

Article 36.

DRAFT

Chapter 116

JUNKYARDS AND AUTOMOBILE GRAVEYARDS

~~[Junkyards and automobile graveyards, as defined in 30-A M.R.S.A. §3752, are subject to the requirements of 30-A M.R.S.A. §§3751 through 3760, as amended. Junkyards shall be screened in compliance with regulations established by the Commissioner of the State Department of Transportation.]~~

Junkyard, Automobile Graveyards, and Automobile Recycling Businesses may be allowed under this ordinance provided they meet the requirements set forth in 30-A M.R.S.A. §§ 3751, 3752, 3754-A, 3755A and this ordinance. Acceptance and approval of a first time application by the Planning Board, does not negate required license approval by the Board of Selectmen.

ATTEST: A True Copy

Lucinda R. Pinkham Gorham

LUCINDA R. PINKHAM GORHAM
Notary Public, Maine
My Commission Expires July 29, 2020

Town of Islesboro
Board of Appeals and Board of Assessment Review

Proposed Ordinance Change

To Be Presented at the March 10, 2014 Public Hearing @ 6:00 PM
Town Office Meeting Room

§15-10. Jurisdiction

The Board shall hear appeals only on matters within its jurisdiction.

- A. The Board shall hear appeals from decisions made by the Planning Board and the Codes Enforcement Officer under the provisions of Chapter 125, Land Use, and Chapter 45, Development Review; the Board of Selectmen; the Town of Manager; and as provided for below.

ATTEST: A TRUE COPY



LUCINDA R. PINKHAM GORHAM
Notary Public, Maine
My Commission Expires July 29, 2020

Shellfish Conservation Ordinance
Proposed Changes for Public Hearing
March 10, 2014 @ 6:00 PM.

§ 209-5. Fees

The fees for the licenses are as stated below and must accompany in full the application for the respective license. Fees received for shellfish licensing shall be used by the Town for shellfish management, conservation, and enforcement.

- A. Resident commercial: \$100
- B. Nonresident commercial: \$200
- C. Resident recreational: ~~\$2~~ \$5 ; no charge under the age of 12 or over the age of 65.
- D. Nonresident recreational: ~~\$4~~ \$10; no charge under the age of 12 or over the age of 65.

ATTEST: A TRUE COPY

Lucinda R. Pinkham Gorham

LUCINDA R. PINKHAM GORHAM
Notary Public, Maine
My Commission Expires July 29, 2020

Groundwater Protection Ordinance

Chapter 91. GROUNDWATER PROTECTION

Section 91-5

H. The Committee shall cooperate with the Town of Islesboro Planning Board, all other boards and committees and the Town Manager with regard to procedures, rules, or ordinances that may affect groundwater protection. This cooperation includes but is not limited to suggesting new rules or ordinances or amendments to existing rules and ordinances as well as changes in procedures. This cooperation shall be advisory in nature.

I. The Committee shall review applications made to the Town of Islesboro Planning Board under the Development Review Ordinance, as provided for at DRO Chapter 45, and offer advisory comments and suggestions to the Planning Board in writing as appropriate.

ATTEST: A TRUE COPY



LUCINDA R. PINKHAM GORHAM
Notary Public, Maine
My Commission Expires July 29, 2020

Article II. Administration

§ 125-19. Revocation of permit.

- C. The Codes Enforcement Officer may revoke a permit issued by the officer on the grounds contained in Subsection A of this section. Revocation of the permit shall be in writing and sent ~~be~~ by certified mail to the permittee.

Article III. Districts

§ 125-32. Setback and height.

E. Height

- (2) In the Rural Protection District only, accessories to structures such as solar collectors, domes, and other accessory features which are required above roofs, or stand alone, may exceed the height limitation, provided that no structure or accessory to that structure exceeds 75 feet above original mean grade level and that the structure is not used for habitation or human occupation. Communication towers shall not be located closer to any lot line than the distance equal to the height of the structure.

Article V. Standards

§ 125-45. All districts

- B. Where these standards conflict or are at variance with those standards set forth in Chapter 445 45, Development Review, the standard that creates the greatest protection to water quality, soils, vegetation, preservation of wildlife, and scenic beauty shall be used.

ATTEST: A TRUE COPY

Lucinda R. Pinkham Gorham

DEVELOPMENT REVIEW ORDINANCE
PROPOSED ORDINANCE CHANGES

Article 41.

DRAFT

Article III. Administration

45-11. Application Required.

- B. The applicant shall notify abutting property owners by certified mail, at least ~~seven~~ ten days before the application is to be considered by the Planning Board, of the applicant's intentions by sending a letter providing a brief description of the project, along with the date, time and place of the Planning Board hearing, and that a complete application is on file at the Town Office for review. The applicant shall provide the Planning Board with an exact copy fo the letter that was sent certified mail to the abutters, along with a copy of the certified mail receipts.

45-12. Permits Required Before Approval.

Applications for approval under the provisions of this chapter will may not be considered complete for processing until all other required local, state, and federal permits have been secured and evidence that they have been secured has been provided to the Board to include, but not limited to, requirements of the State Fire Marshal's Office, Occupational Safety and Health Act (OSHA), and the Americans with Disabilities Act (ADA). The Board may, in its discretion, accept first time applications that require local approval such as Victualers Licenses, Junkyard and Automobile Graveyard, and Automobile Recycling Business licenses and may grant provisional approval of such applications contingent upon the approval of the licensing authority.

Note: Many activities, particularly those involving the shoreland, the surface area of water bodies, streams, and wetlands, are regulated by the state and federal agencies as well as by this chapter and other ordinances of the Town. Applicants should consult with the appropriate authorities or the Codes Enforcement Officer prior to applying for a Development Review Ordinance permit to ensure compliance with state or federal regulations.

ATTEST: A TRUE COPY

Lucinda R. Pinkham Gorham

45-18. Independent consultants.

The applicant will be required to reimburse the Town if the Planning Board requires the services of an independent consultant(s) and/or the Town's legal counsel to assist in the review of the application.

The Planning Board may consult with the Town of Islesboro, Groundwater Protection Committee, in certain matters related to groundwater.

Article VII. Multiple Dwelling and Lodging Facilities

45-38. Lot Size

- A. Rooming houses and bed-and-breakfast ~~facility~~ facilities are considered to be customary home occupations, and therefore, no additional lot size requirements, beyond those required for a residence, shall apply.

Article IX. Procedures and Submissions for Minor Subdivisions

45-47. Procedure

- B. Each application for minor subdivision shall be accompanied by a minimum nonrefundable application fee of \$300 per lot or dwelling unit payable by check to the Treasurer, Town of Islesboro. If a public hearing is deemed necessary by the Board, an additional ~~minimum~~ nonrefundable fee ~~of \$75~~ shall be required to cover the additional costs of advertising. All notification costs of a public hearing are to be at the applicant's expense.

45-48. Submissions

- F. The plan shall have the following information delineated or included:

(8) Any areas ~~on a proposed lot~~ greater than 10,000 square feet on a proposed lot that are not suitable for building because of soil conditions or slope.

(16) Location of existing burial grounds or cemetery.

45-49. Final approval and filing

- B. Upon findings of fact and determination that all standards and provisions of 30-A M.R.S.A 4404 and this chapter have been met, and upon voting to approve the subdivision, the Board shall sign the plan and issue a permit for the subdivision.
 - (5) Any subdivision plan not recorded with the Waldo County Register of Deeds within 90 days of the date upon which the plan is approved and signed by the Board shall be considered unapproved. The subdivision permit shall be revoked and the plan shall require resubmission, review and approval. The applicant shall submit to the Planning Board the Book and Page Number within 15 days of the recording date.

Article X. Procedures and Submissions for Major Subdivision Preliminary Plans

45-50. Procedure.

- B. All applications for preliminary plan approval for a major subdivision shall be accompanied by a nonrefundable application fee of ~~\$400~~ \$300 per lot or dwelling unit, whichever is greater, payable by check to the Treasurer, Town of Islesboro. In addition the Board may require an initial fee of \$500 per lot or dwelling to be deposited in a non-interest-bearing account to be used by the Board in hiring independent consulting services and/or town counsel to review the application.
 - (3) If a public hearing is deemed necessary by the Board, an additional ~~minimum~~ nonrefundable fee of ~~\$75~~ shall be charged to the applicant to cover the costs of advertising and postal notifications.

45-51. Submissions

- B. Preliminary Plan. The preliminary plan shall be submitted in three copies of one or more maps or drawings which may be printed or reproduced on paper.....
The following information shall either be shown on the preliminary plan or accompany the application for preliminary approval:
 - (23) The location of existing burial grounds or cemetery.

45-52. Procedure

- B. Each application for final plan approval for a major subdivision shall be accompanied by a nonrefundable application fee of \$400 per lot or dwelling unit, whichever is greater, payable by check to the Treasurer, Town of Islesboro.
- (3) If a public hearing is deemed necessary by the Board, an additional minimum nonrefundable fee of \$75 shall be charged to the applicant to cover the costs of advertising and postal notifications.
- F. *Within seven days after the dated receipt is issued, the applicant shall notify by certified mail, return receipt requested, the Town Manager, Road Commissioner, School Superintendent, Fire Chief, and Emergency Services Director of the details of the proposed subdivision and shall request that these officials comment in writing to the Board upon the adequacy of their department's existing capital facilities to serve the proposed subdivision. The applicant shall also notify in the same manner the Town of Islesboro Groundwater Protection Committee requesting that this municipal committee comment in writing to the Board with questions or suggestions regarding the adequacy of the Islesboro aquifer to service the proposed subdivision and the applicant's plans to protect the quality and quantity of the groundwater. The notification shall include the following information:*
- (1) *The number of lots or dwelling units proposed;*
 - (2) *The length of roadways and size of turnarounds;*
 - (3) *The size and construction characteristics of any multi-family, commercial or industrial buildings.*
 - (4) *Location of proposed and existing septic systems and water wells.*

45-53. Submissions

- C. The applicant shall submit:
- (4) ~~On a computer disk, in digital format,~~ Removable media containing all information on the subdivision plan as recorded at Waldo County Register of Deeds. The format must be in a GIS program acceptable to the Islesboro Town Assessor.

- D. The application for approval of the final plan shall include the following information and submissions:
- (8) The location, names, and widths of existing and proposed roads, easements, building lines, parks and other open spaces on or adjacent to the subdivision;
 - (a) The plan shall contain sufficient data to allow the location, bearing and length of every road line, lot line, and boundary line to be readily determined and be reproduced upon the ground. These lines shall be tied to reference points previously established.
 - (b) The length of all straight lines, the deflection angles, radii, length of curves and central angles of the curves, tangent distances and bearings for each road shall be included ;
 - (c) The location of existing burial grounds or cemetery.

Article XII. Procedures and Submissions for Site Plan Review Applications

45-57. Procedure for major development

The following procedure shall govern the submission and review of applications for site and building plans, other than subdivisions or minor developments.

- B. All applications for site plan review shall be accompanied by a minimum nonrefundable application fee of \$200, plus \$0.10 per square foot payable by check to the Treasurer, Town of Islesboro. An additional minimum nonrefundable fee of ~~\$75~~ shall be required to cover the costs of advertising and postal notification ~~for the required public hearing~~ if a public hearing is required.
- F. *Within seven days after the dated receipt is issued, the applicant shall notify by certified mail, return receipt requested, the Town Manager, Road Commissioner, School Superintendent, Fire Chief, and Emergency Services Director of the details of the proposed subdivision and shall request that these officials comment in writing to the Board upon the adequacy of their department's existing capital facilities to serve the proposed subdivision. The applicant shall also notify in the same manner the Town of Islesboro Groundwater Protection Committee requesting that this municipal committee comment in writing to the Board with questions or suggestions regarding the adequacy of the Islesboro aquifer to service the proposed subdivision and the applicant's*

plans to protect the quality and quantity of the groundwater. The notification shall include the following information:

- (1) The number of lots or dwelling units proposed;
- (2) The length of roadways and size of turnarounds
- (3) The size and construction characteristics of any multi-family, commercial or industrial buildings.
- (4) Location of proposed and existing septic systems and water wells.

45-58 Submissions for major developments.

F. The following information shall be required by the Board from the applicant:

- (6) Copies of letters to the abutting landowners, Town Manager, Selectmen, Road Commissioner, Fire Chief, Groundwater Protection Committee Chair and Emergency Services Director notifying them of the proposed development.

Article XIII. General Performance Standards

45-67. Erosion and sedimentation control.

The following measures relating to conservation, erosion and sediment control shall be included where applicable as part of all projects submitted for review and approval under this chapter:

- E. Natural and man-made drainageways and drainage outlets shall be protected from erosion ~~from water~~ caused by water flowing through them.

45-68. Site Conditions

- B. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris. Excess or scrap building materials shall be removed or destroyed according to the instructions of the Codes Enforcement Office prior to issuing an a certificate of compliance.

45-69. Lot standards

- G. (1) This section shall not include as streams, flows of water contained at all times between banks which are less than 30 inches in width at their widest point anywhere on a lot.

45-71. Height.

- B. In the Rural Protection District only, accessories to structures such as solar collectors, domes, cupolas, and other ornamental features, chimneys, ventilators, skylights, tanks, bulkheads, machinery, antennas, communication towers, and other accessory features which are required above roofs, or stand alone, may exceed the height limitation, provided that no structure or accessory to that structure exceeds 75 feet above mean grade level and that the structure is not used for habitation or human occupation. Communication towers shall not be located closer to any lot line than the distance equal to the height of the structure.

45-75. Lighting design standards

- B. Freestanding lights shall be not be higher than the principal building and shall not exceed 25 feet in height.

Article XVII. Storm Drainage Design and Construction Standards

45-94. Storm drainage construction standards

E. Manholes and catch basins:

- (2) Blocks shall be machine-made, solid segments not less than eight inches in width.

*****Please note below that a new article is being added "Junkyards and Automobile Graveyards" and will be inserted before "Definitions" which will cause a change in the numbering for "Definitions" resulting in that Article becoming Article XXV *****

Article XXIV. Junkyards and Automobile Graveyard

Junkyards, Automobile Graveyards, and Automobile Recycling Businesses may be allowed uses under this ordinance provided they meet the requirements set forth in 30-A M.R.S.A §§ 3751, 3752, 3754-A, 3755A and this ordinance. Acceptance and approval of a first time application by the Planning Board, does not negate required license approval by the Board of Selectmen.

Article ~~XXIV~~ XXV. Definitions