

## **APPENDIX 4**

### **DIMENSIONAL REQUIREMENTS**

The following dimensional requirements apply to all lots on which structural development is proposed unless otherwise provided by Section G.

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#### **A. MINIMUM LOT SIZE**

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1. Residential Uses

The minimum lot size for residential uses is 40,000 square feet per dwelling unit except where each dwelling unit is to use a common or community sewer and not on-site subsurface waste water disposal, the minimum lot size shall be 20,000 square feet per dwelling unit.

2. Commercial, industrial, and other non-residential uses

The minimum lot size for commercial, industrial, and other non-residential uses involving one or more buildings is 40,000 square feet.

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#### **B. MINIMUM SHORELINE FRONTAGE**

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1. For lots fronting on a flowing water draining more than 2 square miles but less than 50 square miles, a body of standing water less than 10 acres in size, or a tidal water, the minimum shoreline frontage shall be:

- a. 150 feet per dwelling unit for residential uses; and
- b. 200 feet for commercial, industrial, and other non-residential uses involving one or more buildings.

2. For lots fronting on a flowing water draining 50 square miles or more or a body of standing water 10 acres or greater in size, the minimum shoreline frontage shall be:

- a. 200 feet per dwelling unit for residential uses; and
- b. 300 feet for commercial, industrial, and other non-residential uses involving one or more buildings.

3. In the case of a lot which borders more than one water body, the shoreline frontage requirement must be met on each water body bordered by the lot.

4. Frontage shall be measured in a straight line between the points of intersection of side lot lines with the normal high water mark of the shoreline.

5. The minimum width of any portion of any lot within 100 feet, horizontal distance, of the normal high water mark of a water body shall be equal to or greater than the applicable minimum shoreline frontage requirement.

6. The shoreline frontage may be waived to no less than 200 feet for public boat launches where the applicant demonstrates there will be no undue adverse impact to surrounding uses.

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### **C. MINIMUM ROAD FRONTAGE**

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1. The minimum road frontage shall be:
  - a. 100 feet per dwelling unit for residential uses, and
  - b. 200 feet for commercial, industrial, and other non-residential uses involving one or more buildings;
2. These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for which a toll is paid.
3. Where the lot is located at the end of a road or on a circular turnaround with an outside diameter of less than 25 feet, the road frontage requirements shall not apply.
4. Frontage shall be measured along the traveled portion of the road between the points of intersection of side lot lines with the traveled portion of the road.
5. In the case of a lot which borders more than one road, the road frontage requirement must be met on at least one road bordered by the lot.

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### **D. MINIMUM SETBACKS**

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1. The minimum setbacks for structures, other than those described in Appendix 4, Section D, 2 and except as provided in Appendix 4, Section G are:
  - a. 75 feet from the nearest shoreline of a flowing water draining less than 50 square miles, a body of standing water less than 10 acres in size and 75 feet from the upland edge of wetlands designated as P-WL1 subdistricts;
  - b. 100 feet from the nearest shoreline of a flowing water draining 50 square miles or more and of a body of standing water 10 acres or greater in size;
  - c. 50 feet from the traveled portion of all roadways;
  - d. 15 feet from side and rear property lines.

These setbacks also apply to all parking areas associated with single-family residential uses, parking areas for hand-carry launches, and those structures within a sporting camp complex constructed solely for the housing of guests.

2. The minimum setbacks for commercial, industrial, and other non-residential principal and accessory structures are:
  - a. 150 feet from the nearest shoreline of a flowing water draining less than 50 square miles, a body of standing water less than 10 acres in size and from the upland edge of wetlands designated as P-WL1 subdistricts;
  - b. 150 feet from the nearest shoreline of a flowing water draining 50 square miles or more and a body of standing water 10 acres or greater in size;
  - c. 75 feet from the traveled portion of the nearest roadway;
  - d. 25 feet from the side and rear property lines.

Except as provided for in Appendix 4, Section D,1 above, these setbacks also apply to all parking areas associated with multi-family dwellings and commercial, industrial, and other non-residential uses, and all other structures within a sporting camp complex, including, but not limited to, a main lodge, dining area, workshop and parking area.

3. These requirements apply to any privately or publicly owned road that is used for public access, including roads used by the public for which a toll is paid.
4. Campsites shall be set back such that the area designed for camping, including cleared or graded areas, fire rings, tables, and related construction, is at least 75 feet from shoreline, 50 feet from roads, and 25 feet from property lines. Remote campsites shall be set back at least 50 feet from roads, 25 feet from property lines, and 50 feet from shorelines, except that the Commission may require a greater setback from shorelines for remote campsites where necessary due to site conditions in order to avoid accelerated soil erosion or sedimentation of surface waters.

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#### **E. MAXIMUM LOT COVERAGE**

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1. The maximum lot coverage shall be 30% for all uses involving one or more buildings.
2. "Coverage" shall be calculated by determining the percentage of lot area covered by all structures including paved driveways, sidewalks, parking lots and other impervious surfaces.

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#### **F. MAXIMUM BUILDING HEIGHT**

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1. Except as provided for in Appendix 4, Section F, 2 and 4 below, the maximum building height shall be:
  - a. 35 feet for residential uses; and
  - b. 60 feet for commercial, industrial, and other non-residential uses involving one or more buildings.
2. Structures within 500 feet of the normal high water mark of a body of standing water 10 acres or greater (Whetstone Pond or Foss Pond) shall be no higher than 25 feet. The Commission may apply

this provision at greater distances from the normal high water mark of bodies of standing water having significant or outstanding scenic values where there is the likelihood that such structures would have an adverse impact on scenic values. Bodies of standing water having such scenic values are shown in Appendix C of Commission's Rules and Standards Chapter 10 Land Use Standards.

3. Features of buildings, which contain no floor area such as chimneys, towers, ventilators and spires may exceed these maximum heights with the Commission's approval.

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## **G. EXCEPTIONS TO DIMENSIONAL REQUIREMENTS**

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1. The Commission may reduce dimensional requirements for individual buildings in a cluster development, in accordance with Appendix 3, Section Q.
2. Notwithstanding other provisions of these rules, in a proposed subdivision or area that has or is likely to have relatively dense development, the Commission may increase the minimum lot size when the Commission determines that:
  - a. A larger lot size is required to provide sufficient area of suitable soil to accommodate the principal building and accessory structures, and subsurface waste water disposal, including a replacement system; and
  - b. The density of development in the vicinity of the proposed site is likely to cause nitrate or other contaminant levels in ground water to exceed public drinking water standards at any public or private well or at the property boundary. The Commission may require a nitrate study to estimate likely nitrogen levels in ground water as part of a subdivision application.
3. Where development would otherwise have an undue adverse impact on existing uses, scenic character or natural and historic resources in the area likely to be affected by the proposal, the Commission may impose additional or more protective standards with respect to clearing, frontage and setback requirements, waste water disposal, and other aspects of the development to reasonably assure that undue adverse impact is avoided.
4. An exception may be made to the shoreline, road, and/or property line setback requirements for structures where the Commission finds that such structures must be located near to the shoreline, road, or property line due to the nature of their use. Structures, which must be located near to the shoreline, include structures which require direct access to the water as an operational necessity, such as piers, docks, retaining walls, and structures necessary for commercial fishing activities or water dependent uses within a D-MT subdistrict. This provision shall not apply to boat houses or float plane hangars not included within a D-MT subdistrict.
5. To the extent consistent with 12 M.R.S.A. §685-B(4), the Commission may reduce the minimum lot size required for a structure whose sole purpose is to house a public utility facility or to function as a public utility, provided that:
  - a. the size, height, and bulk of the facility is of a scale that permits such a reduction without adverse effect on surrounding properties; and
  - b. the facility is sited and buffered to fit harmoniously into the surrounding environment.
6. The Commission may apply the dimensional requirements for residential uses to single outpost camps operated by commercial sporting camps, except in cases where such a camp is likely to have a greater impact than a residential use.

7. Notwithstanding the provisions of Appendix 6, structures necessary for disabled persons to gain access to buildings may be greater than the allowable size or located less than the standard setback distance from a shoreline, road and property line to the minimum extent necessary when the following criteria are met:
  - a. A person with a disability as defined in 5 M.R.S.A. §4553 resides in or regularly uses the dwelling or facility;
  - b. The encroachment into the standard setback distance or exceeding of the allowable size applies only to the installation of equipment or construction of structures necessary for access to or egress from the dwelling or facility by the person with the disability;
  - c. The access structure is necessary to create an accessible route;
  - d. The access structure cannot reasonably or feasibly be created without exceeding the allowable size or encroachment into the standard setback distance; and
  - e. The design of the access structure minimizes the need for exceeding the allowable size or encroachment into the standard setback distance.
  
8. The Commission may reduce the minimum road frontage requirement for individual lots within subdivisions with shared driveways in accordance with Appendix 3, Section P,2,b.