

Land Use Ordinance of the Town of Corinna, Maine

SECTION VI: LAND USE STANDARDS

SECTION USERS GUIDE: This section contains general performance standards with which all development proposals submitted for approval pursuant to this Ordinance must comply.

The purpose of the regulations contained in this section is to allow maximum utilization of land while insuring against adverse impacts on the environment, neighboring properties, and the public interest. This assurance is provided by separating the areas of the Town of Corinna into districts and permitting specific land uses within each, provided that a use meets all the additional criteria specified in this Ordinance.

This regulatory approach has been termed "performance zoning" because it permits a use to be developed on a particular parcel only if the use on that parcel meets "performance standards" which have been enacted to insure against the use causing (or having the potential to cause) adverse impacts.

The following Land Use Standards shall govern all Land Use Permits issued by the Code Enforcement Officer and the Planning Board.

In reviewing applications submitted pursuant to this Ordinance, the Code Enforcement Officer or the Planning Board shall consider the following performance standards and make written findings that each applicable standard has been met prior to issuing final approval. In all instances, the burden of proof shall be upon the applicant.

PERFORMANCE STANDARDS

1. **ACCESSORY USES;** An accessory use shall not include any use injurious or offensive to the neighborhood as initially determined by the Code Enforcement Officer and/or Planning Board.
2. **ACCESS REQUIREMENTS** (Applies to the Commercial and Mixed Residential Districts) Access to public roads shall be strictly controlled in both location and design. Provision shall be made for adequate access to the development to safeguard against hazards to traffic and pedestrians in the road and within the development, to avoid traffic congestion on any road and to provide safe and convenient circulation on public roads.

Guidelines: Development shall employ the following guidelines to the extent possible in designing access points:

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1. Where a residential lot will front on two or more streets, access shall be to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians.
2. All access points should be located so to provide adequate sight distance for vehicular movement. Adequate sight distance means an unobstructed view of the road in each direction for at least 100 feet for every 10 MPH of speed limit. (E.g., for access to a 25 MPH road, an access point shall have a clear view of 250 feet in each direction).
3. Every effort shall be made to reduce the number of access points onto the public road. Measures to be taken may include shared driveways and frontage roads.
4. All entry and exit points shall be kept free from visual obstructions higher than three (3) feet above street level and for a distance of, twenty-five (25) feet from the edge of the traveled way in order to provide visibility for entering and leaving vehicles.

3. AIR POLLUTION: Air pollution control and abatement shall comply with applicable minimum Federal and State requirements.

4. ARCHAEOLOGICAL AND HISTORIC RESOURCES

If any portion of the site development site has been identified as containing historic or archaeological resources, the development must include appropriate measures for protecting these resources, including but not limited to, modification of the proposed design of the site, timing of construction, and limiting the extent of excavation.

5. AUTOMOBILE GRAVEYARD/JUNKYARD/ RECYCLING: The following performance standards are required of all automobile graveyards, junkyards and automobile recycling businesses, whether new or existing.

- a. The site must be enclosed by a visual screen at least 6 feet in height and built in accordance with the Department of Transportation rules issued pursuant to 30-A MRS 3754-A;
- b. No vehicle shall be stored within 300 feet of any water body or inland wetland;
- c. No vehicle shall be stored within 300 feet of public or private well (excluding owners), or within 500 feet from a school, church or public playground or public park;

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- d. No vehicle shall be stored within 100 feet of a floodplain;
 - e. Upon receiving a motor vehicle, the battery shall be removed, and the engine lubricant, transmission fluid, brake fluid and engine coolant (air conditioners included) shall be drained into watertight, covered containers and shall be recycled or disposed of according to all applicable Federal and State laws, rules and regulations regarding disposal of such waste material. No discharge of fluids from any motor vehicle shall be permitted into or onto the ground.
 - f. No vehicles shall be stored over a sand and gravel aquifer or aquifer recharge area as mapped by the Maine Geological Survey or by a licensed geologist;
 - g. No vehicle shall be closer than 50 feet from a lot line.
 - h. All vehicles, once stripped of valuable parts shall be crushed and removed from the lot to a metal recycler. Any vehicle remaining over one year shall be considered as junk metal to be recycled.
 - i. No more than four tires per vehicle shall be allowed to be stored in the yard. Scrap tires shall not be allowed to accumulate into a scrap tire pile. All tires shall be disposed of in an appropriate facility and manner in accordance with State and Federal regulations.
 - j. No open burning of salvage materials or junk shall be permitted on the premises. Waste fluids and unusable materials shall be disposed of in a duly licensed disposal facility.
 - k. The Planning Board and/or Code Enforcement Officer may recommend the application of more stringent restrictions and /or limitations, and stipulate reasonable conditions which shall be attached to the permit covering the operation and use of the junkyard prior to the Selectmen's issuance of the permit.
6. **BED & BREAKFAST:** "Bed and Breakfast" accommodations shall be permitted in the private, year-round residence of the host family who live on the premises provided that:
- a. The maximum number of guests at any time is ten (10) persons;
 - b. The maximum number of guestrooms is three (3);
 - c. Breakfast is the only meal provided by the host family;
 - d. One (1) sign not to exceed four (4) square feet is permitted on the premises; and
 - e. The "Bed and Breakfast" operation shall not have any adverse effect on the neighbors.

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7. BUFFERS: All development adjacent to residential dwellings must provide landscaped buffer strips in the form of evergreen, deciduous vegetation or fencing. The buffer shall be sufficient to minimize the impact of expected uses such as exposed machinery, outdoor storage areas, vehicle loading and parking, mineral extraction and waste collection and disposal areas.

8. BUILDINGS/STRUCTURES MAINTENANCE STANDARDS: All buildings, structures and parts thereof permitted under this ordinance shall be required to be maintained as indicated below:

a. Each property owner shall keep all exterior components of the every principal and accessory structure in good repair, including but not limited to, walls, roofs, chimneys, cornices, gutters, down spouts, drains, porches, steps, landings, fire escapes, exterior stairs, windows, shutters, doors and storefronts; and

b All surfaces shall be maintained free of deterioration, including but not limited to, broken glass, loose, or missing shingles or siding, crumbling brick, stone and mortar, and peeling or scaling of paint; and

c. All surfaces shall be covered with protective coating, such as paint; plastic or other coating which preserves the structure and does not contribute to deterioration; and

9. CABIN & COTTAGE ACCOMMODATIONS: Buildings where rooms are provided for compensation and may or may not include accessories uses. To ensure the health, safety, and welfare of guests and the occupants of neighboring properties, the following requirements shall be met:

a. A minimum lot size of 20,000 sq. ft. (accommodates 4 cabins)

b. A minimum of two hundred (200) square feet of off-road parking shall be provided for each unit.

c. cabins or cottages must be set back a minimum of the exterior lot line in the applicable district.

d. Each cabin or cottage shall be provided with a safe and adequate means of sewage, garbage disposal, water supply, fire protection, as well as adequate storm water drainage.

10. COMMERCIAL AND INDUSTRIAL PERFORMANCE STANDARD: The following provisions shall apply to all permitted commercial and industrial uses:

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1. **Danger:** No material which is dangerous due to explosion, extreme fire hazard, chemical hazard or radioactivity shall be used, stored, manufactured, processed or assembled except in accordance with applicable State and Federal codes and regulations.
2. **Vibration:** With an exception of vibration necessarily involved in the construction or demolition of buildings, no vibration shall be transmitted outside the lot where it originates.
3. **Wastes:** No offensive wastes shall be discharged or dumped into any river, stream, watercourse, storm drain, pond, lake, or swamp. Industrial wastewater may be discharged to municipal sewers only and in such quantities and quality as to be compatible with existing municipal facilities.
4. **Noise.** Offensive noise shall not be transmitted beyond lot lines so as to cause disturbance to neighboring residential properties.

11. CONFORMANCE WITH COMPREHENSIVE PLAN: All proposed development shall be in conformity with the Comprehensive Plan and Policy Statements of the Town contained within the Plan and with the provisions of all pertinent local ordinances and regulations, State laws and Federal regulations.

12. CONSTRUCTION IN FLOOD HAZARD AREAS: When any part of a development is located in a Flood Hazard Area as identified by the Federal Emergency Management Agency, and locally adopted Floodplain Management Ordinance, the plan shall indicate that all principal structures on lots in the development shall be constructed with their lowest floor, including the basement, at least one foot above the 100- year flood elevation.

13. CONVERSIONS: Conversions of existing structures into multi-family units, in Districts permitting multi-family dwellings, may be permitted provided that:

1. Off-street parking for two (2) vehicles per dwelling unit plus maneuvering space will be provided;
2. Approval of conversion plans by the fire, electrical and plumbing inspector(s) is required prior to issuance of a land use permit;
3. Each dwelling unit shall be at least three-hundred fifty (350) square feet in area for one (1) bedroom units plus one-hundred and fifty (150) square feet for each additional bedroom; and
4. Each dwelling unit shall have its own toilet and kitchen facilities and no dwelling unit will share these facilities with any other dwelling unit; and
5. Each unit shall be provided with adequate rubbish disposal facilities.

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14. DENSITY BONUS PROVISIONS: If a project is a planned development or cluster development, the minimum lot area per dwelling unit may be reduced by the amount shown below within all district designations. In no case shall lots served by subsurface sewage disposal systems be less than 20,000 square feet.

1. A density bonus of ten (10) percent, if ten (10) percent to less than twenty-five (25) percent on the site shall be permanently preserved as open space;
2. A density bonus of twenty (20) percent, if twenty-five (25) percent to less than forty (40) percent of the site shall be permanently preserved as open space;
3. A density bonus of thirty (30) percent, if forty (40) percent or more of the site shall be permanently restricted as open space.

15. DUST, FUMES, VAPORS, GASES, ODORS, GLARE, AND EXPLOSIVE MATERIALS: Emission of odors, dust, dirt, fly ash, fumes, vapors or gases which could damage human health, animals, vegetation, or property must comply with State and Federal standards.

16. EROSION AND SEDIMENTATION CONTROLS: The following measures relating to conservation, erosion, and sediment control shall be included where applicable as part of all projects submitted for review.

1. The procedures outlined in the erosion and sedimentation control plan, prepared and submitted by the applicant, shall be implemented during the site preparation, construction, and clean-up stages; and
2. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the following best management practices:
 - (a) Stripping of vegetation, soil removal and re-grading or other development shall be done in such a way as to minimize erosion;
 - (b) Development shall preserve outstanding natural features, keep cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff.
 - (c) The development shall not unreasonably increase the rate or volume of surface water runoff from the proposed site;
 - (d) Whenever feasible, natural vegetation shall be retained, protected supplemented;
 - (e) The disturbed area and the duration of exposure shall be kept to a practical minimum;
 - (f) Disturbed soils shall be stabilized as quickly as practicable;
 - (g) Temporary vegetation or mulching shall be used to protect disturbed areas during development;

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- (h) Permanent (final) vegetation and mechanical erosion control measures in accordance with the provisions of the Department of Environmental Protection's Best Management Practices for Erosion and Sedimentation Control or the Maine Soil and Water Conservation Commission shall be installed as soon as practicable after construction ends;
- (i) Until the disturbed area is stabilized, sediment in the runoff water shall be trapped with the use of debris basins, silt traps or other acceptable methods;
- (j) The top of the cut or the bottom of a fill section shall not be closer than ten (10) feet to an adjacent property, unless otherwise specified by the Planning Board;
- (k) Whenever sedimentation is caused by stripping vegetation, re-grading or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible;
- (l) During grading operations, methods of dust control shall be employed wherever practicable;
- (m) Maintenance of drainage facilities or watercourses originating and completely on private property is the responsibility of the owner to the point of open discharge at the property line or at a communal watercourse within the property.

17. HOME OCCUPATIONS: The purpose of the Home Occupation provision is to permit the conduct of those businesses which are compatible with the Districts in which they are allowed without substantially changing the appearance or condition of the residence or accessory structure. A permit issued by the Code Enforcement Officer is required to establish any home occupation. To apply for the permit, an applicant must submit:

- a.) a completed application form;
- b.) a floor plan of the dwelling, or accessory structure with the area to be used in the commercial activity clearly marked;
- c.) a home/site plan of the property with the dimensions of parking area (driveway) clearly marked;
- d.) a fire inspection of the floor/room or accessory structure used for the home occupation.

Any home occupation or profession which is accessory to and compatible with a residential use shall conform with the following conditions and shall be permitted if:

- 1.) The home occupation must be clearly incidental and secondary to the principal use as a residence by a member or member of the family residing in the dwelling unit, and/ not more than one employee;

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- 2.) No exterior evidence of the home occupation; all equipment, supplies and materials used in the business must be stored inside the home or in attached carports/garages/or accessory structures;
- 3.) In addition to the off-street parking provided to meet the normal requirements of the dwelling, adequate off-street parking shall be provided for the vehicles of the maximum number of users the home occupation may attract during peak operating hours;
- 4.) Signs - Only 1 non-illuminated exterior home occupancy sign is allowed and shall not be greater than two (2) feet square in area;
- 5.) The floor area of the dwelling used for the home occupation cannot exceed twenty (20%) percent of the gross floor area of the dwelling floor area;
- 6.) Unfinished basement and attic spaces shall be used for storage only;
- 7.) Accessory structures shall not exceed fifty (50%) percent of the total floor area of the dwelling unit;
- 8.) Objectionable conditions such as noise, vibration, smoke, dust, electrical disturbance, odors, heat, glare, activity at unreasonable hours, or storage of hazardous or leachable materials in excess of normal residential use shall not be permitted;
- 9.) Any home occupation shall not injure the usefulness of the dwelling unit or disturb the residential character of the immediate neighborhood.

Any home occupation approved by the CEO that is in use before the enactment of this ordinance or any amendments to this ordinance are grandfathered and can continue.

18. **LANDSCAPING:** Development proposed within the commercial or industrial districts shall be landscaped as to maintain the aesthetic appearance of the property and preserve as much natural vegetation as possible on the site.

19. **LIGHTING DESIGN STANDARDS:** All exterior lighting shall be designed to minimize adverse impact on neighboring properties.

20. **LODGING ACCOMMODATIONS:** Buildings where rooms, or lodges are provided for compensation and may or may not include accessories uses.

21. LOT SIZE, SETBACK AND COVERAGE REQUIREMENTS

See Section IV, D, Dimensional Requirements

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22. MANUFACTURED HOUSING

1. Intent: It is the intent of this Ordinance to provide a variety of housing alternatives to all economic levels within the community, while continuing to insure the minimum standards of health, safety and welfare of the community. To this end, this ordinance allows the siting of all types of manufactured housing within designated areas of the Town regardless of their construction date or compliance with all the standards of the Manufactured Home and Construction Safety Standards of the Department of Housing and Urban Development, adopted in 1976. The Town does hereby require however, that all manufactured housing sited within the Town of Corinna meet certain minimum safety and design criteria.

2. Minimum Safety Standards: All manufactured housing as defined in this Ordinance, regardless of date of manufacture, and sited within the Town of Corinna after the effective date of this ordinance, shall meet or exceed the following minimum standards before a "Certificate of Occupancy" shall be issued by the Code Enforcement Officer in conformance with Section VI. H. of this Ordinance.

3. HUD Approval Sufficient: All manufactured housing, as defined, constructed after July 1, 1976 and bearing the seal of the Department of Housing and Urban Development which certifies the manufactured home was built pursuant to the provisions of the Manufactured Homes Construction and Safety Standards as revised shall be deemed to have fulfilled the requirements of this section.

4. Minimum Electrical Safety Standards: All manufactured housing shall meet the following minimum safety requirements for electrical installation and maintenance as provided for by the National Electrical Code as said code pertains to the following:

- (1) 100 Ampere Entrance required;
- (2) Copper wiring required;
- (3) Two means of grounding required;
- (4) Ground faulting receptacles required;

5. Minimum Fire Prevention Standards: All manufactured housing shall meet the following minimum fire safety requirements as provided for by the National Electrical Code and the Manufactured Housing Construction Standards of 1976 established by the Department of Housing and Urban Development (HUD)

- a) All homes shall contain at least one operable fire extinguisher which shall be accessible at all times;
- b) All homes shall have at least one operable AC smoke detector centrally located within the home and one operable smoke detector in each of the bedrooms;

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- c) The installation and maintenance of all heating systems including vents, chimneys, and encompassing secondary and tertiary as well as primary heating sources, shall meet the standards of NFPA 211; In addition, no wood stove shall be used for heating purposes in a manufactured home in the Town of Corinna without first being inspected and approved by the Corinna Fire Department for safe installation; and
- d) All automatic dryers, whether electric or gas, must meet the venting requirements of the Manufactured Home Construction Standards of 1976 as established by HUD; and
- e) All manufactured homes must meet the requirements of the Manufactured Home Construction Standards of HUD, to wit, all manufactured homes shall provide for at least two means of egress from each bedroom, one of which must be directly to the outside of the home and may be accomplished by way of a window of suitable size which can be opened easily without tools, and two doors exiting directly to the outside of the home separated by distances as established by the standards.

6. Minimum Plumbing Standards: All manufactured housing shall meet the minimum standards of the Maine Plumbing Code as amended.

7. In addition, all electrical installation or modifications to existing manufactured housing shall be inspected by and certified by an electrician licensed by the State of Maine or the Municipal Code Enforcement Officer if duly appointed as electrical inspector.

8. Minimum Design Standards: All manufactured housing will be sited and maintained in such a manner as to blend harmoniously with other residential structures in close proximity, to this end all manufactured housing located within the Town of Corinna after the effective date of this ordinance shall:

- a) Have and maintain external siding which is residential in appearance for the manufactured home as well as any additions thereto or accessory structures located on the same lot;
- b) Be located on a permanent foundation at a minimum of a gravel pad. Pad must be 8" compacted and the manufactured home must be blocked with 2X2 pressure treated at the blocking points unless otherwise specified by a duly adopted building code.
- c) Permanent skirting shall be installed within thirty (30) days of siting;
- d) Provide a safe means of egress and ingress to and from the manufactured home including stairs with handrails when applicable.

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23. MINERAL EXPLORATION AND EXTRACTION: The following requirements for mineral exploration and extraction activities, including the removal of topsoil, shall apply in all Districts:

- (1) All exploration/extraction activities, including test pits and holes, shall be promptly capped, refilled, or secured by other equally effective measures so as to reasonably restore disturbed areas and to protect the public health and safety;
- (2) No portion of any ground area disturbed by the extraction activity shall be closer than 25 feet from a public roadway;
- (3) Within 250 feet of any water body, the extraction areas shall be protected from soil erosion by ditches, sedimentation basins, dikes, dams, or such other control devices which are effective in preventing sediments from being eroded or deposited in such water body;
- (4) A natural vegetation screen of not less than 50 feet in width shall be retained from any facility intended primarily for public use, excluding privately owned roads; and
- (5) If any mineral extraction operation located within 75 feet of any property line or public roadway or facility intended primarily for public use, excluding privately owned roads, is to be terminated or suspended for a period of one year or more, the site shall be rehabilitated by grading the soil to a slope of 2 horizontal to 1 vertical, or flattened.
- (6) Extraction operations (gravel pit, etc.) shall not be permitted within one hundred (100) feet of any property line without a written agreement of consent between property owners.

24. OFF-STREET LOADING: Adequate off-street loading areas shall be provided for appropriate land uses. Loading areas cannot be included as parking spaces when meeting parking requirements.

25. OFF-STREET PARKING: Off-street parking, either by means of open-air spaces or by garage space being a permitted use, shall be considered as an accessory use when required or provided to serve conforming uses located in any District;

- (1) Dwelling: Two parking spaces per dwelling unit;

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- (2) Lodging Accommodations:
 - (a) Lodging accommodations with 10 rooms or less -- Two (2) parking spaces plus one space for each guest room; and
 - (b) Lodging accommodations with more than 10 rooms --One (1) parking space for each guest plus one (1) space for each three (3) employees;
- (3) Schools -- Five (5) parking spaces for each classroom plus one (1) space for each four (4) employees;
- (4) Hospitals (bed facilities only) – One (1) parking space for every three (3) beds, plus one (1) for each employee based on the expected average employee occupancy;
- (5) Theaters, churches, and other public assembly places – One (1) parking space for every four (4) seats or for every, one hundred (100) \sq. ft. or major fraction thereof of assemblage space if no fixed assets;
- (6) Retail Stores – One (1) parking space for every two hundred (200) square feet of retail area, plus one for every two employees, unless public parking is provided;
- (7) Restaurants, eating and drinking establishments – One (1) parking space for every four (4) seats, plus one (1) for every two (2) employees, unless public parking is provided;
- (8) Professional Offices and Public Buildings – One (1) parking space for every two hundred (200) square feet of gross leasable area, exclusive of cellar and bulk storage areas, unless public parking is provided;
- (9) Other Commercial Recreation Establishments (mini golf courses, etc.) The number of spaces deemed appropriate by the Planning Board; and
- (10) Industrial – One (1) parking space for each 1.5 employees, based on the highest expected average employee occupancy, plus visit or customer parking to meet the needs of specific operations.

26. OIL AND CHEMICAL STORAGE:

- a. All storage of petroleum or liquid products shall be in conformance with the provisions of Title 38 MRS, Section 563 et.seq., which among other things establishes a ten-year compliance schedule for the discontinuance and removal of non-conforming underground oil storage facilities and requires qualified personnel to oversee the removal of certain underground facilities; and compliance with any duly adopted building codes and ordinances of the Town of Corinna.
- b. When applicable, the applicant shall have the burden of proof to assure the Planning Board or Code Enforcement Officer that all provisions of the above statutes have been met before the issuance of any permits may take place.

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27. **PESTICIDE APPLICATION:** Pesticide application in any of the Districts shall not require a permit provided such application is in conformance with applicable State and Federal statutes and regulations. Any pollutant introduced into soil on the site shall not exceed a concentration in the ground water that is greater than the guidelines established for it in the Safe Drinking Water Standard, EPA Health Advisory. Any violation of this standard shall be cause, to order the immediate stop of the use or activity responsible for the contamination. The landowner shall be responsible for the cost of all remedial actions.

28. **PREMISES-YARD MAINTENANCE STANDARDS**

a. All premises and yard areas shall be maintained in a safe and sanitary condition, including but not limited to, steps, walks, driveways, fences, retaining walls, trees, shrubs, grass and weeds. If any such area or object constitutes a danger to health or safety, it shall be repaired, replaced or removed.

b. Weeds and grass shall be kept trimmed and from being overgrown so to not present a hazard.

c. All yards, courts or lots shall be kept free of accumulations of trash, garbage, refuse, junk or other noxious or offensive material which may cause a fire hazard or may act as a breeding place for vermin or insects.

d. All fences, retaining walls or similar structures shall be firmly anchored in the ground and maintained in good structural repair. Wooden elements or other elements subject to deterioration from weathering shall be maintained with chemicals or paint to preserve the element and to retard deterioration.

29. **REFUSE DISPOSAL:** The impact of particular industrial or chemical waste or by-products upon the sanitary facilities (in terms of volume, flammability, or toxicity) shall be considered and the applicant may be required to dispose of such wastes elsewhere, in conformance with all applicable state and federal regulations. The applicant must specify the amount and exact nature of all industrial or chemical wastes to be generated by the proposed operation, and shall provide for the disposal of all wastes in a timely basis and in an environmentally safe manner

30. **SENIOR HOUSING:** Senior Housing, as defined in this Ordinance, shall comply with all other standards of this Section including but not limited to building construction, site preparation, access requirements, erosion and sedimentation control, off street parking requirements, and signage. Single-wide mobile homes are prohibited for use as dwellings in a Senior Citizen Housing development.

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31. SEWAGE DISPOSAL: No development shall be permitted which utilizes, for on-site subsurface sewage disposal purposes, any soil listed in the Soil Suitability Guide as having a very poor rating for the proposed use, unless the proposed sewage disposal system is approved under the Subsurface Waste Water Disposal Rules.

1. Subsurface Sewage Disposal: No permit shall be issued for a project with subsurface sewage disposal unless:

a) There is an area of suitable soils according to the Subsurface Wastewater Disposal rules of sufficient size, to accommodate the proposed system;

b) An acceptable plan to construct the absorption area is prepared in accordance with the Subsurface Wastewater Disposal Rules; and

c) In lieu of (1) and (2) above, the applicant demonstrates that any deficiencies of the soil for purposes of sewage disposal can and will be overcome by a suitable engineering solution;

32. SIGNS:

1. Conformance of Signs: No sign shall be hereafter placed or erected, altered or maintained, within the limits of the Town of Corinna, Maine except in conformance with the provisions of this section and a permit from the Code Enforcement Officer.

2. Signs Prohibited: No sign, whether new or existing, shall be permitted within the Town of Corinna, which causes a traffic sight, health or welfare hazard, or results in a nuisance, due to illumination, placement, display, or obstruction of existing signs.

3. Temporary Signs: The following temporary signs are permitted provide said signs conform to all standards of this section and all other municipal, federal and state ordinances, statutes and/or regulations:

a) Temporary Signs Giving Notice: Signs of a temporary nature, such as political posters, advertisements or charitable functions, notices of meetings, other non-commercial signs of a similar nature, are permitted for a period not to exceed thirty (30) days, provided that the persons who posted the signs shall be responsible for their removal.

b) Temporary Yard Sale Signs: Temporary yard sale signs are permitted provided they do not exceed the size standards of Subsection (e) and provided they are removed within 24 hours of the completion of the sale. Yard sales which extend for more than four (4) consecutive days are considered commercial use.

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4. Sign Requirements: All signs within the limits of the Town of Corinna shall meet the following requirements:

- a) No sign shall project over a walkway or interfere in any way with the normal flow of foot or vehicular traffic. All free-standing signs shall be set back a minimum of eight (8) feet from property lines in all Districts.
- b) No sign shall contain, include, or be illuminated by flashing, blinking, intermittent, or moving lights;
- c) No sign shall exceed 25 feet in height;
- d) Signs may be illuminated only by shielded, non-flashing lights so as to effectively prevent beams of light from being directed at neighboring residential properties or any portion of the main traveled way of a roadway, or is of such low intensity or brilliance as not to cause glare or impair the vision of the driver of any motor vehicle or otherwise interfere with the operation thereof.
- e) Roof signs shall not extend more than 10 feet above the roof line;
- f) Signs in Industrial District. No more than two free standing signs per use. Signs may be double faced. No larger than 100 square feet in area and no higher than 25 feet in height.

5. Off Premise Signs: No off-premise sign shall be erected or maintained in the Town of Corinna except in conformity with the MRS Title 23, Section 1901-1925, and The Maine Traveler Information Services Law. Off premises official business directional signs shall be located in the Town of Corinna in such a location and in such a manner as allowed under Title 23, Section 1901-1925 and under the rules and regulations of the Department of Transportation of the State of Maine.

6. Exempt Signs: The following signs are exempt from the provisions of this section except as otherwise provided for herein:

- a) Traffic control signs, signals, and/or other devices regulating or enhancing public safety erected by a governmental body.

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33. SITE CONDITIONS

- a. During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon order of the Code Enforcement Officer or other authorized personnel. The developer shall make provisions for disposal of oil and grease from equipment and the site area should be regularly treated to control dust from construction activity, and
- b. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris, and excess or scrap building materials shall be removed or destroyed immediately upon the request and to the satisfaction of the Code Enforcement Officer prior to issuing an occupancy permit; and
- c. No changes shall be made in the elevation of the lot or site by the removal of earth to another lot or site other than as shown on the approved site plan. Minimal changes to elevations or contours necessitated by field conditions may be made only after approval by the Code Enforcement Officer.

34. SOILS All land uses shall be located on soils in or upon which the proposed uses or structures can be established or maintained without causing adverse environmental impacts, including severe erosion, mass soil movement, and water pollution, whether during or after construction. Proposed uses requiring subsurface waste disposal, and commercial or industrial development and similar intensive land uses, shall require a soils report, prepared by a duly licensed individual as appropriate for the project.

35. TEMPORARY STORAGE Portable or mobile trailers, vans, and similar vehicles or temporary buildings may be used for storage, only upon approval of the Code Enforcement Officer and only for temporary period not to exceed six (6) months. Such approval may be granted by the Code Enforcement Officer and may be extended for successive periods of six (6) months each, if a finding can be made that the use:

- a. Does not diminish area requirements set forth for the District in which it is located;
- b. There is a valid temporary need which cannot be met with the principal structure and that adequate economic hardship can be shown;
- c. The initial approval, or any renewal, of the use will not in any way be detrimental to the neighboring properties including aesthetic appearance;
- d. The use is not intended as a permanent or long-term use;
- e. The use is not intended to circumvent building area limitations for the District in which it is located or prolong the use of facilities which have been outgrown;
- f. Will be adequately screened from neighborhood properties and the street;

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- g. Will not be used as or intended for advertising for on or off premise purposes; or used for retail sales.

The above provisions do not prohibit the use of such temporary facilities as construction or job site office or equipment storage facilities during construction provided that no advertising other than the contractors name shall be permitted and that such signs meet the sign requirements of this Ordinance.

36. TOPSOIL AND VEGETATION REMOVAL:

- a. Topsoil shall be considered part of the development and shall not be removed from the site except for surplus topsoil from roads, parking areas, and building excavations;
- b. Except for normal thinning, landscaping, cutting or trees to provide access to direct sunlight, existing vegetation shall be left intact to prevent soil erosion. The Planning Board shall require a developer to take measures to correct and prevent soil erosion in the proposed development.

37. UTILITY INSTALLATION: The installation of utilities such as electrical service, transmission lines and associated cables shall be installed underground within the perimeters of the Village Green and Commercial Districts as determined by the Planning Board so as to blend harmoniously with the adjacent land uses and district design. Any installation of an electrical transmission system that has a rated voltage of 115kv or more shall meet the following requirements:

1. Setbacks

- a. All electrical transmission systems installed after the effective date of this ordinance shall maintain a setback distance of three hundred fifty feet (350') from any existing occupied structure, located on a parcel other than participating parcels. Distances shall be measured from the middle of the constructed transmission line to the outside wall of an occupied structure for any electrical transmission systems installed in the Town of Corinna.

2. Protection Requirements

- a. An electrical transmission line system shall provide State and Federal permits and documentation from the Maine Department of Environmental Protection and the Army Corp. of Engineers showing that the electrical transmission line system will not cause an undue effect on rare, threatened or endangered wildlife, significant and essential wildlife habitat, rare, threatened or endangered plants, and rare and exemplary natural plant communities and ecosystems.

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b. For all other wetland protection requirements, an electrical transmission line system shall abide by the Corinna Shoreland Zoning and all setback requirements contained in the shoreland zoning ordinance.

3. Standards

a. Application for all electrical transmission line system permits shall be submitted to the Town of Corinna Code Enforcement Officer.

b. An electrical transmission line system shall comply with the NESC (National Electric Safety Code), and all state and local electrical codes.

c. Beyond the outside of an easement, removal of so-called hazard and danger trees shall require the landowner's permission during construction and maintenance of the transmission line.

d. Tree Growth regulators and herbicides shall be permitted for vegetation management.

e. An electrical transmission line system shall document procedures, processes, or specifications it uses to prevent encroachment of vegetation into the ROW in an annual work plan provided to abutting landowners, and the Town of Corinna.

38. YARD/GARAGE SALES: A land use permit for a garage/yard sale shall be issued for a single sale or for a one-year period. The permit shall cover no more than three (3) separate sales during the period. Duration of any one sale shall be three (3) days. No more than three (3) sales shall be held at the same location in any given year. Retail establishments are exempt.