum established for the district in which it is located.

8.3.1.4 All buildings and structures on the rear lot conform to the minimum setback requirements for the district in which it is located. All buildings and structures on the rear lot are set back at least the required road setback distance from the rear lot-line of the existing road frontage lot.

8.3.1.5 The access to the rear lot is not located within one hundred (100) feet of the access to another rear lot.

8.4 Accessory Structures and Swimming Pools

8.4.1 No garage or other accessory structure that is permanently attached to the ground or an in-ground swimming pool shall be located in the required front yard area. When located to the side or rear of the principal structure the accessory structure shall be set back a minimum of 10 feet from the side and rear property lines. All accessory structures shall be set back 100 feet from the normal high-water line of a water body and upland edge of a wetland.

8.4.2 Accessory structures that are not permanently attached to the ground, including above-ground swimming pools, may be located within a required front yard and may be closer than 5 feet to a side or rear lot-line if the following conditions are met:

8.4.2.1 The principal use of the property is a single or two-family dwelling.

8.4.2.2 The accessory structure does not exceed 15 feet in height and is not greater than 144 square feet in floor area.

8.4.3 A fence shall be erected and maintained around every swimming pool. A structure or building may be used as part of this enclosure. All gates or doors opening through the enclosure shall be capable of being securely fastened at all times when not in use. The term “fence” shall mean a good quality fence or wall not less than 4 feet in height above the ground surface and of a design to exclude children. The fence shall be constructed so as not to have openings, holes or gaps larger than 4 square inches, except for fences constructed of vertical posts or louvers, in which case the openings shall not be greater than 4 inches in width and shall have no horizontal members between the top and bottom plates.

8.5 Temporary Structures

8.5.1 Temporary structures used in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a 6-month period and may be renewed for additional six (6) month periods if the CEO determines that reasonable progress is being made toward completion of the work.

8.5.2 Temporary structures used as an accessory structure to a residential or commercial use may be used for a period not to exceed six (6) months in any calendar year, if all setback and other dimensional requirements are met.

8.6 Essential Services and Utilities

8.6.1 Where feasible, the installation of essential services shall be limited to existing public ways and existing service corridors or to proposed roads.

8.6.2 Whenever possible, water, sewer and other utility lines shall be laid outside of the paved surface and clear of any existing or planned sidewalks. Utility poles shall be placed so that any existing or planned sidewalks may be contained within the boundaries of the road right-of-way without obstruction by poles or appurtenances.

8.6.3 Underground utilities shall be installed prior to the installation of the final gravel base of the road.

8.6.4 The size, type and location of street lights, electric, water, sewer and telephone lines and other utilities shall be shown on the required permit application.

8.6.5 All new proposed utilities shall be reviewed by the appropriate city officials, including but not limited to the Public Works Director, Superintendent of Wastewater Treatment, and Gardiner Water District.

8.6.6 Damaged or destroyed public utility transmission and distribution lines, towers and related equipment may be replaced or reconstructed without a permit.

8.6.7 The installation of essential services other than roadside distribution lines is not allowed in a Resource Protection District except to provide services for a permitted use within said district, or except where the applicant demonstrates that no reasonable alternative exists. Where allowed, such structures and facilities shall be located to minimize any adverse impacts on surrounding uses and resources, including visual impacts.

8.7 Exterior Lighting

8.7.1 General

All new or revised outdoor lighting must be designed to provide only the minimum lighting necessary to ensure adequate vision, safety, and comfort and may not cause glare beyond the limits of the property boundaries including street rights-of-way. The provisions of this section apply to all new or revised outdoor lighting installed as part of a development that is subject to Planning Board review or site plan review or uses that require Code Enforcement Officer review under the requirements of Section 7 except for the following:

8.7.1.1 Lighting required by the Federal Aviation Administration (FAA) for aviation control or safety.

8.7.1.2 Seasonal lighting displays using low-wattage lamps between October 15 and January 15 of the following year.

8.7.1.3 Lights used by police, fire, and medical personnel during an emergency.

8.7.1.4 Luminaires attached to a residential building which are less than 2000 lumens and mounted below the eaves.

8.7.1.5 Lighting placed underwater to illuminate a swimming pool but only with respect to lamp type and shielding standards.

8.7.1.6 Temporary lighting in conjunction with special events, construction, demolition, or similar activities provided that the lighting has been approved by the Code Enforcement Officer, Fire Chief, Police Chief, and Director of Public Works.

8.7.2 Prohibited Lighting

The following types of outdoor lighting are specifically prohibited:

8.7.2.1 Lighting that can be confused with a traffic control device.

8.7.2.2 Lighting that is oriented upward except as otherwise provided in this section.

8.7.2.3 Searchlights, beacons and laser source light fixtures.

8.7.2.4 Lights that blink, flash, move, revolve, flicker, change intensity, or change color.

8.7.2.5 A lamp or bulb that is not within a luminaire that is visible at the property line of the lot on which it is located, except for ornamental landscape lighting.

8.7.2.6 Lighting inside of an awning made with translucent material.

8.7.3 Exterior Lighting Requirements

8.7.3.1 Lighting Fixtures. All new outdoor lighting fixtures and installations that are subject to the provisions of this section that are located outside the right-of-way of a public street except for outdoor sports and recreational facilities must meet the following standards:

8.7.3.1.1 Lighting fixtures mounted on masts or poles must be full cut-off fixtures except for period or historical fixtures meeting the provisions of **8.7.2.1.7** of this section.

8.7.3.1.2 Flood lighting or other directional lighting may be used for supplemental illumination of sales or storage areas provided that the flood lights are installed no higher than fifteen (15) feet above ground level, are aimed to avoid the source of the light being seen from adjacent streets or properties, and meet the illumination standards of this section. The City has the right to inspect the completed lighting installation and, if flood lights are used, to require that the flood lights be re-aimed or fitted with face louvers if necessary to control direct brightness or glare.

8.7.3.1.3 Except for ornamental lighting fixtures that utilize lamps with initial lumen ratings of 8,500 lumens or less, wall mounted building lights must include full face shielding consisting of either a solid panel or full face louvers. Exposed lamps, reflectors or refractors may not be visible from any part of the fixture except the bottom, light emitting surface.

8.7.3.1.4 Lighting fixtures located on or within canopies must be full cut-off luminaires or be mounted so that the luminaire or lens, whichever is lower, does not project below the bottom of the canopy surface. The lighting installed beneath the canopy must be pointed downward and be substantially confined to the ground surface directly under the canopy. The level of lighting beyond the perimeter of the canopy must be consistent with the standards for parking areas. The

sides and top of the canopy shall not be illuminated.

8.7.3.1.5 Lighting fixtures must be mounted at the lowest level that allows reasonable compliance with IESNA recommended practices and the provisions of this article. The maximum light fixture height shall be twenty-five (25) feet.

8.7.3.1.6 Lighting in parking areas and for pedestrian facilities must meet or exceed the following minimum color rendering index based on the zoning district in which it is located:

| Zoning District | Minimum CRI |
|---|-------------|
| Historic District | 80 |
| RP, SLR, SL, R, RG, HDR, PR, ECR TD, PD, CC, MUV, PHD, IT, CPD | 60 |
| PIC | 20 |

8.7.3.1.7 Period or historical fixtures that do not meet the requirements of this section may be used as an alternative to cutoff fixtures provided the maximum initial lumens generated by each fixture does not exceed 2,000. The maximum initial lumens for metal halide lamps may be increased to 8,500 if the lamp is internally recessed within the fixture or is shielded by internal louvers or refractors. The mounting height of period or historical fixtures may not exceed twelve (12) feet above the adjacent ground.

8.7.3.2 Illumination Standards for Regulated Uses.

New or revised outdoor lighting must conform to the following standards:

8.7.3.2.1 The maximum illumination level at the property line of a nonresidential or multifamily housing use with abutting residential properties in a residential or mixed-use district shall not exceed 0.1 foot-candles.

8.7.3.2.2 The maximum illumination level at the property line of a nonresidential or multifamily housing use with a public street or with an abutting residential property in a commercial or industrial district shall not exceed 1.0 foot-candles.

8.7.3.2.3 An average to minimum uniformity ratio of 6:1 or better must be maintained for parking lots and pedestrian areas. In other areas, the uniformity ratio must be consistent with IESNA recommended practices and be compatible with the overall lighting of the project and be specifically approved by the Planning Board.

8.7.3.2.4 Average lighting levels must not exceed the following standards. For areas not listed, the Planning Board shall determine the appropriate standard based on IESNA recommended practices:

| Location | Footcandles |
|---|-------------|
| At building entries | 5.0 |
| At loading areas for a commercial or industrial use | 10.0 |
| In parking areas for a multifamily residential use | 3.0 |
| In parking areas for a nonresidential use | 5.0 |
| Along sidewalks and other pedestrian facilities and areas | 3.0 |
| Under service station canopies | 10.0 |
| In general storage areas for commercial and industrial uses | 8.0 |
| In vehicle sales and display areas | 10.0 |

8.7.3.2.5 Exterior site or building lighting at a place of business or a public venue shall be turned off or dimmed no later than one hour after closing until one hour before opening, except as needed for basic security.

8.7.3.3 Lighting for Recreational Facilities

Lighting for outdoor athletic fields, courts, tracks, and similar facilities shall comply with the following standards:

8.7.3.3.1 Lighting installations must be designed by a registered engineer with experience in lighting installations and be designed to achieve no greater than the minimum illuminance levels for the activity recommended by IESNA.

8.7.3.3.2 Light trespass and glare must be reduced to the greatest extent possible given the illumination constraints of the design.

8.7.3.3.3 The lighting used to illuminate the athletic surface must be turned off not later than one hour after the last event or the closing time of the facility.

8.7.4 Lighting Plan Required

Any non-residential or multifamily housing project that involves the construction of more than five thousand (5,000) square feet of nonresidential floor area, or the creation of more than ten thousand (10,000) square feet of impervious area, or the creation of three (3) or more dwelling units in a building, must have a lighting plan approved by the Planning Board or Code Enforcement Officer prior to the issuance of any permits for the project. The lighting plan must be prepared by a qualified lighting professional or other qualified professional approved by the Planning Board. The lighting plan must include the following:

8.7.4.1 The location of all buildings, parking areas, driveways, service areas, pedestrian areas, landscaping, and proposed outdoor lighting fixtures;

8.7.4.2 Specifications and illustrations of all proposed lighting fixtures including photometric data, designation as “cut-off” fixtures, Color Rendering Index (CRI) of all lamps (bulbs), and other descriptive information on the fixtures;

8.7.4.3 The proposed mounting height of all exterior lighting fixtures;

8.7.4.4 Analyses and illuminance level diagrams or photometric point by point diagrams on a twenty foot grid showing that the proposed installation conforms to the lighting level standards of this ordinance together with statistical summaries documenting the average illuminance, maximum illuminance, minimum illuminance, average to minimum uniformity ratio, and maximum to minimum uniformity ratio for each parking area, drive, canopy, and sales or storage area;

8.7.4.5 Drawings of all relevant building elevations showing the lighting fixtures, the portions of the walls to be illuminated, the illuminance levels of the walls, and the aiming points for any remote light fixtures; and

8.7.4.6 A narrative that describes the hierarchy of site lighting and how the lighting will be used to provide safety, security, and aesthetic effects.

8.8 Noise

The maximum permissible hourly A-weighted equivalent sound level produced by any activity subject to this performance standard shall be established by the time period and the zoning district listed in the table below. The term "A-weighted equivalent sound level" shall be as defined by the applicable American National Standards Institute (ANSI) standard (e.g. ANSI S1. Acoustical Terminology).

The maximum sound levels shall apply at all lot lines of the lot where the sound is produced. Measurements to determine conformance with the standard shall be taken in accordance with ANSI standards or their technical equal (e.g. ANSI S12). Sound levels shall be measured at a height of at least five (5) feet above the ground surface using a Type I or Type 2 sound level meter (as defined by ANSI S1.4) at the lot line. The sound level meter and microphone shall be field calibrated at the site prior to and after conducting the sound level measurements. The sound level meter, microphone, and field calibrator shall also have been calibrated by a certified acoustic laboratory within twelve (12) months of the field measurements.

Maximum Sound Level Limits

| Receiving Zoning District | Sound Level Limit (dBA) | | |
|--|----------------------------------|-----------------------------------|-------------------------------------|
| | <i>Daytime (7 am – 7 pm)</i> | <i>Evening (7 pm – 10 pm)</i> | <i>Nighttime (10 pm – 7 am)</i> |
| RP, SLR, SL, R, RG, HDR, CPD | 55 | 50 | 45 |
| PR, ECR, MUV | 60 | 55 | 50 |
| TD, PIC, PD, CC, PHD, IT | 65 | 60 | 55 |
| The applicable district standard is determined by the zoning at the lot line. Where a lot line is also a zoning district boundary, the most restrictive sound level limit of the two abutting zones shall apply. | | | |

8.8.1 The following activities are excluded from the sound level limits under this section. For the purpose of these exclusions daytime refers to the hours from 7 am to 7 pm.

8.8.1.1. Daytime construction and demolition work. With prior approval by the CEO this exemption may be extended beyond daytime hours to accommodate activities such as major concrete pours that cannot be completed within the daytime period.

8.8.1.2. Daytime agricultural and timber harvesting activities.

8.8.1.3. Daytime landscaping and lawn mowing and related grounds keeping.

8.8.1.4. Snow removal and related winter maintenance activities such as sanding.

8.8.1.5. Operation and daytime testing of emergency equipment such as fire alarms, backup generators, and pressure relief valves.

8.8.1.6. Registered and inspected motorized vehicles traveling on public roads and when entering and departing from a parking or loading area. This excludes operation of vehicles and on-board equipment during loading, unloading, processing, mixing or related operations. Examples of non-exempt vehicle operations include refrigeration units on parked vehicles, concrete mixers, and on-board loading pumps.

8.8.1.7. Safety and warning signals required by law, rule or regulation.

8.8.1.8. Cultural and sporting events with approval from the City.

8.8.1.9. At lot lines where the abutting property owner has granted a noise easement to the applicant. The easement must provide that the abutting property owner agrees that the sound level limits at the shared property line can be exceeded by a specified amount but not by more than 10 dBA above the applicable sound level limits. Any agreement or easement concerning noise levels shall be included in the reciprocal deeds and shall have no effect on the sound level limits applicable to other properties.

8.8.2 Maintenance, startups, shutdowns, and other routine activities are not exempt from these sound level limits.

8.8.3 Any activity that requires Site Plan Review or Planning Board Review or CEO Review of nonresidential activities in accordance with Section 7 of this Ordinance must provide sufficient

evidence to demonstrate that the proposed development or modification to an existing development will comply with the applicable sound level limits of this section.

8.8.4 Once a proposed development begins routine operation, the Planning Board or CEO may require demonstration by the applicant that the development meets the applicable sound level limits. Such a demonstration must include sound level measurements taken during representative daytime and/or nighttime periods adequate to quantify the loudest modes of routine operation. Measurements must be conducted during suitable weather conditions per ANSI standards (S 12 or equal) or other weather conditions suitable for measuring sound levels. A sound testing report shall be provided to the City that includes a description of the measurement procedures, identification of sound level instrumentation and calibration, sound level measurements and field observations, and weather conditions (wind speed and direction, temperature, humidity, cloud cover).

8.9 Exterior Material Storage

8.9.1 All dumpsters and similar large collection containers shall be located on the lot to minimize their visibility from adjacent public streets and residential properties and shall be screened from the view of all property lines by solid enclosures, fencing or landscaping.

8.9.2 All outdoor storage areas, including areas used for the storage or collection of solid waste, junk automobiles or parts, building materials, machinery or other such items, shall be located on the lot to minimize their visibility from adjacent public streets and residential properties and shall be screened from the view of all property lines by fencing or landscaping.

8.9.3 Where a potential safety hazard to children is identified by the Code Enforcement Officer, a physical barrier sufficient to deter children from entering the area shall be provided and maintained in good condition.

8.9.4 All above-ground and below-ground tanks containing fuel, explosive liquids or solids, gases or chemicals shall be constructed and located according to applicable state and federal regulations.

8.10. Performance Guarantee

8.10.1 These standards for a performance guarantee shall be followed whenever required by this Ordinance. When required, the applicant shall submit the appropriate performance guarantee to the Code Enforcement Officer prior to the issuance of any permit or the commencement of any construction including site clearing or grading.

8.10.2 The performance guarantee shall be in the form of one of the following:

8.10.2.1 A certified check made payable to the city.

8.10.2.2 A conditional agreement with the city, whereby no lot in the subdivision may be sold or no certificate of occupancy issued until the applicant installs all public improvements pursuant to

the terms and conditions of the conditional agreement and applicable ordinance requirements. A phased development plan may be incorporated into the conditional agreement.

8.10.2.3 An irrevocable letter of credit from a bank or other lending institution that indicates that funds have been set aside for the construction of the subdivision or other required improvements and may not be used for any other project or loan. The letter of credit may provide for the periodic release of a portion of the funds upon written authorization of the Code Enforcement Officer after consultation with the City Manager as provided in **8.10.4**.

8.10.3 The Planning Board or the Code Enforcement Officer as applicable, prior to approval of the application, shall establish the amount and form of the performance guarantee. The amount of the guarantee may be up to one hundred twenty percent (120%) of the estimated cost of the improvements covered by the guarantee. Prior to making this determination, the Board or Code Enforcement Officer shall consult with the City Manager on the terms proposed by the applicant for the performance guarantee. The City Manager may determine that the amount or the terms of the performance guarantees should be amended or revised. The Planning Board or the Code Enforcement Officer shall require that any determination made by the City Manager be incorporated into the performance guarantee.

8.10.4 Prior to the release of the performance guarantee, the Code Enforcement Officer and the City Manager shall determine that the proposed improvements meet or exceed the design and construction requirements specified in this Ordinance and the development plans. In the case of a partial release of the guarantee, the Code Enforcement Officer and the City Manager shall determine that the balance of the guarantee is adequate to cover the completion of the improvements.

8.10.5 If the Code Enforcement Officer or the City Manager finds that any of the public improvements have not been constructed in accordance with the plans and specifications filed as part of the application, they shall take any steps necessary to preserve the city's rights.

8.11 Buffer Area and Screening Standards

8.11.1 Applicability

The buffer area/strip and screening requirements shall apply to all non-residential structures and uses, multi-family structures, campgrounds, and parking areas.

8.11.2 Purposes

The purposes of these requirements are to:

8.11.2.1 Separate different land use activities from one another.

8.11.2.2 Create visual barriers which obscure structures, dumpsters, headlights, lighting, glare, vehicles or other elements of a site.

8.11.2.3 Reduce the impact of noise and odors.

8.11.2.4 Reduce air pollution, wind, dust, and litter and contribute to healthy air and water quality.

8.11.2.5 Respect the character of different places within the city.

8.11.3 General Requirements

8.11.3.1 A buffer area is a portion of a lot that does not contain buildings, structures or other forms of development except for any necessary road, driveway or entrances, necessary traffic signs, and essential services and that contains screening materials such as fencing, berms, and landscaping in accordance with this section.

8.11.3.2 A required buffer area shall be located entirely on the lot required to provide the buffer area. No portion of the road right-of-way may be used to satisfy buffer area requirements.

8.11.3.3 Whenever feasible, natural features such as trees, rocks, and shrubs shall be maintained within the buffer areas.

8.11.3.4 All buffer areas and required screening shall be maintained by the property owner. The screening shall be maintained in such a manner as to provide an effective visual barrier as specified by these requirements.

8.11.3.5 Any required vegetation including trees and shrubs shall be replaced by the property owner if the species dies or is damaged.

8.11.4 Buffer Area and Screening Requirements

The requirements for establishing a buffer area or buffer strip and the required width of the buffer area/strip vary depending on the zoning district within which the lot is located. The type and extent of screening material that must be established within a buffer area/strip also varies depending on the zoning district and the specific situation. The provisions of this section establish three levels of screening requirements, full screening, semi-full screening, and partial screening. The minimum required buffer area/strip and screening for specific districts and activities are as follows:

8.11.4.1 Planned Industrial/Commercial District

A buffer strip at least twenty-five (25) feet wide shall be established or maintained ~~placed~~ along the side, rear and front property lines of the development. Screening shall be established or maintained within the buffer strip in accordance with **8.11.4.5.1** and the following requirements. A full screen shall be installed along all side and rear property lines when those property lines abut a lot in a residential or rural district otherwise a partial screen shall be provided. A semi-full screen shall be installed along the front property line if the development is located on a public road. A partial screen shall be installed along the front property line if the development is located along a private road or a public or private commercial/industrial subdivision road.

8.11.4.2 Traditional Downtown District

A buffer strip at least five (5) feet wide shall be established or maintained along the side, rear and front of any parking area. Screening shall be established or maintained within the buffer strip in accordance with **8.11.4.5.2** and the following requirements. A semi-full screen shall be placed along the side and rear of the parking area. A partial screen shall be placed along the front property line of the parking area.

8.11.4.3 Requirements for All Other Districts

8.11.4.3.1 A buffer strip at least ten (10) feet wide shall be established or maintained along the side, rear and front property lines whenever the development abuts another non-residential building or lot in a commercial, industrial, or mixed-use district unless the district specific requirement mandate a wider buffer strip. Screening shall be established or maintained within the buffer strip in accordance with **8.11.4.5.1** and the following requirements. A partial screen shall be placed along the side, rear and front property lines.

8.11.4.3.2 A buffer strip at least twenty-five (25) feet wide shall be established or maintained along the side and rear property lines and at least fifteen (15) feet wide along the front property line whenever the development abuts a lot in a residential or rural district or open space unless the district specific requirement mandate a wider buffer strip. Screening shall be established or maintained within the buffer strip in accordance with **8.11.4.5.1** and the following requirements. A full screen shall be placed along the side and rear property lines. A semi-full screen shall be placed along the front property lines.

8.11.4.4 Buffer and Screening Adjustments

The Planning Board may increase the width of any buffer area/strip or upgrade the screen category whenever the Board determines that the proposed development, due to its size, intensity, scale, hours of operation or type of activity, may create negative impacts upon neighboring properties. The Planning Board may reduce the width of the required buffer area/strip when it finds that adequate buffering will be provided within the reduced width due to the unique character of the site including consideration of the topography and existing vegetative cover of the site.

The Planning Board and/or the Code Enforcement Officer may allow alternative designs for the buffer widths and screening materials without the need for a variance when it determines that the alternative meets or exceeds the requirements of this Ordinance and/or will retain and utilize existing natural features and vegetation as part of the screening.

8.11.4.5 Screen Categories

The following tables show design options for a full screen, semi-full screen and a partial screen for placement along property lines and parking areas.

8.11.4.5.1 Screen Category Table for Property Lines

| Full-Screen Options | |
|--------------------------|--|
| Option 1 | An 8-foot-high fence, with solid face without opening |
| Option 2 | A berm at least 4 feet high with the following: 3 canopy trees and 3 understory trees per 100 feet of length. |
| Option 3 | 6 canopy trees, 10 understory trees and 20 shrubs per 100 feet of length. |
| Option 4 | A 4-foot-high fence with vertical or horizontal spacing of no more than 4 inches between members, and 6 canopy trees and 10 understory trees per 100 feet of length. |
| Semi-Full Screen Options | |
| Option 1 | A 6-foot-high fence with a solid face without openings |
| Option 2 | A berm at least 4 feet high with the following: 3 understory trees and 9 shrubs per 100 feet of length |
| Option 3 | 3 canopy trees, 6 understory trees and 12 shrubs per 100 feet of length |
| Option 4 | A 4-foot-high fence with vertical or horizontal spacing of not more than 4 inches between members, and 3 canopy trees and 6 understory trees per 100 feet of length |
| Partial-Screen Options | |
| Option 1 | A 3-foot-high fence with vertical or horizontal spacing of not more than 4 inches between members. |
| Option 2 | A berm at least 3 feet in height with 9 shrubs per 100 feet of length |
| Option 3 | 6 understory trees and 6 shrubs per 100 feet of length |

8.11.4.5.2 Screen Category Table for Parking Areas

| Full-Screen Options | |
|--------------------------|--|
| Option 1 | A 4-foot-high fence with a solid fence without openings |
| Option 2 | A berm at least 4 feet high |
| Option 3 | 3 understory trees and 36 shrubs per 100 feet of length |
| | |
| Semi-Full Screen Options | |
| Option 1 | A 4-foot-high fence with vertical or horizontal opening between members of no more than 4 inches |
| Option 2 | A berm at least 3 feet high |
| Option 3 | 36 shrubs per 100 feet of length |
| | |
| Partial-Screen Options | |
| Option 1 | A 3-foot-high fence |
| Option 2 | A berm at least 2 feet high with 9 shrubs per 100 feet of length |
| Option 3 | 24 shrubs per 100 feet of length |

8.11.5 Parking Lot Landscaping Requirements.

8.11.5.1 Landscaped areas within parking areas containing more than 50 spaces, except for parking garages, are required to provide visual and climatic relief from broad expanses of pavement and reduce surface runoff, and separate areas for pedestrian and vehicular circulation. The following standards shall be met:

8.11.5.1.1 At least 5% of the gross area of all parking shall be landscaped. Where parking areas contain more than 100 spaces, landscape islands shall be located to break up parking areas into smaller cells of no more than 80 parking spaces.

8.11.5.1.2 Internal landscaping shall include a minimum of 2 trees and 7 shrubs for every full increment of 25 parking spaces. Planting areas shall be sufficient to accommodate canopy and/or understory trees.

8.11.5.1.3 Planting areas shall be located to demarcate the ends of parking rows, to avoid long rows of parked vehicles, and to channel pedestrian circulation. Where feasible, landscaped areas shall be oriented at right angles to the main entrance of the principal building.

8.11.5.1.4 A portion of the required landscape area may be provided between parking areas and buildings to enhance the appearance of the site.

8.11.5.1.5 All landscape areas shall be sufficient in size to accommodate healthy long-term plant growth.

8.11.5.1.6 Alternative plans which differ from these requirements for the landscaped area, prepared by a registered landscape architect, may be approved by the Code Enforcement Officer and/or the Planning Board, as long as the total landscape area is not reduced.

8.11.6 Vegetation Requirements

8.11.6.1 Plant varieties shall be selected for the soil type at the site, appearance, durability, tolerance to air and water pollution and the climatic conditions of the area. Native species shall be selected whenever possible. Trees located beneath overhead utility lines shall be selected so their mature height will not reach the utility lines.

8.11.6.2 Canopy and evergreen trees are those species which are expected to reach at least 35 feet or more in height at maturity. An understory tree will reach 15 to 20 feet at maturity. Shrubs have a mature height of 2 to 10 feet. Miscellaneous plantings include ground covers, vines, perennials, annuals, bulbs, and other herbaceous material.

8.11.6.3 All plant materials shall meet the following minimum size standards at the time of planting:

8.11.6.3.1 Canopy trees shall be 1 ½ inches diameter.

8.11.6.3.2 Evergreen trees shall be 4 feet in height.

8.11.6.3.3 Understory trees shall be 1 inch in diameter.

8.11.6.3.4 Shrubs shall be between 10 and 24 inches in height.

8.11.6.4 All required canopy trees, understory trees and shrubs shall be placed equally spaced along the length of the buffer to provide a continuous screen.

8.11.7 Requirements for Berms and Other Landscape Features

8.11.7.1 A maximum slope of three horizontal to one vertical shall be established for hills and berms. A flat area at least 3 feet in width shall separate the front and rear slopes.

8.11.7.2 Fence material shall complement the architectural style of the buildings and surrounding area

8.12 Non-Residential Development Design Standards

8.12.1 Purpose

The purposes of this section are:

8.12.1.1 To establish design criteria for all commercial, industrial and other non-residential uses that supplement the site plan review and Planning Board review standards and the district specific design standards.

8.12.1.2 To integrate commercial and industrial uses into Gardiner's character as an urban riverfront and rural community.

8.12.1.3 To enhance the streetscape visual appearance and to avoid incompatible and adverse impacts along the road.

8.12.1.4 To encourage a diversity of architectural styles that draw their inspiration from traditional New England.

8.12.2 Applicability

8.12.2.1 These standards shall apply to all districts except the Planned Industrial/Commercial District.

8.12.2.2 These standards are intended to supplement the standards for site plan review and Planning Board review as well as any district specific design standards in the various zoning districts. Whenever these standards conflict with the design requirements for site plan review or Planning Board review or with the standards of specific zoning districts, those standards shall be followed.

8.12.3 General Standards

8.12.3.1 Visual Harmony with the Environment

The proposed development shall be located and configured in a manner that is visually harmonious with the terrain and vegetation of the parcel and the surrounding area. Structures shall impede as little as reasonably practical, scenic views from the public road or from existing structures and the natural environment.

8.12.3.2-Landscape Preservation

The landscape, existing terrain, and any significant trees and vegetation shall be preserved in their natural state insofar as practicable. Tree and soil removal shall be minimized and grade changes shall be in keeping with the general appearance of neighboring developed areas. If natural features and existing landscaping are proposed to be removed, attention shall be accorded to plans to replace such features and landscaping.

8.12.3.3 Proportion and Articulation

To reduce the apparent size of the buildings and to give them more visual interest, single monolithic forms that are not relieved by variations in the mass or bulk of the buildings shall be prohibited. Boxlike facades, forms and shapes placed near older buildings that have varied mass and façade articulation shall be prohibited.

8.12.3.4 Building Materials

Exterior siding that is common to New England such as wood, brick, masonry veneers, wood shingles, aluminum and vinyl and other contemporary materials that have the same visual look as traditional materials shall be allowed.

8.12.3.4.1 All sides of the building shall have a finished look with materials similar to those used on the front façade. Two compatible façade materials shall be allowed when one façade material is not normally visible from the road.

8.12.3.5 Awnings and Canopies

Awnings and canopies shall complement the design, materials, color and appearance of the building. Materials shall not be reflective materials such a metal or plastic. Backlit awnings and canopies shall be prohibited. Awnings and canopies may be used over windows and doors, except if they are not in keeping with the building's architecture.

8.12.4 Renovations and Additions

Renovations and additions shall be required to conform to these design standards to the greatest practical extent. Since some existing buildings do not already comply with these standards, the property owner is encouraged to upgrade the front façade of an existing building facing the road when renovating or adding to the building.

8.12.5 Linear Commercial Structures

8.12.5.1 Linear commercial structures shall be designed with façade and roofline elements that reduce their scale and add architectural interest. Walls that are more than one hundred (100) feet in length shall incorporate architectural features designed to break up the large mass of the wall.

8.12.5.2 Buildings with multiple storefronts shall be visually unified by a complementary architectural form, similar materials and colors, consistent details and uniform sign size and mounting system.

8.12.5.3 The building shall be oriented whenever practical with the narrow side facing the road.

8.12.5.4 Variations in the front setbacks shall be used to add visual interest and create space for common entries, outdoor spaces, gardens and similar landscape features.

8.12.5.5 A focal point such as a raised entry, clock tower, or other architectural element shall be included to help reduce the scale of the building.