

**Section 426. Island District “ID”**

A. Purpose:

Freeport’s Islands are acknowledged to be among the Town’s most treasured natural resources, and their attractiveness contributes to the well-being of the Town. It is the intent of the Island District to protect these unique natural areas and especially their ~~fragile~~ shorelines and surrounding waters by discouraging inappropriate uses, prohibiting development on certain islands, and restricting development on the others ~~to single family dwellings which do as to~~ not materially disturb wildlife habitat, contribute to water pollution, or alter the natural and scenic appearance of the landscape when viewed from offshore. This zone applies to the following islands: Bartol, Bowman, Crab, French, French’s Ledge, Googins, Indian, Little Bustins, Little Flying Point, Little French, Pettengill, Pound of Tea, Pumpkin Knob, Sister, Sister’s Ledge, Sow and Pigs, and Williams. Bustin’s Island is not included.

B. Permitted Uses: *{Amended, Effective 06/18/13}*

All uses are subject to site plan review regardless of size:

1. Non-Residential Facilities associated with outdoor recreation and/or outdoor recreation school for Nature Interpretation
2. Piers, Docks and Wharves (subject to the requirements of Art. XIII of the Coastal Waters Commission Ordinance, and Sec. 507 G of this Ordinance).
3. Single Family Dwelling
4. Fishing, excluding fish processing
5. ~~Timber Harvesting~~ Clearing and removal of vegetation subject to Sec. 426.D.3 below *(note: this change was described to the Planning Board but changing “timber harvesting” to “clearing and removal of vegetation” was not part of the Planning Board’s materials subject to the restrictions in Article IV, Section 422, D.3. below.*

C. Space Standards:

1. Maximum structure height: 20 feet
2. Minimum setbacks:
  - a. On the following Islands; Bowman, Crab, French, French’s Ledge, Googins, Indian, Little Bustins, Little French, Pettengill, Pound of Tea, Pumpkin Knob, Sister, Sister’s Ledge, Sow and Pigs, and Williams -

_____ shore:	125 feet
_____ side:	50 feet
  - b. On Islands connected to the mainland by a causeway; Bartol and Little Flying Point Islands –

_____ shore:	75 feet
_____ side:	50 feet

3. Maximum lot coverage with non-vegetated surfaces: 20%

D. Restrictions:

1. On the following Islands; French, Pettengill, Sister and Williams Only one dwelling unit may be maintained on each Island or lot of record existing as of January 1, 1979. Only one accessory structure and one pier, dock or wharf may be maintained on each Island or lot of record existing as of January 1, 1979. ~~In addition, an outdoor swimming pool may be maintained on each lot of record on any island connected to the mainland by a causeway.~~
2. No dwellings or other structures may be erected on the following Islands, which are deemed unsuitable for such use because of their small size, exposure to the elements, critical wildlife habitat, thin and unstable soils, and/or scenic importance: Bowman, Crab, Googins, Indian, Little Bustins, Little French, French's Ledge, Pound of Tea, Pumpkin Knob, Sister's Ledge, and Sow and Pigs. Once destroyed or removed, any structures currently existing on one of these Islands may not be reconstructed or replaced unless accomplished within two (2) years. The location of a replaced structure may differ from the location of the original structure.
3. On Islands connected to the mainland by a causeway including Bartol Island and Little Flying Point Island, only one dwelling unit may be maintained on each Island or lot of record existing as of January 1, 1979.
3. The clearing and removal of vegetation are subject to the following~~cutting of standing timber shall not be permitted except as follows:~~
  - a. The right to cut and restore trees and shrubs that are disturbed by the forces of nature;
  - b. The right to gather, use, or remove dead wood, provided that no tree supporting an osprey nest may be cut;
  - c. The right to cut timber standing where a permitted structure is to be erected;
  - d. The right to cut trees and shrubs only if the purpose is to maintain and encourage a healthy forest environment and a well distributed stand of trees is retained. The plan must be approved by a Licensed~~Registered Professional~~ Forester.
4. Any modification, alteration, construction or reconstruction of any subsurface waste water disposal system shall be done in a manner that will prevent the direct or indirect discharge of any waste, treated or otherwise, into the salt water.
5. ~~No buildings or accessory structures, or alterations to existing buildings or accessory structures, shall be permitted which materially alter the natural and scenic appearance of the landscape when viewed from offshore. No such buildings or accessory structures shall be located within the areas between the low and high water marks or between the high water mark and a line parallel to, and set back one hundred twenty-five (125) feet from, said high water mark.~~

6. ~~Without limiting the generality of the foregoing, signs, collectively aggregating more than six (6) square feet, trailers, mobile homes, inter-island bridges or causeways, and bridges or causeways from any island to the mainland, or utilization of any island as an aircraft landing site~~ are specifically prohibited, except that. ~~The~~ bridges or causeways from the mainland to Bartol's Island and Little Flying Point may be maintained and reconstructed, as necessary, provided that once removed or destroyed, the same may not be reconstructed or replaced unless accomplished within a period of three (3) years thereafter.

E. Other Standards:

1. Parcels within the Shoreland Zone shall meet the requirements of Section 507.

Add definition of

Outdoor Recreation: activity engaged in the outdoors without the use of motorized recreational products in a natural environment such as but not limited to hiking, camping, hunting, fishing, canoeing, kayaking, sailing, biking, snowshoeing and cross country skiing. Outdoor recreation may also include rustic campsites.

Rustic campsite: An area for tent camping only. Rustic campsites may include a platform. A portable yurt no greater than 14' in diameter is considered a tent for the purposes of this Ordinance.