

**SITE PLAN REVIEW  
ORDINANCE  
FOR THE  
TOWN OF MEXICO, MAINE**

# SITE PLAN REVIEW ORDINANCE

## SECTION I PURPOSE

Large scale development or major land use change can have a profound effect upon the cost and efficiency of municipal services and upon the environment of the Town of Mexico. Unplanned or poorly planned development may result in overcrowded schools and highways, increased costs of municipal services, degrading of the air and water quality as well as the general health, safety, and welfare of the residents.

The purposes of this Ordinance is to protect the public health, safety and welfare of the residents of the Town of Mexico, to implement the Comprehensive Plan and to insure an orderly growth and development of the Town.

## SECTION II AUTHORITY AND ADMINISTRATION

### A. Authority

1. This Ordinance is adopted pursuant to Article VIII-A of the Maine Constitution and Title 30-A M.R.S.A. Section 3001 (Home Rule) *and Section 4352.*
2. This Ordinance shall be known as the "Site Plan Review Ordinance" of the Town of Mexico, Maine.

### B. Administration

1. The Planning Board of the Town of Mexico shall administer this Ordinance.
2. No building permit or plumbing permit or certificate of occupancy shall be issued by the Planning Board, Code Enforcement Officer or Local Plumbing Inspector for any use or development within the scope of this Ordinance until a Site Plan of Development Application has been reviewed and approved by the Planning Board.
3. All Site Plan approvals shall expire two (2) years after the date of approval unless substantial construction thereunder has commenced. If work is not completed within three (3) years from the date of approval, the approval lapses and a new application must be made and approved. The Planning Board may grant up to a twelve (12) month extension to these time periods upon request by the applicant and a showing that the time periods cannot be complied with due to circumstances beyond the control of the applicant. There will be no additional charge for application review provided the application is unchanged.
4. All applications for Site Plan Review shall be made in writing to the Board on forms provided for that purpose and shall be by the owner of the property or the owner's agent as designated in writing by the owner.

5. An application for Site Plan Review shall be accompanied by a fee as established by the Board of Selectmen who shall have the authority to revise the fee schedule to better reflect the actual cost to the town of administrating and enforcing the provisions of this Ordinance. Prior to revising the fee schedule the Selectmen shall hold a public hearing. This application fee shall be made by check payable to the Town of Mexico and shall not be refundable. The Planning Board shall not consider an application complete until the fees have been received by the Town.
6. If the services of outside consulting engineers or other professions are required by the Board to assist in the review of the application, or the amount or conditions of any performance guarantee that may be required, the Planning Board shall notify the applicant of the nature of such services, the firm or individual selected, and the cost of services. The cost of such services shall be paid by the applicant and evidence of such payment shall be provided to the Planning Board before the plan is approved.

C. Validity and Separability, Conflict with other Ordinances and Effective Date

1. Validity and Separability: Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of the Ordinance.
2. Conflict with Other Ordinances: Whenever the requirements of this Ordinance are inconsistent with the requirements of any other ordinance, code or statute, the more restrictive requirements shall apply.
3. Effective Date: The effective date of this Ordinance is Nov 4, 1997, the date of it adoption at town meeting.

D. Repeal of the Existing Site Plan Review Ordinance

Adoption of this Ordinance shall repeal on the effective date of this Ordinance any and all previously enacted Site Plan Review Ordinances. This shall not prevent enforcement of the repealed Ordinance(s) with respect to the time periods in which they were effective.

E. Amendments

This Ordinance may be amended by a majority vote of the Town Meeting. Amendments may be initiated by a majority vote of the Planning Board or by request of the Board of Selectmen to the Planning Board or on *written* petition *of a number of voters equal to at least 10% of the number of* votes cast in the last gubernatorial election in the Town. The Selectmen shall conduct a public hearing on any proposed amendment.

### SECTION III APPLICABILITY

A. This Ordinance shall apply to:

1. All development proposals for new, or substantial enlargements (an expansion by either 1,000 square feet or 25% in area {whichever is less provided such expansion involves at least 500 square feet} within any five-year period with regard to floor space, seating capacity, or outdoor storage area) of commercial, retail, industrial, institutional, public, and recreational structure(s) or uses and their accessory uses and structures.
2. Campgrounds.
3. "Change in Use," including new uses of existing structures or land which would employ new materials and/or processes not normally associated with the existing or previous use.
4. The conversion of a one or two family dwellings into any of the uses identified in Section A.1 above.
5. Home Occupations when determined by the Code Enforcement Officer that Planning Board Site Plan Review is required.

B. This Ordinance does not apply to:

1. Construction of detached single family dwellings, two-family dwellings, and multi-family dwellings and accessory structures for the use of the residents thereof.
2. Construction of barns, stables, and other agricultural related buildings by and for the private use of families residing on the property on which the building is to be located.
3. All non-structural uses of land for agricultural or forestry purposes.
4. Home occupations which meet the following conditions do not need Site Plan approval.
  - a. The home occupation is incidental and secondary to the primary residential use of the premises;
  - b. Do not employ any persons who do not make the residence their permanent home;
  - c. Do not display any exterior sign larger than eight (8) square feet, exterior exhibits, exterior storage of materials or any other exterior indications of the home occupation or variation from the residential character of the principal dwelling or accessory structure.

- d. Do not generate any nuisance, waste discharge, offensive noise, vibration, smoke, dust, odors, heat, glare, radiation, fumes, or electrical interference detectable to the normal senses or which interferes with normal radio or television reception, or causes other nuisances which extend beyond the limits of the subject property; and
  - e. Are not likely to generate regular daily or seasonal traffic not associated with residential uses.
5. Home Occupations which do not meet the criteria in Section 4 above shall comply with Section VI.C.

## **SECTION IV APPLICATION PROCEDURE**

### **A. Pre-Application Meeting**

1. Prior to submitting an application for development, the developer or his authorized agent should appear informally at a regular or special meeting of the Planning Board to discuss the proposed development.

The Planning Board, at this time, will also make a determination whether a change in the use requires Site Plan Review. If it does, the Board will inform the applicant of the submission requirements.

2. The developer shall present to the Planning Board, at this time for informal review and comment, a sketch plan of the proposed development. The sketch plan shall consist of a rough outline of the proposed development and may be a freehand, pencilled sketch of the parcel showing the proposed layout of buildings, roads, and other features which may be of assistance to the Planning Board in making its determinations.
3. The Planning Board may request that the developer arrange for an inspection of the site with the Planning Board, or an individual appointed by the Board Chairman to act as the Board's representative.
4. No binding commitments shall be made between the developer and the Planning Board at this stage. The purpose of the pre-application meeting shall be to understand what is proposed and what is possible.

### **B. Site Plan Review Application Requirements**

1. Applications for Site Plan Review approval shall be submitted on application forms provided by the town. The completed application form, required fees and the required plans and related information shall be submitted to the Planning Board no less than seven (7) days prior to the Planning Board's regular scheduled meeting.

2. One copy of the plan(s), which may be reduced to 8 1/2" X 11", shall be mailed or delivered to each member of the Planning Board and Code Enforcement Officer at least seven (7) days prior to the Planning Board's regular scheduled meeting. If the Planning Board deems necessary the applicant shall mail via certified mail, return receipt request, the application to the Fire Chief, Road Commissioner, Sewer Department and Water District no less than seven (7) days prior to the meeting. The applicant shall request that these individuals provide the Planning Board with comments upon the adequacy of their department's existing capacity to service the proposed development.
3. Notice to Abutters: Upon filling an application, abutting property owners including those across a road or street shall be notified by certified mail, return receipt requested by the Applicant, of a pending application for Site Plan Review. This notice shall indicate the time, date and location of the Planning Board's consideration of the application. The applicant shall show proof that abutting property owners were notified. The Code Enforcement Officer shall maintain for the record all undeliverable notices required by this section.

C. Submission Requirements

When the owner of the property or his authorized agent makes formal application for site plan review, the application shall contain at least the following exhibits and information:

1. A fully executed and signed copy of the application for site plan review.
2. Two (2) copies of a site plan drawn at a scale sufficient to allow review of the items listed under the preceding general standards, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development, and showing the following:
  - a. Owner's name, address and signature.
  - b. Names and addresses of all abutting property owners.
  - c. Sketch map showing general location of the site within the Town.
  - d. Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.
  - e. If requested by the Planning Board or the Code Enforcement Officer, a perimeter survey of the parcel made and certified by a registered land surveyor pursuant to Rule 12, Standards of Practice, by the State Board of Regulation of Land Surveyors. This survey shall relate to reference points showing true north, graphic scale, corners of parcel and date of survey and total acreage;
  - f. Zoning classification(s) of the property and the location of zoning district boundaries if the property is located in two or more zoning districts.

- g. Soil types and location of soil boundaries as certified by a registered engineer or soil scientist.
- h. The location of all building setbacks.
- i. The location, size, and character of all signs and exterior lighting.
- j. The area of the parcel and street frontage and the zoning requirements for minimum lot size and frontage.
- k. The location of all existing and proposed structures (including size and height), driveways, sidewalks, parking spaces, loading areas, open spaces, open drainage courses, signs, exterior lighting, service areas, easements, and landscaping.
- l. The location of all buildings within 50 feet of the parcel to be developed and the location of intersecting roads or driveways within 200 feet of the parcel.
- m. Existing and proposed topography of the site at two foot contour intervals if major changes to the existing topography are being proposed.
- n. A storm water drainage plan showing:
  - 1. The existing and proposed method of handling storm water run-off.
  - 2. The direction of flow of the run-off through the use of arrows.
  - 3. The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.
  - 4. Engineering calculations used to determine drainage requirements based upon a 10-year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.
- o. Location of aquifers and aquifer recharge areas, if mapped;
- p. Location of wetlands, significant wildlife habitat, known or potential archaeological resources, scenic locations as identified in the Comprehensive Plan and historic buildings and sites to be developed or adjacent to the parcel;
- q. Location and elevation of the 100-year flood plain;
- r. If the development site is located in the direct watershed of a great pond, the name of that watershed shall be indicated on the plan;

- s. A utility plan showing provisions for water supply and waste water disposal including the size and location of all piping, holding tanks, leachfields, etc.
  - t. Where the plan was prepared by an architect, engineer, surveyor, geologist, soil scientist or other professional licensed or certified and issued a seal by the State of Maine, the preparer's seal shall be affixed to the plan.
3. A written, narrative statement by the applicant that supplies the following information and is substantiated by the appropriate documents.
- a. evidence by the applicant of his title and interest in the land for which the application covers;
  - b. a description of the proposed uses to be located on the site including: products to be manufactured, description of and volume of manufacturing by-products and wastes, type of products to be warehoused, and type of products to be sold;
  - c. total floor area and ground coverage of each proposed building and structure and percentages of lot covered by each building or structure;
  - d. a copy of the existing and/or proposed easements, restrictions and covenants placed on the property;
  - e. method of solid waste disposal;
  - f. erosion and sedimentation control plan;
  - g. copies of letters mailed by the applicant to the abutting land owners notifying them of the proposed development; sent by certified mail, receipts to be returned to the Board;
  - h. statement of financial capacity which should include the names and sources of the financing parties including banks, government agencies, private corporations, partnerships, and limited partnerships and whether these sources of financing are for construction loans or long-term mortgages or both;
  - i. list of applicable local, state, and federal ordinances, statutes, laws, codes, and regulations which must be complied with or a permit issued before the project may begin;
  - j. the applicant's evaluation of the availability and suitability of off-site public facilities including sewer, water, and streets;
  - k. a statement from the Fire Chief as to the availability of fire hydrants and/or fire ponds or provisions of fire protection services;

- l. if public water and/or sewer are to be used, a statement from the water and/or sewer district or utility as to the availability of public water and/or sewer lines;
  - m. a statement from either the Public Works Director or Foreman, Road Commissioner or Selectmen that the proposed road or street construction will meet town specifications;
  - n. an estimate of the date when construction will start and when the development will be completed;
  - o. a description of the current or most recent use of the building or land including type of products(s) sold or manufactured, operating hours, nature and number of patrons served on a daily basis, peak hours, and other items as the Planning Board may find necessary;
  - p. traffic data shall include the following when required by the Planning Board;
    - 1) the estimated peak hour and average daily traffic to be generated by the proposal;
    - 2) existing traffic counts on surrounding roads;
    - 3) traffic accident data covering the most recent three-year period for which such data is available.
  - q. the size, location, and direction and intensity of illumination of all outdoor lighting apparatus;
  - r. the type, size, and location of all machinery likely to generate appreciable noise at the lot lines;
  - s. if located in the direct watershed of a great pond, a phosphorous control plan prepared in accordance with Section V.12 .
- D. The Planning Board may waive any of the submission requirements when the Board makes written finding of fact that and determines that the scale of the project is of such magnitude as to make the information unnecessary.

## **SECTION V PERFORMANCE STANDARDS**

- A. The following standards are to be used by the Planning Board in judging applications for site plan reviews and shall serve as minimum requirements for approval of the site plan. The site plan shall be approved, unless in the judgement of the Planning Board the applicant is not able to reasonably meet one or more of these standards. In all instances, the burden of proof shall be on the applicant and such burden of proof shall include the production of evidence necessary to complete the application insuring the Board that the proposed site plan conforms to Mexico's Building Code and other applicable ordinances relating to lot size and density, setbacks, and lot coverage.

1. **Preserve and Enhance the Landscape:** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree removal, disturbance of soil, retaining existing vegetation during construction. After construction is completed, landscaping shall be designed and planted that will define, soften or screen the appearance of off-street parking areas from the public right-of-way and abutting properties and/or structures in order to enhance the physical design of the building(s) or site, and to minimize the encroachment of the proposed use on neighboring land uses.

Environmentally sensitive areas which include wetlands, significant wildlife habitat, unique natural areas and archaeological sites as identified in the Comprehensive Plan should be considered by the Planning Board.

The Board shall assess the proposed activities' impact upon scenic areas and views as identified in the Comprehensive Plan. Where the Board finds that the proposed activity would have an undue adverse effect on identified scenic views, the Board shall require the applicant to minimize such effects.

2. **Relationship of the Proposed Buildings to the Environment:** Proposed structures shall be related harmoniously to the terrain and to existing buildings in the vicinity which have a visual relationship to the proposed buildings so as to have a minimally adverse affect on other environment and the aesthetic qualities of the developed and neighboring areas. The Planning Board shall consider the following criteria.
  - a. Architectural style is not restricted. Evaluation of the appearance of a project shall be based on the quality of its design and relationship to surroundings.
  - b. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
  - c. Mechanical equipment or other utility hardware excluding communication devices on roofs, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located so visibility from any public way is minimized.
3. **Vehicular and Pedestrian Access:** The proposed site layout shall provide for safe entrances and exists from public and private roads by providing adequate locations, numbers and control of access points including site distances, turning lanes, and traffic signalization when required by existing and projected traffic flow on the municipal road system and for pedestrian ways within the development appropriate to the type and scale of the development. The Planning Board shall consider the following criteria.
  - a. **Vehicular Access:** The proposed site layout shall give special consideration to the location, number, and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, and existing or proposed traffic signalization.
    - 1) The proposed development shall provide safe vehicular access to and from public and private streets. The applicant for a development to be located on a parcel of land of ten (10) acres or greater or five hundred (500) feet or

more of frontage on a public street shall file a conceptual Access Master Plan with the Planning Board. The conceptual Access Master Plan shall address the overall use of the parcel, the overall vehicular circulation system within the parcel and the coordination of access into and out of the site. The conceptual Access Master Plan shall demonstrate how the requirements for access as contained in this section will be met.

After the Conceptual Access Master Plan has been filed with the Planning Board, any application for approval shall be consistent with the plan unless a revised plan is filed.

- a) Vehicular access to the site shall be on roads which have adequate capacity to accommodate the additional traffic generated by the development.

The Planning Board may approve a development not meeting this requirement if the applicant demonstrates that:

- (1) A public agency has committed funds to construct the improvements necessary to bring the level of access to this standard, or
  - (2) The applicant shall assume financial responsibility for the improvements necessary and will guarantee the completion of the improvements within one (1) year of approval of the project.
- b) Any exit driveway or driveway land shall be so designed in profile and grading and so located as to provide the following minimum sight distance measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the exit driveway from distances of between 10 and 15 feet behind the curblineline or edge of the shoulder with the height of the eye 3.5 feet to the top of an object 4.25 feet above the pavement.

#### MINIMUM SIGHT DISTANCE

##### Posted Speed Limit

25 mph	250'
30 mph	300'
35 mph	350'
40 mph	400'
45 mph	450'
50 mph	500'
55 mph	550'

- c) Where more than one business or structure is located on a single parcel, all vehicular access to and from a public or private road shall be via a common access or entrance way(s) serving all business and structures except as provided for herein.
  - d) The grade of any exit driveway or proposed street for a distance of fifty (50) feet from its intersection with any existing street will be a maximum of three (3) percent.
  - e) The intersection of any access drive or proposed street will function at a Level of Service of C *or better*, following development if the project will generate 400 or more vehicle trips per 24-hour period or a level which will allow safe access into and out of the project if less than 400 trips are generated.
  - f) Projects generating 400 or more vehicle trips per 24-hour period will provide two or more separate points of vehicular access into and out of the site.
  - g) The Planning Board may require the applicant to conduct a traffic impact study. In making the determination as to the need for a traffic impact study, the Planning Board shall consider the following:
    - (1) the proposed development will generate 100 or more peak hour site trips in the peak direction of flow (inbound or outbound).
    - (2) The existence of a current safety problem in the area: high accident location, confusing intersection, etc.
    - (3) Current or projected capacity deficiencies near the development.
    - (4) Sensitive neighborhood areas adjacent to the development.
    - (5) The proximity of site drives to other drives or intersections.
- 2) Vehicular access to Route 2 & 17 shall comply with the following provisions in addition to the above. Where conflicts exist between this subsection and above, this subsection shall apply.
- a) Where a proposed development is to be located at the intersection of 2 or 17 and a minor or collector road, entrance(s) to and exit(s) from the site shall be located only on the minor or collector road, provided that this requirement may be waived where the applicant demonstrates that existing site conditions preclude the location of a driveway on the minor or collector road, or that the location of a driveway on the minor or collector road would conflict with residential areas.

- b) Curb cuts or access points shall be limited to one per lot for all lots with less than the required road frontage as of the effective date of this ordinance. For lots with greater than 150 feet of frontage, a maximum of one curb cut per 150 feet of frontage shall be permitted to a maximum of two, provided the Planning Board makes a finding that (a) the driveway design relative to the site characteristics and site design provides safe entrance and exit to the site and (b) no other practical alternative exists.
- c) The maximum number of curbcuts to a particular site shall be governed by the following:
  - (1) No low volume traffic generator shall have more than one two-way access onto a single roadway.
  - (2) No medium or high volume traffic generator shall have more than two two-way accesses in total onto Routes 2 or 17.
- d) Curb cut widths and design shall conform to the following standards:
  - (1) Low volume driveways: Defined as driveways with less than 50 vehicle trips/day based on the latest edition of the Institute of Traffic Engineers' Trip Generation Report, as the same may be amended from time to time shall:
    - (a) have two-way operation;
    - (b) intersect the road at an angle as close to 90 degrees as site conditions permit, but at no less than 60 degrees;
    - (c) not require a median;
    - (d) slope from the gutter line on a straight slope of 3 percent or less for at least 50 feet, with a slope no greater than 8 percent except where unique site conditions permit a waiving of the slope standard to 10 percent; and
    - (e) comply with the following geometric standards:

NOTE: The Planning Board may vary these standards due to unique factors such as a significant level of truck traffic.

Item	Desired Value (ft.)	Minimum Value (ft.)	Maximum Value (ft.)
R	15-25*	10	15-25*
W	20-30*	20	24-30*

\*Upper values apply where major street speed and/or volume is high.

- (2) Medium volume driveways with more than 50 vehicle trips/day but fewer than 200 peak hour vehicle trips, based on the latest edition of the Institute of Traffic Engineers' Trip Generation Report, as the same may be amended from time to time, and generally including all land uses not in the low or high volume groups shall:
- (a) have either two-way or one-way operation and be a minimum of 50 feet in length;
  - (b) intersect the road at an angle as close to 90 degrees as site conditions permit, but at no less than 60 degrees;
  - (c) not require a median;
  - (d) slope upward from the gutter line on a straight slope of 3 percent or less for at least 50 feet and a slope of no more than 6 percent thereafter, with the preferred grade being a 4 1/2 percent, depending on the site; and
  - (e) comply with the following geometric standards;

NOTE: The Planning Board may vary these standards due to unique factors such as a significant level of truck traffic.

Item	Desired Value (ft.)	Minimum Value (ft.)	Maximum Value (ft.)
ONE WAY			
R1 (radius)	30	25	40
R2 (radius)	5	5	10
W (drive width)	20-24	20	24
TWO WAY			
R	30	25	40
WS	26-36*	24	30-40*

\*Where separate left and right exit lanes are desirable.

- (3) High volume driveway defined as driveways with more than 200 peak hour vehicle trips and generally 25,000 sq. ft. or more of retail space, or 75,000 sq. ft. or more of office space, or 150,000 sq. ft. or more of industrial space, shall:
- (a) have two-way operations separated by a raised median of 6 to 10 feet in width and be a minimum of 50 feet in length.
  - (b) intersect with the road at an angle as close to 90 degrees as possible but at no less than 60 degrees;
  - (c) be striped for 2 to 4 lanes, with each lane 12 feet wide;

- (d) slope upward from the gutter line on a straight slope of 3 percent or less for at least 75 feet and a slope of no more than 5 percent thereafter;
- (e) have a "STOP" sign control and appropriate "Keep Right" and "Yield" sign controls for channelization; signalization may be required. Level of service and traffic signal warrants should be conducted for all high volume drive-ways; and
- (f) comply with the following geometric standards;

NOTE: The Planning Board may vary these standards due to unique factors such as a significant level of truck traffic.

Item	Desired Value (ft.)	Minimum Value (ft.)	Maximum Value (ft.)
W/O CHANNELIZATION			
R	50	30	50
R	24	20	26
W	6	6	10
W/CHANNELIZATION			
R	100	75	100
WD	24	20	26
M	6	6	10
WR	20	16	20

\*For industrial developments with a high percentage of truck traffic maximum values are desired.

- e) Distance from edge of driveway corner (point of tangency) to edge of intersection corner (point of tangency) shall be as follows:

Driveway	Minimum Corner Clearance (feet)	
	Intersection Signalization	Intersection Unsignalization
Low Volume <50-100 trips/day	150	50
Medium Volume >50-100 trips/day <200 trips/hour	150	50
High Volume >200 trips/hour	500	250

- f) The minimum distance between driveways shall be measured from the center of the driveways and shall be a function of highway need according to the following table. Where these standards would prohibit access to a lot, the Planning Board shall have the authority to waive the minimum spacing standards.

**MINIMUM DISTANCE BETWEEN DRIVEWAYS**

Highway Speed	Minimum Spacing
20 mph	85 feet
25 mph	105 feet
30 mph	125 feet
35 mph	150 feet
40 mph	185 feet
45 mph	230 feet
50 mph	275 feet

- g) Minimum distance between driveways serving the same parcel, measured from point of tangency to point of tangency by type of driveway, shall be as follows:

Minimum Spacing to Adjacent Driveway by Driveway Type			
Driveway Type	Medium feet	High w/o RT feet	High w/RT feet
Medium Volume	75		
High Volume W/O RT (without right-turn channelization)	75	150	
High Volume W/RT (with right-turn channelization)	75	250	500

- h) The minimum distance between driveway to property line, as measured from point of tangency shall be:

Driveway Type	Minimum Spacing to Property Line (ft.)
Low Volume	10
Medium Volume	20
High Volume (without right-turn channelization)	75
High Volume (with right-turn channelization)	75

The minimum spacing to property line may be varied if (1) the safest point of access to the site is closer to the property line and (2) there are at least 20 feet of separation between low volume driveways serving adjacent parcels, 40 feet of separation between medium volume driveways, and 150 feet of separation between high volume driveways.

- i) When the proposed development is to be located on the opposite side of an existing development, the driveway shall be directly opposite of the existing driveway or separated from the opposite driveway by a minimum of seventy-five (75) feet whenever possible.
- j) When a conversion or expansion of an existing use occurs, access shall be upgraded to comply with these standards. This requirement may be waived upon a written finding that (a) the need to demolish or relocate an existing building on the site or (b) denial of full access to Routes 2 or 17 where full access presently exists and cannot be provided by Route 4 or 17 and/or adjacent side street.

#### 4. Parking and Circulation

- a. All streets, public or private, shall conform to or surpass the Town's road standards. The layout and design of all means of vehicular and pedestrian circulation including walkways, interior roads, drives, and parking areas shall provide for safe general circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas, and the arrangement and use of parking areas.
- b. A use shall not be extended and no structure shall be constructed or enlarged unless sufficient off-street parking space is provided that conforms to the following:
  - 1) Parking areas with more than two (2) parking spaces shall be arranged so that it is not necessary for vehicles to back into the street.
  - 2) Where the development will abut an existing or potential parking area, provisions shall be made for internal vehicular connections.

- 3) Parking areas shall be designed to permit each motor vehicle to proceed to and from parking space provided for it without requiring the moving of any other motor vehicle.
- 4) Off-street parking spaces shall comply with the following standards.
  - (a) Except as provided below, each parking space shall contain a rectangular area at least eighteen (18) feet long and nine (9) feet wide. Lines demarcating parking spaces may be drawn at various angles in relation to curbs and aisles, so long as the parking spaces so created contain within them the rectangular required by this section.
  - (b) Up to twenty (20) percent of the required parking spaces needed may contain a rectangular area of only eight (8) feet in width by fifteen (15) feet in length. If such spaces are provided, they shall be conspicuously designated as reserved for small or compact cars only.
- 5) Off-street parking shall be provided to conform with the number required in the following:

Retail	one per 300 sq. ft. of gross floor area
Office	one per 200 sq. Ft. of gross floor area
Wholesale/warehouse	one per 1,200 sq. Ft. of storage or gross floor area
Industrial/Manufacturing	one per employee on maximum working shift
Hotels, motels, tourist homes	one per room plus ½ per employee
Nursing/convalescent homes	½ per bed
Schools	
Elementary	one per classroom
Secondary	5 per classroom
Theaters/auditoria/churches	one per five seats and one space per 100 sq. ft. of area for assembly
Eating and drinking establishments	one per three seats

For those uses not specifically listed or able to be placed into one of the above categories, there shall be sufficient off-street spaces to accommodate the normal parking demand as determined by the Planning Board.

- 6) Required off-street parking for lots which cannot provide their own parking because of location, lot size or other existing development may be substituted by parking facilities which, in the public's interest, may be provided for by the Town of Mexico or private parking resources. No such public or private off-street parking shall be considered as a substitute unless located within 500 feet of the principal building or use as measured along lines of public access.

If the required off-street parking is to be provided by off-site private parking such areas shall be held in fee simple by the owner of the use served, or in other tenure as assures continued availability for parking as long as the particular land will be needed for such use provided that if the tenure is other than ownership in fee simple, the form of the tenure shall be approved by the Town Manager prior to final approval by the Planning Board.

- 7) The joint use of a parking facility by two or more principal buildings or uses may be approved by the Planning Board where it is clearly demonstrated that said parking facilities would substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees of such establishments.
- 8) The use of an existing building for its current use shall be deemed to be in compliance with the off-street parking requirements of this section. However, any change in the use above the first floor or any renovation which increases the floor area shall be required to comply with the required off-street parking requirements for the increased floor area.

5. Surface Water Drainage: Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream water quality, soil erosion, or the public storm drainage system. Whenever possible, on-site absorption of run-off waters shall be utilized to minimize discharges from the site.
6. Existing Utilities: The development shall not impose an unreasonable burden on sewers, sanitary and storm drains, water lines, or other public utilities.
7. Advertising Features: The size, location, design, lighting, and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties and shall not interfere with or obstruct pedestrian or vehicular traffic.

8. Special Features of the Development: Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings, and similar structures shall have sufficient setbacks and screening to provide an audio-visual buffer sufficient to minimize their adverse impact on other land uses within the development area and surrounding properties.
9. Exterior Lighting: All exterior lighting shall be designed to minimize adverse impact on neighboring properties and to insure the safe flow of pedestrian or vehicular traffic.
10. Emergency Vehicle Access: Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times.
11. Municipal Services: The development will not have an unreasonable adverse impact on the municipal services including municipal road systems, fire department, police department, solid waste program, sewage treatment plan, schools, open spaces, recreational programs and facilities, and other municipal services and facilities.
12. Will not result in undue water pollution. In making this determination, it shall at least consider the evaluation of land above sea level and its relation to flood plains, the nature of soils and subsoils and, if necessary, their ability to adequately support waste disposal and/or any other approved licensed discharge; the slope of land and its effect on effluents; the aquifer and aquifer recharge areas; the availability of streams for disposal of surface run-off; and the applicable federal, state and local laws, ordinances, codes, and regulations.
  - a. Phosphorus Export. When required by the Planning Board, projects proposed within the direct watershed of Halfmoon Pond shall be designed to limit phosphorous run-off.
    - 1) Phosphorous export from the proposed development shall be calculated according to the procedures defined in "Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development" (Maine Department of Environmental Protection, September 1989 with revisions in 1992 and as may be revised). Upon request, copies of all worksheets and calculations shall be provided to the Planning Board.
    - 2) Phosphorus control measures shall meet the design criteria contained in "Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development" (Maine Department of Environmental Protection, September 1989 with revisions in 1992 and as may be revised). The Planning Board shall require the reasonable use of vegetative buffers, limits of clearing, and minimizing road lengths, and shall encourage the use of other non-structural measures prior to allowing the use of high-maintenance structural measures such as infiltration systems and wet ponds.

13. Will not result in undue air pollution. In making this determination, the applicant shall consult federal and state authorities to determine applicable air quality laws and regulations, and furnish such evidence to the Board.
14. Have sufficient water available for the reasonably foreseeable needs of the development, or will not cause an unreasonable burden on an existing water supply, if one is to be utilized.
15. Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result.
16. Will provide for adequate sewage waste disposal.
17. Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas.
18. The applicant has adequate financial and technical capacity to meet the above standards.
19. Whenever situated in whole or in part, within 250 feet of any pond, lake, river, or wetland as delineated on the Town of Mexico, Official Shoreland Zoning *Map*, will not adversely affect the quality of such water body or unreasonably affect the shoreline of such body of water, and will be in compliance with the Shoreland Zoning Ordinance of the Town of Mexico.
20. Noise. The proposed development shall not raise noise levels to the extent that abutting and/or nearby residents are adversely affected.
  - a. The maximum permissible sound pressure level of any continuous, regular or frequent or intermittent source of sound produced by any activity shall be limited by the time period and land use which it abuts listed below. Sound levels shall be measured at least 4 feet above the ground at the property boundary of the source.

Sound Pressure Level Limits Using the Sound Equivalent Level of One Minute (leq 1) (measured in dB(a) scale)

	7a.m. - 10p.m.	10p.m. - 7a.m.
Residential	55	45
Commercial	65	55
Industrial	70	60

- b. Noise shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the American National Standards Institutes (ANSA SI 4-1961) "American Standard Specification for General Purpose Sound Meters."

- c. The following uses and activities shall be exempt from the sound pressure level regulations.
  - 1. Noise created by construction and temporary maintenance activities between 6:30a.m. and 8:00 p.m.
  - 2. The noise of safety signals, warning devices and emergency pressure relief valves and other emergency activity.
- 21. The proposed development will not produce offensive or harmful odors perceptible beyond the lot lines, either at ground level or habitable elevation.
- 22. Community Impact: The Planning Board may require the applicant to obtain, at the applicant's expense, a professional review of the impact of the development on off-site public improvements including any new public improvements that may be required to accommodate the development. A one-time "impact fee" may be charged to a new development, by the Town, to accommodate the new development, as determined by the Planning Board through professional review.
- 23. Water Supply. The development will not have unreasonable adverse effects on the quality or quantity of groundwater.
- 24. Erosion Control. The development will not cause undue sedimentation or erosion. A soil and water conservation plan reviewed by the Oxford County Soil and Water Conservation District may be required.
- ~~25. Pollution Control. The development will not cause undue air or water pollution.~~
- 25. Floodplain Protection. The proposed development will avoid problems associated with floodplain development and use.
- 26. The proposed development is in conformance with the Comprehensive Plan and other applicable ordinances.

**SECTION VI SPECIAL REGULATIONS**

- A. The following regulations shall be complied with, in addition to the performance standards contained in Section V of this Ordinance.
- B. Downtown Development District
  - 1. The purpose of this District is to provide for greater flexibility in development review, to encourage business development, the utilization of vacant and/or underutilized space, maintain historic values and implement the policies of the Comprehensive Plan.

2. The Downtown Development District shall include the following areas as designated on the Downtown Development District map dated June 1996.
3. Review of Uses Requiring Site Plan Review:  
In the Downtown Development District the Code Enforcement Officer may approve a CEO Site Plan Review Application, if after an application is submitted (pursuant to Section IV) the Code Enforcement Officer, after written findings, finds the following:
  - a. The proposed use will occupy an existing structure;
  - b. The structure and/or property has been used for a similar use as determined by the Code Enforcement Officer within the past 12 months from the date of application;
  - c. There are no external alterations to the property which would create additional floor space;
  - d. The hours of operation shall be similar to the previous use;
  - e. Parking standards as contained in Section V.A.4. will be met.
  - f. If the Code Enforcement Office finds that the above standards will not be met, a Site Plan Review Application must be approved by the Planning Board.
4. First time signs and signs that replace existing signs in the Downtown Development District shall comply with the following:
  - a. In the case of a multi-tenant development, it shall be the responsibility of the owner or property manager of such premise to allocate sign space upon the premise, under the terms of this section.
  - b. On each premise, there shall be permitted one (1) wall or roof sign affixed to the exterior of the structure for each occupancy under common ownership, operation, or control therein. Such signs shall not occupy more than twenty (20) percent of the wall to which it is attached or is above. For the purpose of this section, wall is defined as the facade of the building up to the roof line excluding windows, doors, and major architectural features.
  - c. Window and door signs are allowed without regard to the percentage of the door or window in which they are displayed.
  - d. One projecting sign is permitted per structure, projecting signs shall extend no lower than ten (10) feet above ground level, projecting from the wall at an angle of ninety (90) degrees. No projecting sign shall exceed twenty-four (24) square feet.

- e. One free standing sign is permitting per lot. No free standing sign shall be greater than twenty-four (24) square feet.
- f. Awning and canopy signs are permitted. Canopies over fuel islands shall only advertise fuel and fuel products.
- g. Signs shall be illuminated only by the following means:
  - 1. A steady, stationary light(s) of single color shielded and directed solely at the sign and not casting light off the premises.
  - 2. Interior, non-exposed, white lights of reasonable intensity.

### C. Home Occupations

Home Occupations which do not meet the criteria contained in Section III.B4.a-e shall obtain a permit from the Planning Board and comply with the following conditions:

- 1. The business must be incidental and secondary to the primary residential use of the premises;
- 2. At least one member of the residential household must own the business and be actively involved *in the* business and have control over the business activities. There will be not more than two full or part-time employees working on the premises, other than immediate family members residing on the premises;
- 3. The appearance of the structure or accessory structure may not be altered, except as provided under subsection 4 below and the occupation within the residence must be conducted in a manner that would not cause the residence to differ from its residential character by means of colors, lights or sounds;
- 4. Additions to the residence or accessory structure for the express purpose of a home occupation shall be constructed and finished in the same manner as the original structure such that the character and appearance of the principal structure is maintained.
- 5. Retail sales shall be limited to the sale of products or goods produced, fabricated or substantially altered on the premises as a result of the home occupation. This may include products that are not manufactured on the premises as defined above, but which are customarily incidental to the product created by the home occupation.
- 6. There is adequate off-street parking on the premises for customer or client use.
- 7. There is no objectionable increase in commercial vehicle traffic over that traffic normal for the neighborhood.

8. It does not adversely affect any natural resource or environmentally sensitive area including, but not limited to, a wetland, aquifer, watercourse, or water body.
9. The home occupation shall not generate any nuisance, waste discharge, offensive noise, vibration, smoke, dust, odors, heat, glare, radiation, fumes, or electrical interference detectable to the normal senses or which interferes with normal radio or television reception, or causes other nuisances which extend beyond the limits of the subject property. All waste material from the home occupation shall be removed promptly from the premises, according to state laws and local ordinances.

#### D. Specific Standards

##### 1. Mineral Extraction

- a. Any gravel pit which requires a permit from the Maine Department of Environmental Protection under the Site Location of Development Act shall obtain written approval from the Department of Environmental Protection and approval by the Planning Board under the Site Plan Review procedures of this Ordinance. In addition to the submissions requirements contained in Section IV.C., the application and development plan shall include items 1-15 in Section D.1.c. below.
- b. Any gravel pit or mineral extraction activity which will excavate more than one acre of land or which does not require a permit from the Maine Department of Environmental Protection shall require a permit from the Planning Board. In addition to the submissions requirements contained in Section IV.C., the application and development plan shall include items 1-12 in Section D.1.c. below.
- c. Submission Requirements
  1. The existing and proposed limits of excavation clearly delineated.
  2. Location, function and ground area of all structures, facilities, (processing equipment such as crushers, washers, screeners, and hot-mix asphalt facilities) parking lots, roads, and mud run-off areas.
  3. Entrance and exit layout.
  4. Gates or other means for controlling access.
  5. Pre- and post-development topography using an interval of ten foot contours for pits of less than five (5) acres and no greater than 10 foot contours for pits of five (5) acres or more if deemed necessary by the Planning Board.

6. Location of topsoil stockpile areas. Sufficient topsoil shall be salvaged for reclamation purposes.
7. Areas where natural vegetation will be left and where plantings will be made to screen the operation from view.
8. Slopes and vegetation for protecting adjacent structures.
9. Location of any test pits or borings and observation wells documenting the seasonal high water table.
10. Proposed disposal method or stumps and grubblings.
11. Plans and schedule for reclamation.
12. A spill prevention, control and countermeasure plan to control spills of petroleum products and other hazardous materials.
13. The phases of excavation and reclamation.
14. Surface drainage and watersheds on parcel, pre- and post-excavation.
15. For pits of five (5) acres or more, at least one cross section along the long axis of the pit and another cross section at a right angle to it. The cross section diagrams should show the existing grade, the proposed final grade including maximum depth of elevation, depth to ground water and the stratigraphy of the surficial deposits at the site.

d. Review Criteria and Standards

1. A natural buffer strip of not less than 50 feet shall be maintained between the location of any extraction of materials and all property lines. The existing vegetation within the natural buffer strip shall not be removed. This buffer strip may be reduced to 10 feet with written consent from abutting property owners and the Planning Board. The Planning Board may reduce the front setback to twenty five feet from the right-of-way of a public road, if in the opinion of the Planning Board, suitable buffers and fencing are provided.
2. Buffers may be eliminated between abutting properties containing pits provided the Planning Board is shown proof of written permission of the abutting pit owners.
3. All petroleum products shall be kept out of the pit and no refueling or oil changes shall be conducted in the pit unless such activities comply with applicable standards promulgated by the Maine Department of Environmental Protection and a spill prevention, control and countermeasure plan is provided.

4. There shall be no storage or dumping on the pit of any substances that could produce harmful leachate, unless such substances are placed under cover and on impermeable, spill-proof base. Such potentially deleterious substances include, but are not limited to salt, rubbish, creosote timber and petroleum products.
5. No oiling of access and haul roads is permitted.
6. No excavation within five (5) feet of the seasonal high water table may occur at any site unless sufficiently detailed information is submitted documenting the pre and post development contours of the seasonal high water table. Based upon seasonal ground water information, the Board may permit excavation to within two (2) feet of the seasonal high water table provide ground water will not be adversely affected. In lieu of pre and post development contours of the seasonal high water table, the Planning Board may approve a ground water monitoring program. Such a ground water monitoring program must include the following:
  - a. a benchmark sufficient to verify the location of the seasonal high water table;
  - b. one test pit or monitoring well must be established for each five acres of unreclaimed land;
  - c. submittal of spring and fall monitoring reports documenting the seasonal high water table shall be submitted to the Planning Board within 14 days of such readings.
7. No ditches, trenches, pumping or other methods shall be used to lower the water table to permit more gravel extraction than could occur under natural conditions unless a plan for such activities has been approved by the Maine Department of Environmental Protection and the Planning Board.
8. Access to the pit shall be strictly controlled.
9. All final reclaimed slopes shall not exceed a horizontal to vertical ratio of 2:1.
10. The affective land shall be restored to a condition or physical state which either is similar to or compatible with that which existed prior to extraction, or encourages the future productive use of the land.

The pit shall be reclaimed in phases so that the working pit (operation phase) does not exceed five (5) acres at any time.

Upon the completion of excavation, the side slopes of the pit shall be regraded within thirty (30) days. The thirty-day time limited by the extended with cause with a permit issued by be Code Enforcement Officer.

11. Stumps and grubblings shall be disposed of in a manner approved by the Planning Board and in conformance with all applicable State of Maine regulations.
12. Upon cessation of the extraction of materials or upon the expiration of the Planning Board approval, the site shall be rehabilitated in accordance with a plan approved by the Board.
13. Unless authorized pursuant to the Natural Resources Protection Act, Title 38, M.R.S.A., Section 480-C no part of any extraction operation, including drainage and runoff control features shall be permitted within one hundred (100) feet of the normal high-water line of a great pond classified GPA, and within seventy-five (75) feet of the normal high-water line of any other water body, tributary stream, or the upland edge of a wetland as defined.

- E. The Planning Board shall utilize the following standards in addition to the other criteria contained in this Section for reviewing development applications located on a mapped sand and gravel aquifer.

The boundaries of the sand and gravel aquifers shall be delineated on the Sand and Gravel Aquifer Map prepared by the Maine Geological Survey labeled Map 33 and dated 1981. When boundaries of the sand and gravel aquifer are disputed due to the lack of sufficient detail on the available maps, the applicant, the applicant or agent may submit hydrological evidence prepared by a geologist, certified in the State of Maine, which identifies actual field locations of the aquifer boundaries within the project area.

1. No use shall dispose of other than normal domestic waste water on site without approval of the Planning Board. Disposal of waste water shall be in strict compliance with the Maine Subsurface Wastewater Disposal Rules and other relevant State and local laws, rules, and ordinances.
2. Indoor use or storage facilities where hazardous materials, wastes, or other liquids with the potential to threaten groundwater quality are used or stored shall be provided with containment which is impervious to the material being stored and have the capacity to contain 10 percent of the volume of the containers or 110 percent of the volume of the largest container, whichever is larger.
3. Petroleum and other hazardous material storage and transfer. A Spill Control and Countermeasure Plan shall be submitted and approved by the Planning Board.

4. In those areas identified as sand and gravel aquifers as defined in subsection E above, the following newly established land uses are prohibited unless the Planning Board finds that no discharges will occur such that water quality at the property line will fall below State Drinking Water Standards and all provisions of this Ordinance.

- dry cleaners
- photo processors
- printers
- auto washes
- laundromats
- meat packers/slaughter houses
- salt piles/sand-salt piles
- wood preservers
- leather tanning
- electrical equipment manufacturers
- plastic/fiberglass fabricating
- chemical reclamation facilities
- industrial waste disposal/impoundment areas
- graveyards
- chemical manufacturing
- pesticide/herbicide stores
- metal platters
- concrete/asphalt/coal companies

## **SECTION VII APPLICATION REVIEW**

- A. The application shall be filed with the Planning Board for review. Within 30 days of filing of an application, the Planning Board shall notify the applicant in writing either that the application is a complete application or, if the application is incomplete, the specific additional material needed to make a complete application. After the Planning Board has determined that a complete application has been filed, it shall notify the applicant in writing and begin its review of the proposed development.
- B. The Planning Board may hold a public hearing within 30 days of the filing of a complete application. The Planning Board shall publish the time, date, and place of the hearing at least two times, the date of the first publication to be at least seven days prior to the hearing in a newspaper of area wide circulation. The abutting landowners shall be notified by the Planning Board of the hearing. Public hearings by the Planning Board shall be conducted according to the procedures outlined in Title 30-A M.R.S.A. Section 2691, Subsection 3 (A), (B), (C), (D), and (E).
- C. Within 30 days of the public hearing or 60 days of receiving a complete application, the Planning Board shall either approve the application, approve the application with conditions, or disapprove the application. The time limit for review may be extended by mutual agreement between the Planning Board and the applicant.

- D. Within seven (7) days of reaching their decision, the Planning Board shall notify the applicant in writing of any action taken and the reason for taking such action.
- E. The Planning Board may impose conditions on any site plan approval where the Board finds that such conditions are necessary to insure that the development will comply with the criteria and standards of this Ordinance. All elements and features of the plan and all representations made by the applicant concerning the development and use of the property which appear in the record of the Planning Board proceedings are conditions of approval. No change from the conditions of approval is permitted unless an amended plan is first submitted to and approved by the Planning Board.
- F. Where the Planning Board makes written findings that the applicant will incur an unreasonable economic or other hardship if certain of the criteria or standards of this Ordinance are strictly applied, the Board may waive the necessity of strict compliance in order to permit a more practical and economical development, provided that the public health, safety and welfare will not be compromised and provided no other standards of this Ordinance are waived.

## **SECTION VIII ENFORCEMENT**

- A. The Code Enforcement Officer shall act in all cases of violations of this Ordinance by notifying, in writing, the owner or lessor of the development and the Selectmen of the nature of the violation and the correction of the same, if possible. Said notification shall be deemed to have been made when sent to the owner or lessor by certified mail.
- B. The Selectmen are charged with the prosecution for all violations of the provisions of the Ordinance. In cases where such notices referred to in Paragraph VIII A, above, are not promptly complied with after receipt of said notices, the Selectmen shall make such complaints to the courts as, in their judgement, are proper, or may institute such actions or proceedings at law or in equity as are proper to restrain, correct, remove or punish such violations.
- C. Any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply with any of the requirements thereof, shall be fined not less than \$100.00 nor more than \$2,500.00 as provided by State law. Each day on which the violation shall continue shall constitute a separate offense.

## **SECTION IX APPEALS**

- A. If the Planning Board or Code Enforcement Officer disapproves an application or grants approval with conditions that are objectionable to the applicant, or any abutting landowner or any aggrieved party, or when it is claimed that the provisions of the Ordinance does not apply, or that the true intent and meaning of the ordinance has been misconstrued or wrongfully interpreted, the applicant, an abutting landowner, or aggrieved party may appeal the decision of the Planning Board in writing to the Board of

Appeals within 30 days of the Board's decision. If it is shown after public hearing that the Planning Board or Code Enforcement Officer erred in the interpretation of this Ordinance in making a final decision, the Board of Appeals may affirm, amend or reverse the decision of the Planning Board or Code Enforcement Officer.

## SECTION X DEFINITIONS

Abutting Landowners: Owners of any lot which is physically contiguous with the lot in question even if only at a point and any lot which is located across a public or private street or way from the lot in question.

Agricultural Land Management Practices: Means those devices and procedures utilized in the cultivation of land in order to further crop and livestock production and conservation of related soil and water resources.

Accessory Use or Structure: A subordinate use of a building, other structure or land, or a subordinate building or other structure:

1. whose use is customary in connection with the principal building, other structure or use of land; and
2. whose use is clearly incidental to the use of the principal building, other structure or use of land; and
3. which is located on the same lot with the principal building, other structure or use of land, or on a lot adjacent to such lot if in the same ownership or part of the same establishment.

Building: Any structure having a roof or partial roof supported by columns or walls used for shelter or enclosure of person, animals, goods or property of any kind.

Campground: An area or tract of land to accommodate two (2) or more parties in temporary living quarters, including but not limited to tents, recreational vehicles, or other shelters.

Change in Use: The conversion of a building or parcel of land from one type of non-residential use to any other type of non-residential use. By way of example, the change from retail to office or retail to restaurant.

Commercial: Connected with the buying or selling of goods or services or the provision of facilities for a fee, exclusive of rental or residential buildings and/or dwelling units.

Dwelling Unit: A room or group of rooms designated and equipped exclusively for use as living quarters for one family including, provisions for living, cooking, and eating.

**Forest Management Activities:** Includes timber cruising and other forest resource evaluation activities, pesticide application, timber stand improvement, pruning, timber harvesting, and other forest harvesting, regeneration of forest stands, and other similar associated activities, but not the construction, creation, or maintenance of land management roads.

**Freestanding Sign:** Any sign supported by structures or supports that are placed on, or anchored in the ground and that are independent from any building or other structure.

**Home Occupation:** An occupation or profession which is customarily conducted *results in a product or service and is conducted in whole or in part* on or in a residential structure, *accessory structure to a residential use* or property which is:

1. clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and
2. which employs no more than two (2) persons other than family members residing in the home.

**Industrial:** Connected with the assembling, fabrication, finishing, manufacturing, packaging, or processing of goods of the extraction of minerals.

**Institutional:** A building devoted to some public, governmental, education, charitable, medical or similar purpose.

**Mineral Extraction:** Any operation which within any twelve (12) successive month period removes more than 5,000 cubic yards of soil, topsoil, loam, sand, gravel, clay, peat, or other like material from its natural location, and to transport the product removed away from the extraction site.

**Persons:** Means any person, firm, association, partnership, corporation, municipal or other local governmental entity, quasi-municipal entity, state agency, educational or charitable organization or institution, or other legal entity.

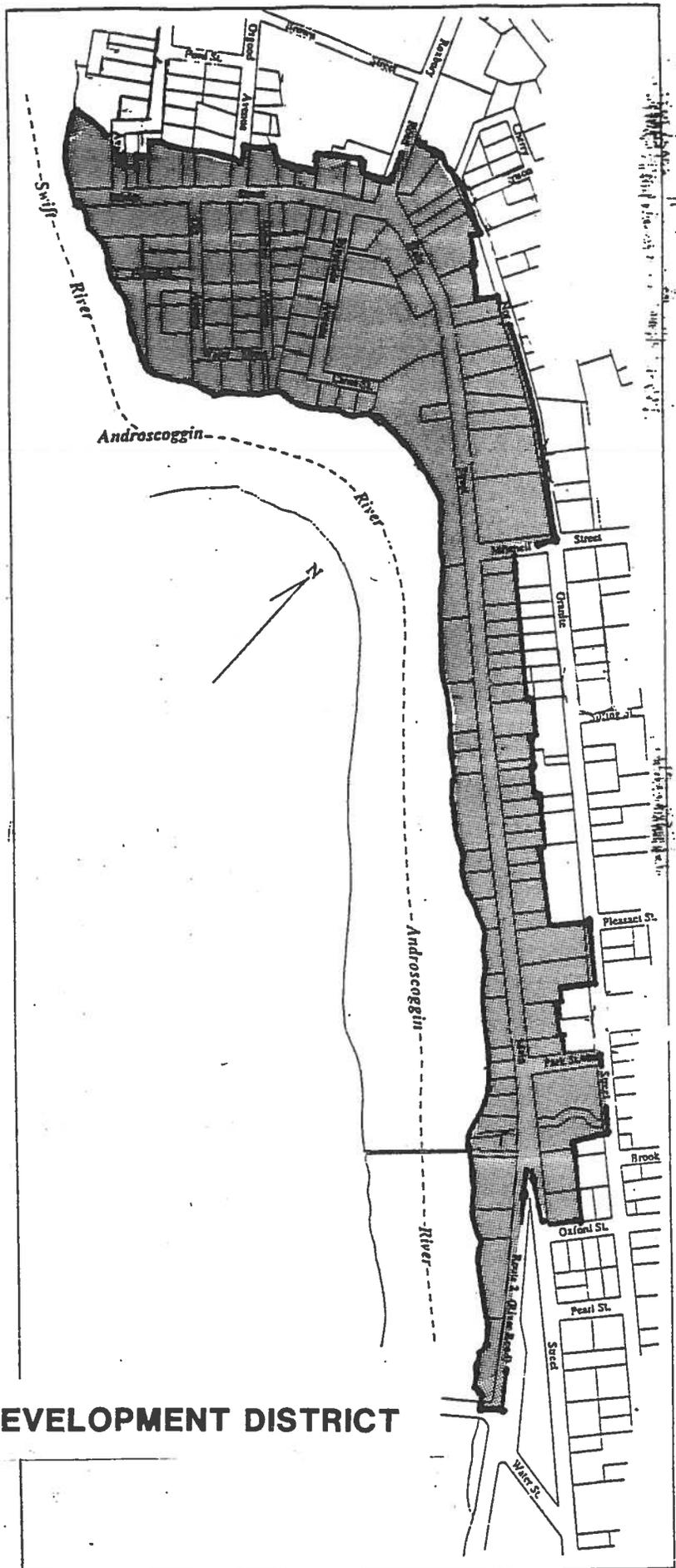
**Projecting Sign:** Any sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall.

**Recreational Vehicle:** A vehicle or vehicular attachment for temporary sleeping or living quarters for one or more persons, which is not a dwelling and which may include a pick-up camper, travel trailer, tent trailer, or motor home.

**Retail:** Connected with the sale of goods to the ultimate consumer for direct use and consumption, and not for trade.

**Roof Sign:** Any sign erected and constructed wholly on and over the roof of a building, supported by the roof.

**Sign:** Any device, fixture, placard or structure that uses any color, form, graph, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.



**DOWNTOWN DEVELOPMENT DISTRICT**

**Structure:** Anything constructed, erected or placed on the ground which is permanent, temporary, or mobile. Structure(s) include, but are not limited to: building(s), mobile homes, recreational vehicles, piers, floats, and storage and processing facilities. Boundary walls, fences and flag poles are not considered structures.

**Substantial Construction:** Completion of thirty (30) percent of a permitted structure or use measured as a percentage of the estimated cost.

**Substantial Enlargement:** An expansion by either 1,000 square feet or 25 percent in area (whichever is less provided such expansion involves at least 500 square feet) within any five (5) year period, with regard to floor space capacity or outdoor storage area.

**Use:** Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; also any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

**Wall Sign:** Any sign attached parallel to, but within six (6) inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall or any building or structure, which is supported by such wall or building and which displays only one sign surface.

**Wetlands:** Freshwater swamps, marshes, bogs and similar areas which are inundated or saturated by surface or ground water at a frequency and for a duration sufficient to support, and which under normal circumstances do support, a prevalence of wetland vegetation typically adapted for life in saturated soils.

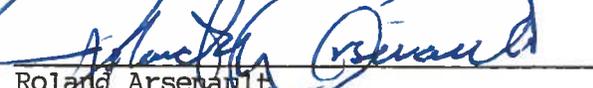
Signed:

  
\_\_\_\_\_  
Brian Elliott, Chairman

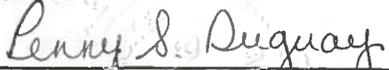
  
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Arthur Bordeau

  
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Robert Lyons

  
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Louise Waterhouse

  
\_\_\_\_\_  
Roland Arsenault

**BOARD OF SELECTMEN  
TOWN OF MEXICO**

**ATTEST:**   
\_\_\_\_\_  
Penny S. Duguay, Town Clerk