

Legal Notice

TOWN OF NORTH BERWICK PUBLIC HEARING THURSDAY, January 25, 2024 - 6:30 P.M. TOWN HALL ROOM 212

Planning Board Proposed Zoning Ordinance Amendments Public Hearing

The Planning Board will hold a Public Hearing in the Town Hall Room 212 room, pursuant to 1.5.3 of the North Berwick Zoning Ordinance Amendments. The Public Hearing will be held on the following Proposed Amendments to Zoning Ordinance:

Proposed Zoning Amendments to include;

1. Proposed Zoning Ordinance Amendments to Comply with New State Housing Law to the following sections:
 - Table of Contents
 - Article 1.2 - Purposes
 - Article 1.4.3 - General
 - Article 1.5.2 – Effective Date
 - Article 2.1 – Zoning Districts
 - Article 2.2 – Locations of Districts
 - Article 3.2 – Definitions
 - Article 4.1.8 – Village C Overlay District
 - Article 4.2.a – Principal Building
 - Land Use Table
 - Dimensional Requirements Table 4.3
 - Article 5.1.17 – Sanitation and Potable Water Standards
 - Article 5.2.8 – Animal Husbandry
 - Article 5.2.16 – Affordable Housing Standards
 - Article 5.2.20 – Accessory Dwelling Unit Standards
 - Article 6.3.9 – Specific Limitation on Growth Management Permits
 - Zoning Maps

2. Article 3 – Definitions. Amend the ordinance Solar Energy System; Residential, Commercial and Utility definition to clarify that a Commercial Solar system is for use of properties located with the boundaries of North Berwick and to add to the list of acceptable uses a collaborative of 2-10 single family dwellings to be consistent with Maine PUC rules and regulations. The amendment also limits commercial Solar Energy systems to no more than 1 acre of surface area with Planning Board review and approval.

Copies of the proposed amendments can be viewed in the Code Enforcement Office during regular scheduled hours or on the Town's website: townofnorthberick.org.

The Planning Board encourages all interested persons to attend this Public Hearing.

TOWN OF NORTH BERWICK
PROPOSED ZONING ORDINANCE AMENDMENTS
TO COMPLY WITH NEW STATE HOUSING LAW

I. The Town of North Berwick Zoning Ordinance is proposed to be amended by adding the words shown in underline and removing the words shown in strikethrough, as follows:

Table of Contents

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4.1.8 Village C Overlay District <u>Reserved</u>	4-4
...	
5.1.17 <u>Sanitation and Potable Water Standards</u>	5-11
...	
5.2.16 Affordable Housing <u>Development</u> Standards (Village C Overlay District)	5-44
...	

ARTICLE 1 - GENERAL

1.2. Purposes

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- i. To reduce the adverse off-site impact of development thereby increasing the cost of municipal facilities, maintenance and improvement; ~~and~~

- j. To affirmatively further the purposes of the Federal Fair Housing Act, 42 U.S.C. ch. 45, as amended, and the Maine Human Rights Act to achieve the applicable statewide or regional housing production goal established by the Maine Department of Economic and Community Development; and

- k. To accomplish the above objectives with the least possible regulation.

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1.4 NON-CONFORMANCE

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1.4.3. General

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- f. The construction of an accessory dwelling unit (ADU) in accordance with Section 5.2.20 does not constitute an expansion, enlargement, change of use, or unlawful continuance of a non-conforming use or a nonconforming structure.

1.5.2 Effective Date; Date of Applicability

- a. **Effective date of Ordinance and Ordinance Amendments; Date of Applicability of Ordinance Amendments:** This Ordinance shall be known as the "Zoning Ordinance of North Berwick Maine" adopted and effective by vote of the Town meeting on 11 March 1978 and subsequent amendments adopted pursuant to this ordinance. The Shoreland Zoning Sections of this Ordinance shall not be effective unless approved by the Commissioner of the Department of Environmental Protection. Notwithstanding 1 M.R.S.A. § 302, the date of applicability of amendments to this Ordinance adopted and effective by vote of the Town meeting on April 13, 2024, shall be July 1, 2024.

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ARTICLE 2 – ESTABLISHMENT OF DISTRICTS

2.1 Zoning Districts

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- h. ~~Village C Overlay District~~
- ih. Residential District 1
- ji. Residential District 2
- kj. Farm and Forest District
- lk. Commercial II District
- ml. Industrial District
- nm. Limited Commercial District
- on. Aquifer Protection Zone A
- po. Aquifer Protection Zone B

2.2 Location of Districts

Districts are located and bounded as shown on an Official Zoning Map entitled "Zoning Map of North Berwick, Maine", dated ~~April 2001~~ July 1, 2024, and any other official zoning maps and overlays showing zoning boundaries. One copy of each official zoning map shall be signed by the Town Clerk and Planning Board Chair and filed in the Office of the Town Clerk. The Official Map shall be signed by the Town Clerk and Chairman of the Planning Board at the time of adoption or amendment and filed in the Town Clerk's Office. Additional copies of official zoning maps and overlays may be seen in the Selectmen's office.

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ARTICLE 3 – CONSTRUCTION OF LANGUAGE AND DEFINITIONS

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3.2 Definitions

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Accessory dwelling unit (ADU): A self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same lot.

~~**Affordable Housing:** Means decent, safe and sanitary dwellings, apartments or other living accommodations for low income and moderate income households. The Maine State Housing Office of Community Development in consultation with the Maine State Housing Office shall define "affordable housing" by rule. Affordable housing includes, but is not limited to:~~

- ~~a. Government assisted housing;~~
- ~~b. Housing for low income moderate income families;~~
- ~~c. Manufactured housing;~~
- ~~d. Multifamily housing; and~~
- ~~e. Group and Foster Care facilities.~~

~~**Affordable housing development:** (1) For rental housing, a development in which a household whose income does not exceed 80% of the area median income can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and (2) for owned housing, a development in which a household whose income does not exceed 120% of the area median income can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs. For purposes of this definition, "housing costs" means: (a) for a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and (b) for an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.~~

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~~**Area median income:** The midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing and Urban Development ("HUD"). For purposes of this definition, "region" is the HUD-designated metropolitan area that includes the Town of Buxton.~~

~~...~~

~~**Base density:** The maximum number of dwelling units allowed on a lot not used for affordable housing development based on the applicable minimum lot area in the zoning district where the lot is located.~~

~~...~~

~~**Centrally managed water system:** A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, *Rules Relating to Drinking Water*. This water system may be privately owned.~~

~~...~~

~~**Certificate of occupancy:** The municipal approval for occupancy granted pursuant to 25 M.R.S. § 2357-A or the Maine Uniform Building and Energy Code adopted pursuant to Title 10, chapter 1103.~~

~~...~~

Comparable sewer system: Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*.

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Designated growth area: Any area within the Village A, Village B, Village Center, Commercial, Commercial II and Residential I zoning districts.

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Home Occupation: an occupation which is carried on in a dwelling unit or structure accessory to a dwelling unit, other than an accessory dwelling unit (ADU), that is clearly incidental and secondary to the use of the dwelling for residential purposes and which does not change the character thereof. Home occupations may include the selling of products raised or produced on the premises. This shall not permit the reselling of goods and products purchased or obtained elsewhere. Home occupations may be conducted from a single office which provides professional services located within the home.

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~~**In-Law:** One or more persons who are related by blood or marriage.~~

~~**In-Law Accessory Apartment:** An apartment contained in or attached to a single-family dwelling or accessory structure that was permitted pursuant to the requirements of this zoning ordinance prior to July 1, 2024 which meets the standards of Article 5.2.20.~~

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Potable: Safe for drinking as defined by the U.S. Environmental Protection Agency's (EPA) Drinking Water Standards and Health Advisories Table and Maine's interim drinking water standards for six different perfluoroalkyl and polyfluoroalkyl substances (PFAS), Resolve 2021 Chapter 82, Resolve, To Protect Consumers of Public Drinking Water by Establishing Maximum Contaminant Level for Certain Substances and Contaminants.

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ARTICLE 4 – DISTRICT REQUIREMENTS

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4.1.8 – Village C. Overlay District Reserved

Purpose

- ~~a. To support the opportunities to purchase safe and sanitary housing by North Berwick households who earn 80% or less of the median household income in Town such as, but not limited to, local school teachers and Town employees;~~
- ~~b. To require that houses built and sold as affordable will remain so for at least 30 years under appropriate deed restrictions;~~

~~e. To require that the siting and appearance of affordable houses will be similar to other houses in the area, thus supporting the long term property values of the neighborhood.~~

4.2 GENERAL REQUIREMENTS

The following requirements shall apply to all districts:

a. **Principal Building/Use:** If more than one principal building/use is constructed on a single parcel of land, all dimensional requirements shall be met separately for each principal building/use.

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LAND USES

KEY: NO = Not permitted YES = Permitted (Code Enforcement Officer Building Permit Required) NA = Not Applicable CU = Conditional Use Permit Required
 CEO = Code Enforcement Officer Conditional Use Permit Required (see Section 6.86.9 for details of Planning Board and CEO reviews)

Village Center	Village A,B	Resrce protect	Shorel'd Lim.Res	Shorel'd Stream	Shorel'd General	Residen Dists.	Farm/ Forest	Commc'l Dist.	Commc'l II	Indust. Dist.
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RESIDENTIAL											
Single family dwelling	YES	YES	NO	CEO	NO	CU	YES(1)	YES(1)	CU	YES	NO
Two family dwelling	YES	YES	NO	CU	NO	CU	YES(1)	YES(1)	CU	YES	NO
Affordable 1 & 2 family dwellings(4)	NO	CU(3)	NO	NO	NO	NO	NO	NO	CU	CU	NO
<u>Affordable housing development</u>	<u>CU</u>	<u>CU</u>	<u>NO</u>	<u>CU</u>	<u>NO</u>	<u>CU</u>	<u>CU(1)</u>	<u>CU(1)</u>	<u>CU</u>	<u>CU</u>	<u>NO</u>
Multi family dwelling (4)	YES(4)	CU(4)	NO	CU	NO	CU(4)	CU(1)	CU(1)	CU	CU	NO
In Law Accessory Apartment	CU	CU	NO	CU	CU	CU	CU	CU	CU	CU	NO
<u>Accessory dwelling unit (ADU)</u>	<u>YES</u>	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>NO</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>YES</u>	<u>NO</u>

...

- (1) Residential subdivisions proposed to be located on open fields or pastures (whether or not they are actively used), shall be laid out according to the clustering approach described in sections 5.2.5 and 5.2.13 below.
- (2) Residential district 1 only
- (3) ~~Village C overlay district only. See table 4.3 for dimensional requirements and Article 5.2.16 Affordable Housing Standards.~~
- (4) ~~Nothing herein prevents affordable housing from being built outside the Village C overlay district that are not subject to the requirements of Article 5.2.16.~~

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<u>Structures accessory to permitted uses, other than ADUs</u>	YES	YES	CEO	YES	CEO	CEO	YES	YES	YES	YES	YES
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Table 4.3 DIMENSIONAL REQUIREMENTS

Lots in all districts shall meet or exceed the following minimum requirements. (Additional area may be required by other provisions of this ordinance.)

~~Strikethrough to be removed~~
Underline to be added

see notes all zones	Resrc prot. distr. (i)	ShrInd limit. resid. dist.	ShrInd Gen. devel.	ShrInd stream prot.	Comm II & Industrial	Resid. distr. 1	Resid. distr. 2	Farm & Forest	Vill. Ctr. & Comm'l	Vill. A distr.	Vill. B distr.	Vill. C overlay	*Aquifer Protection Zone A&B
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Minimum lot size (sq.ft.) without public water & sewer	j, p	a,o,r	60,000 o,r, *	40,000 o,r,s,	60,000 o,r, *	40,000 k	40,000 k	80,000	160,000 *	20,000 k, m	20,000 k	30,000 k	20,000 k, m	4 Acres (174,240)
" With public water & <u>public sewer</u>	p	o, r	o, r	o,r,s	o, r					10,000 k, m			10,000 k, m	und. distr.
<u>Affordable Housing Dev. lot size per unit (5.2.16) without public water and public sewer</u>						<u>16,000</u> (Comm II)	<u>16,000</u>			<u>8,000</u>	<u>8,000</u>	<u>12,000</u>		
<u>Affordable Housing Dev. lot size per unit (5.2.16) With public water and public sewer</u>									<u>4,000</u>					
Minimum road frontage (feet)	b,e		200	100	100	100	150	200	300	25	100	125	und. distr.	300
Minimum shore frontage (feet)	b	q	200(q)	200(q)	200(q)	200	200	200	300	200	200	200	200	und. distr.
Minimum yard dimensions (feet) Front setback	c		50	50	50	50/30 (1)	50	80	100	10	35	50	-50	und. distr.
Side setback	l		25	20	20	100/20 (d,g,2 Indus)	35	60	75	0 (d)	20 (g)	25 (g)	und. distr.	und. distr.
Rear setback			25	25	25	20(d,g)	50	60	75	10 (d)	25 (g)	30 (g)	und. distr.	und. distr.
Rear setback when abutting a Residential Use Only applies to Commercial and Industrial Uses			30	30	30	100(g)	60	75	100	10	30	35	-25	und. distr.
Shoreland setback from normal high water	t		100	75(n)	100	200	100	100	100	75		100	100	und. distr.
Maximum lot coverage Residential for structures	h		10%	70%	25%	25%	10%	5%	5%	80%	25%	25%	30%	und. distr.
" Non-residential for structures	h		10%	70%	40%	50%	20%	10%	10%	80%	40%	40%(l)	35%	und. distr.
Max. building <u>building</u> height (feet)			35	35	35	35	35	35	35	35	35	35	35	35
Max. floor to area ratio (FAR)										240%				

(1) 50/30 = 50 feet from abutting residential lot
30 feet from abutting non-residential lot

(2) 100/20 = 100 feet from abutting residential district
20 feet from abutting non-residential district

* See Aquifer Protection District Requirements

ARTICLE 5 – PERFORMANCE STANDARDS

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5.1.17. Sanitation and Potable Water Standards. The standards in this Section 5.1.14 apply to all dwelling units (including affordable housing development units) and accessory dwelling units. Prior to the issuance of a certificate of occupancy, the permit holder must provide written verification to the Code Enforcement Officer that the unit is connected to adequate water and wastewater services, as follows:

- a. If a unit is connected to a public, special district, or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system.
- b. If a unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by a local plumbing inspector pursuant to 30-A M.R.S.A. § 4221. Plans for a subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 22 M.R.S.A. § 42.
- c. If a unit is connected to a public, special district, or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit.
- d. If a unit is connected to a well, proof of access to potable water, including the following standards:
 - i. The well shall be sited and constructed to prevent infiltration of surface water and contamination from subsurface waste water disposal systems and other known sources of potential contamination.
 - ii. Site design shall allow for placement of wells, subsurface waste water disposal areas, and reserve sites for subsurface waste water disposal in compliance with 10-144 C.M.R. Ch. 241, the Maine Subsurface Waste Water Disposal Rules.
 - iii. Proposed activities involving sources of potential contamination, including junkyards, automobile graveyards, gas stations, and bulk storage of petroleum products, must be located at least 300 feet from existing private and public water supplies.
 - iv. For subdivisions and commercial, industrial and other non-residential development, the applicant shall demonstrate that there is sufficient healthful water supply to serve the needs of the project.
 - v. When a project is to be served by a public water system, the location and protection of the source, the design, construction and operation of the system shall conform to the standards of 10-144 C.M.R. Ch. 231, Rules Relating to Drinking Water.

- vi. Any tests of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

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5.2.8 Animal Husbandry

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- b. Structures of pens for housing or containing the animals (such as chicken coops, barns, byres, stables, or dog-runs) shall be located not less than five-hundred (500) feet from the nearest residential dwelling unit, including the nearest accessory dwelling unit (ADU), existing at the time of permit issuance (other than the dwelling on the same lot).

5.2.16 Affordable Housing Development Standards (~~Village C Overlay District~~)

~~A single family unit in the Village C Overlay District and Commercial District shall be deemed affordable if all the following standards are met:~~

~~a. The total cost for the dwelling unit does not exceed 28% of the income of a household earning 80% of the median household income in North Berwick. Total housing cost shall be defined as the mortgage payment for the dwelling unit based upon 90% of the dwelling's value, the housing insurance, and property taxes;~~

~~b. The deed for the property states that for 30 years from the date of the initial purchase of the property as an affordable housing property, the property shall not be sold by any owner for more than an affordable cost as defined in Article 5.2.16.a.~~

~~c. The determination of an affordable price for a property shall be determined by the Planning Board based upon the latest available data from the U.S. Census, a department of State of Maine government, and or the Southern Maine Regional Planning Commission;~~

~~d. Before plans for affordable dwelling units are approved by the Planning Board or Code Enforcement Officer, the Town attorney shall review and approve in writing the deed(s) for each property assuring that the standards of Article 5.2.15 are met. The cost for Town attorney review shall be born by the applicant in all cases regardless of approval or disapproval.~~

~~e. These affordable homes are intended primarily for owner occupancy, however, if rented, the rent shall be limited to no more than the same maximum monthly cost as stated in 5.2.16 paragraph (a).~~

~~f. The siting and appearance of affordable housing will be similar to other houses in the area.~~

A. Affordable housing density bonus. An affordable housing development that complies with this Section 5.2.16 is eligible for a dwelling unit density bonus of 2.5 times the base density that is otherwise allowed on the lot proposed for affordable housing development. If fractional results occur when calculating the density bonus, the maximum number of allowed units shall be rounded down to the nearest whole number.

B. Location. An affordable housing development must be (i) located in a zoning district that allows multi-family dwellings and (ii) located in a designated growth area or served by a public, special district, or other centrally managed water system and a public, special district, or other comparable sewer system.

C. Long-term affordability.

1. More than half of the total dwelling units in the affordable housing development must be designated as affordable rental units or affordable homeownership units.

2. Prior to the issuance of a certificate of occupancy for a structure to be used for an affordable housing development, the owner of the affordable housing development must execute a restrictive covenant recorded in the York County Registry of Deeds and enforceable by a third party acceptable to the municipality, to ensure that for at least thirty (30) years after completion of construction occupancy of all units designated affordable in the development will remain limited to households at or below 80% (for rental housing) or 120% (for owned housing) of the local area median income at the time of initial occupancy. The restrictive covenant must run with the land and encumber the affordable housing development, be binding upon the developer (for rental housing) or the unit owners (for owned housing) and their successors and assigns, and inure to the benefit of and be enforceable by the Town of North Berwick and a third party acceptable to the municipality.

D. Water and wastewater.

1. The sanitation and potable water standards in Section 5.1.17 shall apply to each unit within an affordable housing development.

2. The developer of an affordable housing development must make adequate provision for the long-term maintenance, repair, and improvement of any (i) individual private septic system, (ii) comparable sewer systems, (iii) individual private wells, and (iv) public water systems proposed to serve the units within the affordable housing development, including a process of collection and enforcement to obtain capital improvement funds from the developer (for rental housing) or the unit owners (for owned housing).

E. Parking. Notwithstanding any provision of this zoning ordinance to the contrary, no more than two (2) off-street parking motor vehicle spaces shall be required for every three (3) units within an affordable housing development. If fractional results occur, the number of motor vehicle parking spaces shall be rounded down to the nearest whole number.

F. Nothing in this Section 5.2.16 exempts an affordable housing development from any other requirements of this zoning ordinance, including without limitation, any frontage, setback, subdivision or shoreland zoning requirements.

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5.2.20 ~~In-Law Accessory Dwelling Unit (ADU) Apartment~~ Standards.

An ~~apartment~~ accessory dwelling unit (ADU) meeting the following standards shall be considered to be part of a single-family dwelling and shall not be considered to be a dwelling unit in terms of for purposes of (i) applying the ~~space and bulk~~ minimum lot size, minimum road frontage, and minimum lot coverage standards contained in Table 4.3; (ii) counting the number of dwelling units when applying the driveway, private drive or way, or private road definitions in Section 3.2; (iii) counting the number of dwelling units when applying the subdivision definition in Section 3.2; (iv) issuing building permits pursuant to the growth management provisions of Section 6.3; or (v) calculating the maximum net residential density allowable in planned unit developments pursuant to Section 5.2.5. ~~In-Law Accessory Apartments shall be permitted in those Districts where single-family dwelling is an allowed use. Apartments ADUs not meeting these requirements shall be considered to be separate dwelling units and shall meet the use and bulk standards contained in Table 4.3.~~

1. ~~The initial use of the apartment is for the care of in-laws. The apartment can continue to be utilized by the property owner after the care of the in-law has ceased provided all other requirements of this section are met.~~ ADUs are allowed with a permit in the zoning districts so designated in Table 4.2.
2. ~~The apartment shall be accessory to the use of the premises as a single-family dwelling and only one apartment shall be created accessory to the single-family dwelling. No more than one (1) ADU shall be permitted on any lot containing one (1) or more single-family dwelling units, except that no ADU shall be permitted on a lot developed with an in-law accessory apartment.~~
3. ~~The apartment ADU may be constructed shall be created~~ within or attached to a single-family dwelling or accessory structure, or a separate accessory structure on the lot.
4. ~~Provisions for one (1) additional parking space shall be made in conformance with article 5. If the ADU is within or attached to a single-family dwelling unit or an accessory structure, the ADU must meet the applicable minimum yard dimensions (front, side, and rear setbacks) contained in Table 4.3. If the ADU is a separate accessory structure or attached to an accessory structure, the ADU must meet the minimum setback requirements for accessory structures set forth in Section 4.2.b.~~
5. ~~The habitable area of the apartment~~ floor area of the ADU shall not exceed 650 square feet and shall not be less than 190 square feet. The ADU shall not contain more than one bedroom and shall not have an occupancy that exceeds two persons.
6. The sanitation and potable water standards in Section 5.1.17 shall apply to the ADU. One of the units must be occupied by the property owner.
7. Notwithstanding any provision of this zoning ordinance to the contrary, the ADU is not subject to additional motor vehicle parking requirements beyond those applicable to the single-family dwelling units on the lot.

8. Nothing in this Section 5.2.20 exempts an ADU from any other requirements of this zoning ordinance, including without limitation, any shoreland zoning requirements.

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ARTICLE 6 – ADMINISTRATION

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6.3. Growth Management Permit Required

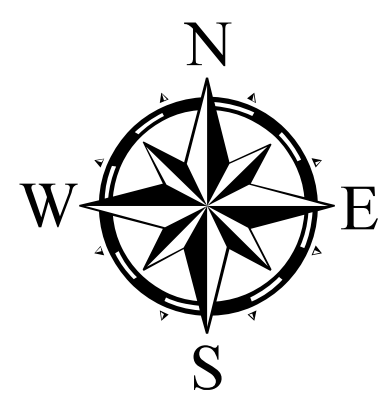
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6.3.9. Specific Limitations on Growth Management Permits – Subdivisions; Apartment Buildings.

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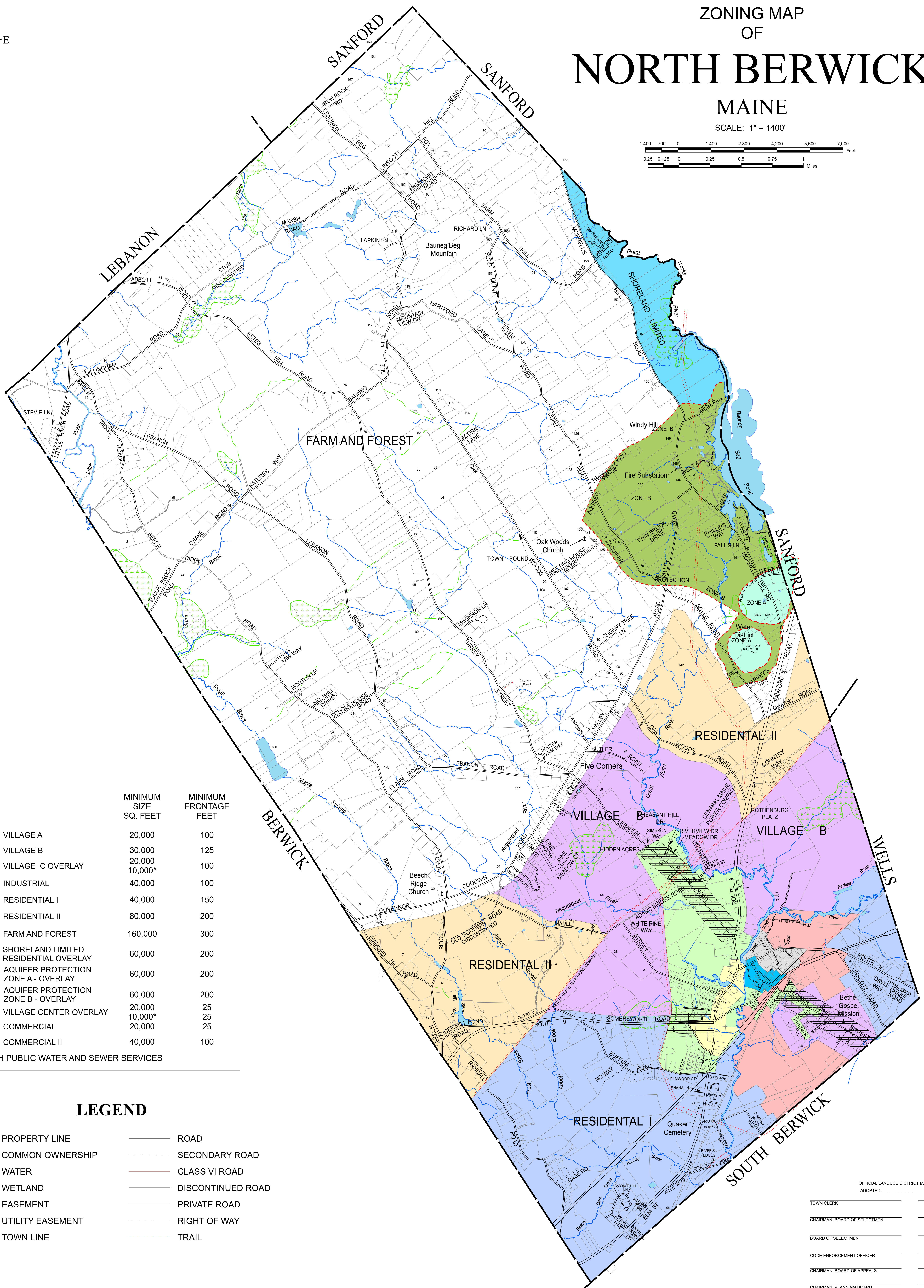
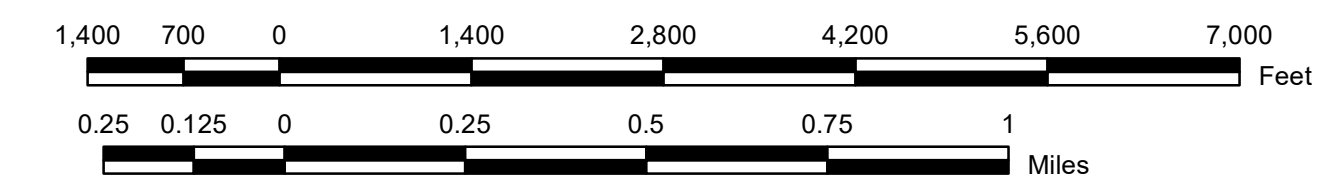
c. Subdivisions in Designated Growth Areas: No more than 12 growth management permits, or the number of growth management permits equal to no more than 60% of the total number of lots within a single subdivision, whichever number is greater, shall be issued for dwelling units within a single subdivision during each fiscal year in the Designated Growth Areas; Village A, Village B, Village Center, ~~Village C Overlay~~, Residential I, and Residential II Zoning Districts of the Town. Additional permits for such subdivision may be issued in succeeding years in accordance with section 6.3.7.

II. The Zoning Map of North Berwick, Maine, dated April 2001, is proposed to be repealed and replaced with the Zoning Map of North Berwick, Maine, dated July 1, 2024. The proposed map removes the Village C Overlay District. A copy of the proposed map is available from the Town Clerk.



ZONING MAP OF NORTH BERWICK MAINE

SCALE: 1" = 1400'



	MINIMUM SIZE SQ. FEET	MINIMUM FRONTAGE FEET
VILLAGE A	20,000	100
VILLAGE B	30,000	125
VILLAGE C OVERLAY	20,000	100
AQUIFER PROTECTION ZONE A - OVERLAY	10,000*	100
INDUSTRIAL	40,000	100
RESIDENTIAL I	40,000	150
RESIDENTIAL II	80,000	200
FARM AND FOREST	160,000	300
SHORELAND LIMITED RESIDENTIAL OVERLAY	60,000	200
AQUIFER PROTECTION ZONE A - OVERLAY	60,000	200
AQUIFER PROTECTION ZONE B - OVERLAY	60,000	200
VILLAGE CENTER OVERLAY	20,000	25
COMMERCIAL	10,000*	25
COMMERCIAL II	20,000	25
COMMERCIAL II	40,000	100

* WITH PUBLIC WATER AND SEWER SERVICES

LEGEND

PROPERTY LINE	ROAD
COMMON OWNERSHIP	SECONDARY ROAD
WATER	CLASS VI ROAD
WETLAND	DISCONTINUED ROAD
EASEMENT	PRIVATE ROAD
UTILITY EASEMENT	RIGHT OF WAY
TOWN LINE	TRAIL

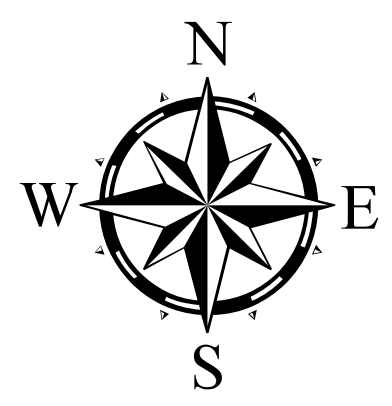
OFFICIAL LANDUSE DISTRICT MAP
ADOPTED: _____

TOWN CLERK	DATE
CHAIRMAN, BOARD OF SELECTMEN	DATE
BOARD OF SELECTMEN	DATE
CODE ENFORCEMENT OFFICER	DATE
CHAIRMAN, BOARD OF APPEALS	DATE
CHAIRMAN, PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE

CURRENT

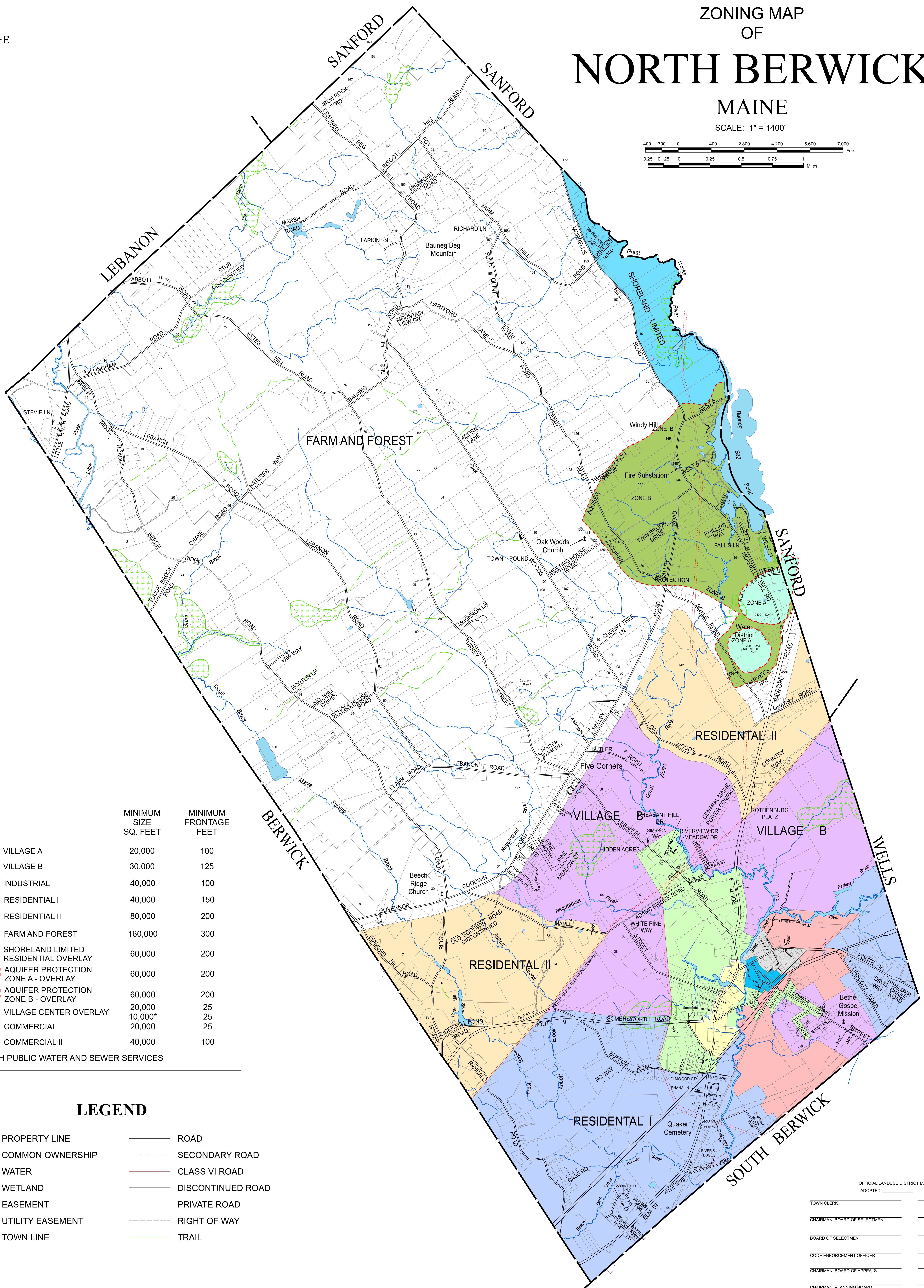
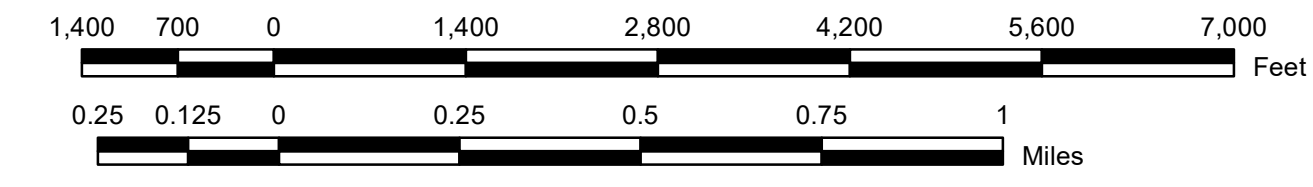
THIS MAP WAS COMPILED FROM EXISTING AVAILABLE PROPERTY MAPS, LAND USE MAPS AND USGS MAPS. IT IS A PLANNING TOOL ONLY. IT IS NOT TO BE USED FOR PROPERTY CONVEYANCE OR AS A BASIS FOR LEGAL TORT. THE INFORMATION SHOWN SHOULD NOT BE A SUBSTITUTE FOR ACTUAL FIELD INVESTIGATION.

PROPERTY LINES CURRENT TO APRIL, 2022



ZONING MAP OF NORTH BERWICK MAINE

SCALE: 1" = 1400'



	MINIMUM SIZE SQ. FEET	MINIMUM FRONTAGE FEET
VILLAGE A	20,000	100
VILLAGE B	30,000	125
INDUSTRIAL	40,000	100
RESIDENTIAL I	40,000	150
RESIDENTIAL II	80,000	200
FARM AND FOREST	160,000	300
SHORELAND LIMITED RESIDENTIAL OVERLAY	60,000	200
AQUIFER PROTECTION ZONE A - OVERLAY	60,000	200
AQUIFER PROTECTION ZONE B - OVERLAY	60,000	200
VILLAGE CENTER OVERLAY	20,000	25
COMMERCIAL	20,000*	25
COMMERCIAL II	40,000	100

* WITH PUBLIC WATER AND SEWER SERVICES

LEGEND

PROPERTY LINE	ROAD
COMMON OWNERSHIP	SECONDARY ROAD
WATER	CLASS VI ROAD
WETLAND	DISCONTINUED ROAD
EASEMENT	PRIVATE ROAD
UTILITY EASEMENT	RIGHT OF WAY
TOWN LINE	TRAIL

OFFICIAL LAND USE DISTRICT MAP ADOPTED: _____

TOWN CLERK	DATE
CHAIRMAN, BOARD OF SELECTMEN	DATE
BOARD OF SELECTMEN	DATE
CODE ENFORCEMENT OFFICER	DATE
CHAIRMAN, BOARD OF APPEALS	DATE
CHAIRMAN, PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE

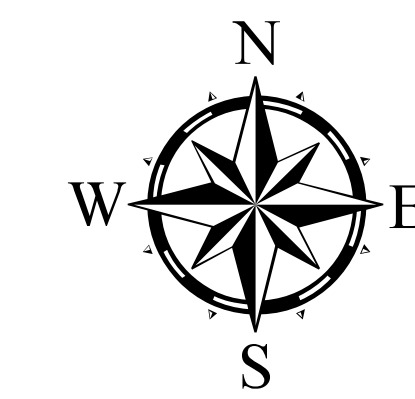
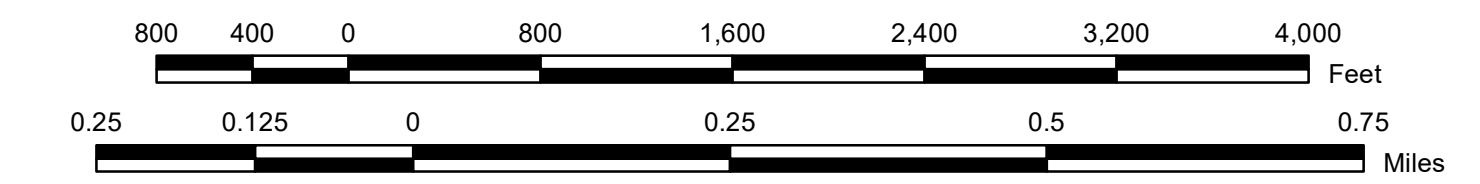
PROPOSED

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PROPERTY LINES CURRENT TO APRIL, 2023

VILLAGE ZONING MAP OF NORTH BERWICK MAINE

SCALE: 1" = 800'



OFFICIAL LANDUSE DISTRICT MAP
ADOPTED: _____

TOWN CLERK	DATE
CHAIRMAN, BOARD OF SELECTMEN	DATE
BOARD OF SELECTMEN	DATE
CODE ENFORCEMENT OFFICER	DATE
CHAIRMAN, BOARD OF APPEALS	DATE
CHAIRMAN, PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE

	MINIMUM SIZE SQ. FEET	MINIMUM FRONTAGE FEET
VILLAGE A	20,000	100
VILLAGE B	30,000	125
VILLAGE C OVERLAY	20,000 10,000*	100
INDUSTRIAL	40,000	100
RESIDENTIAL I	40,000	150
RESIDENTIAL II	80,000	200
FARM AND FOREST	160,000	300
SHORELAND LIMITED RESIDENTIAL OVERLAY	60,000	200
AQUIFER PROTECTION ZONE A - OVERLAY	60,000	200
AQUIFER PROTECTION ZONE B - OVERLAY	60,000	200
VILLAGE CENTER OVERLAY	20,000 10,000*	25
COMMERCIAL	20,000	25
COMMERCIAL II	40,000	100

* WITH PUBLIC WATER AND SEWER SERVICES

LEGEND

—	PROPERTY LINE	—	ROAD
—	COMMON OWNERSHIP	- - - -	SECONDARY ROAD
—	WATER	—	CLASS VI ROAD
—	WETLAND	—	DISCONTINUED ROAD
—	EASEMENT	—	PRIVATE ROAD
- - - -	UTILITY EASEMENT	—	RIGHT OF WAY
- - - -	TOWN LINE	—	TRAIL

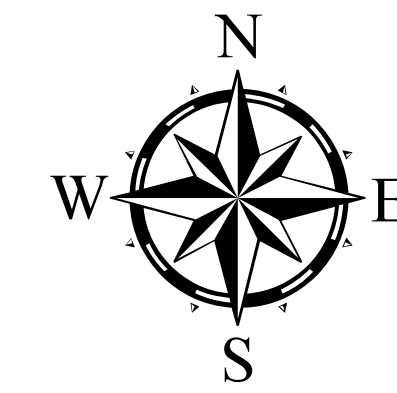
CURRENT

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PROPERTY LINES CURRENT TO APRIL, 2022

VILLAGE ZONING MAP OF NORTH BERWICK MAINE

SCALE: 1" = 800'



OFFICIAL LANDUSE DISTRICT MAP
ADOPTED:

TOWN CLERK	DATE
CHAIRMAN, BOARD OF SELECTMEN	DATE
BOARD OF SELECTMEN	DATE
CODE ENFORCEMENT OFFICER	DATE
CHAIRMAN, BOARD OF APPEALS	DATE
CHAIRMAN, PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE
PLANNING BOARD	DATE

	MINIMUM SIZE SQ. FEET	MINIMUM FRONTAGE FEET
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AQUIFER PROTECTION ZONE B - OVERLAY	60,000	200
VILLAGE CENTER OVERLAY	20,000	25
COMMERCIAL	20,000*	25
COMMERCIAL II	40,000	100

* WITH PUBLIC WATER AND SEWER SERVICES

LEGEND

—	PROPERTY LINE	—	ROAD
—	COMMON OWNERSHIP	- - - -	SECONDARY ROAD
—	WATER	—	CLASS VI ROAD
—	WETLAND	—	DISCONTINUED ROAD
—	EASEMENT	—	PRIVATE ROAD
- - - -	UTILITY EASEMENT	—	RIGHT OF WAY
- - - -	TOWN LINE	—	TRAIL

PROPOSED

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PROPERTY LINES CURRENT TO APRIL, 2023

“Proposed Solar Energy System Amendments”

Currently Reads:

Solar Energy System: A solar collection system used to capture, convert, and supply electrical energy or thermal power, and consisting of one (1) or more freestanding, ground, roof, or wall mounted, solar arrays or modules, or solar related equipment, intended to reduce consumption of utility and/or fuel-generated power.

- a. **Residential Solar System (RSS)** - Intended for residential uses where the power generated is utilized only for the single-family residential property upon which is it sited.
- b. **Commercial Solar System (CSS)** - Intended for a multifamily dwelling, multifamily dwelling above the ground floor of a mixed use development, mobile home park, convalescent, rest, or nursing home, residential care or congregate care facility, institutional use, recreational use, commercial or industrial use, or rural use, a CSS may be up to twenty thousand (20,000) square feet in surface area with a rated nameplate capacity of up to two-hundred-fifty (250) kilowatts (kW) The Planning Board may waive the size limits for surface area and nameplate capacity if the applicant demonstrates to the Board's satisfaction that the additional surface area and/or nameplate capacity is needed to meet the energy requirements for intended onsite use.
- c. **Utility Solar System (USS)** - Intended for off-site utility grid use, a USS is larger than twenty-thousand (20,000) square feet in surface area with no limit on the rated nameplate capacity.

Proposed to Read:

Solar Energy System: A solar collection system used to capture, convert, and supply electrical energy or thermal power, and consisting of one (1) or more freestanding, ground, roof, or wall mounted, solar arrays or modules, or solar related equipment, intended to reduce consumption of utility and/or fuel-generated power.

- a. **Residential Solar System (RSS)** - Intended for residential uses where the power generated is utilized only for the single-family residential property upon which is it sited.
- b. **Commercial Solar System (CSS)** - Intended for a multifamily dwelling, multifamily dwelling above the ground floor of a mixed use development, mobile home park, convalescent, rest, or nursing home, residential care or congregate care facility, institutional use, recreational use, commercial or industrial use, **a collaboration of 2-10 single family dwellings,** or rural use **located within the boundaries of North Berwick,** a CSS may be up to twenty thousand (20,000) square feet in surface area with a rated nameplate capacity of up to two-hundred-fifty (250) kilowatts (kW) The

Planning Board may waive the size limits for surface area, **up to 1 acre total**, and nameplate capacity if the applicant demonstrates to the Board's satisfaction that the additional surface area and/or nameplate capacity is needed to meet the energy requirements for intended onsite use.

- c. **Utility Solar System (USS)** - Intended for off-site utility grid use, a USS is larger than twenty-thousand (20,000) square feet in surface area with no limit on the rated nameplate capacity.

Intent: To clarify that a Commercial Solar System is for use of properties located within the boundaries of North Berwick and to add to the list of acceptable uses a collaborative of 2-10 single family dwellings to be consistent with the Maine PUC rules and regulations. This amendment also limits Commercial Solar Energy Systems to no more than 1 acre of surface area with Planning Board review and approval.