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ITEM # 47-19 BOATYARDS

Section 104. Definitions

Boat Yard: A business or gainful occupation [for the retail sale of boats and/or](#) where boats are hauled, stored, repaired and/or constructed. The retail sale of gasoline and other fuels is prohibited.

Section 406. Medium Density Districts - “MD-A and MD-B”

{Amended, Effective 01/07/14}

A. Purpose:

It is the intent of this District to maintain the present balance between residential and limited business uses in an area which includes some moderately densely developed areas containing structures of historical significance in sections which are more rural in nature. Route 1 is the major roadway in this District and extends from the Village to the Town of Brunswick border. Provisions below are intended to allow a mix of residential and commercial uses while protecting the neighborhoods and residential properties.

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

1. Single Family Dwelling
2. Two-Family Dwelling
3. Mobile Home
4. Agriculture *{Amended, Effective 06/18/13}*
5. Agritourism Activity *{Amended, Effective 06/18/13}*
6. Timber Harvesting
7. Peddler on Private Property subject to the requirements of Section 526.

The following uses are subject to subdivision review:

8. Open Space Subdivisions for single family, two family dwellings, and multiple family dwelling,
9. Expanded Open Space Subdivisions for single family, two family, and multiple family dwellings,
10. Large Lot Subdivisions for single family, two family, and multiple family dwellings;

The following uses are subject to site review regardless of size:

11. Municipal Facility
12. Multiple Family Dwelling

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13. Hotel/Motel - Maximum of 30 units including retail trade as an accessory use up to 1,000 square feet of gross floor area.
14. Commercial Recreation - Outdoor
15. Commercial Recreation - Indoor
16. Public Utilities
17. Business and Professional Office
18. Hospital
19. Nursing Home and/or Residential Health Care Facility
20. Religious Institution
21. Public or Private School
22. Commercial School
23. Outdoor Recreation School up to 5,000 square feet of gross floor area or up to 5,000 square feet total gross square footage of all buildings on any parcel. The lot size must be at least 100,000 s.f. in MD-A, 80,000 s.f. in MD-B without public water and sewer, and 40,000 s.f. in MD-B with public water and sewer.
24. Cemeteries
25. Private Assembly
26. Bed and Breakfast Inn
27. Convenience Store limited to a maximum of 2500 sq. ft. of gross floor area
28. Junkyard existing as of May 11, 1999
29. Mobile Home Park subject to the requirements of Article V, Sec. 524
30. Day Care Center Facilities
31. Wireless Telecommunication Facility (see Sec 528)
32. Auto Repair Service Garage up to 2,500 square feet of building footprint and up to 5,000 square feet of outdoor vehicle storage area. Auto sales may occur on the premises with no limitation on the percentage of the above building and storage area used as long as an auto repair service garage is operated on the premises within the enclosed building.
33. Construction services
34. Campgrounds
35. Art Gallery/Museum up to 2,500 square feet of building footprint
36. Manufacturing and processing and research and development facilities up to 10,000 square feet of gross floor area of building with up to 5,000 square feet of outdoor storage area. The type of items to be stored outdoors must be approved by the Project Review Board.
37. Restaurant limited to a maximum of fifty (50) seats.
38. Retail trade up to 1,000 square feet of gross floor area
39. Warehouse and Storage Facility, subject to the following limitations:
 - (a) On a lot less than three acres, a warehouse and storage facility may contain:
 - 1) No more than one principal building
 - 2) No more than 2,500 square feet of gross floor area
 - 3) No more than 5,000 square feet of outdoor storage area, except that total outdoor storage area may be increased to no more

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than 10,000 square feet when the storage includes at least 5,000 square feet of lumber and wood products.

- 4) No outdoor storage of any items other than the types of items approved by the Project Review Board.

(b) On a lot of three acres or more, a warehouse and storage facility may contain:

- 1) In the MD-A District, one or more principal buildings with a total gross floor area of no more than 2,500 square feet for the first three acres plus an additional 2,500 square feet for each additional 50,000 square feet of land area over three acres, up to a total of no more than 10,000 square feet of gross floor area per lot.
- 2) In the MD-B District, one or more principal buildings with a total gross floor area of no more than 2,500 square feet for the first three acres plus an additional 2,500 square feet for each additional 40,000 square feet of land area over three acres, up to a total of no more than 10,000 square feet of gross floor area per lot.
- 3) No more than 2,500 square feet of gross floor area in any single building.
- 4) No greater than 40 feet of separation between any two buildings on the lot.
- 5) No more than 10,000 square feet of outdoor storage area.
- 6) No outdoor storage of any items other than the types of items approved by the Project Review Board.

40. Parking area for open space *{Amended, Effective 12/02/14}*

41. Artisan Food and Beverage *{Effective 12/17/14}*

- a. food truck(s) as an accessory use is allowed subject to the provisions of Sec. 526A – Food Trucks

42. Boat Yard

C. Space Standards for Lots Which Are Not Within Subdivisions as Listed in D Below:

1. Minimum lot size:

MD-A -	50,000 s.f.
MD-B -	40,000 s.f. without public water & sewer
	20,000 s.f. with public water & sewer
2. Minimum road frontage:

Route 1	200 feet
All other roads:	100 feet
3. Maximum building height: 35 feet
4. Minimum setbacks: [projects that meet the criteria of Sec. 406.G.4 are eligible for 50% reduction of the setbacks listed below:](#)

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Minor Street:	front:	60 feet
	side:	40 feet
	rear:	40 feet
U.S. Route 1:	Front:	50 feet
	Side:	50 feet
	Rear:	50 feet

From residential buildings: In addition to the setback requirements listed above, new buildings for the uses of auto repair service garage, construction services, manufacturing and processing, and/or warehouse and storage facility that require Site Plan Review approval shall not be located any closer than 100 feet from the closest point of a residential building on an adjacent property. For the purposes of this section, a residential building means a single family, two-family, multiple family or mobile home, as well as commercial uses that are either temporary or permanent shelter such as campgrounds, hotels and motels, and nursing homes.

5. Minimum land area per dwelling unit:	20,000 feet
6. Maximum impervious surface to lot area:	50%
7. Minimum lot width:	75 feet
8. Maximum Height B	
Wireless Telecommunication Facility (single user):	100 feet
Wireless Telecommunication Facility, Co-located:	150 feet

D. Space Standards for Lot in Subdivisions approved after April 9, 2002

1. Open Space Subdivisions requirements

- A. MD-A net residential density, single family: *1 unit per 50,000 square feet of net residential acreage*
- B. MD-B net residential density without public water and sewer, single family: *1 unit per 40,000 square feet of net residential acreage*
- C. MD-B net residential density with public water and sewer, single family: *1 unit per 20,000 square feet of net residential acreage*
- D. MD-A and MD-B net residential density, per dwelling unit, two family and multiple family: *1 unit per 20,000 square feet*
- E. MD-A minimum lot size, single family: *25,000 square feet*
- F. MD-B minimum lot size, single family if not connected to public water and sewer: *20,000 square feet*
- G. MD-B minimum lot size, single family if connected to public water and sewer: *10,000 square feet*
- H. Minimum lot area per dwelling unit, two family, and multiple family dwellings: *10,000 square feet*

2. Expanded Open Space Subdivisions requirements

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- A. MD-A net residential density, single family: *1 unit per 41,500 square feet of net residential acreage*
- B. MD-B net residential density without public water and sewer, single family: *1 unit per 33,000 square feet of net residential acreage*
- C. MD-B net residential density with public water and sewer, single family: *1 unit per 17,000 square feet of net residential acreage*
- D. MD-A and MD-B net residential density, per dwelling unit, two family and multiple family: *1 unit per 17,000 square feet*
- E. MD-A minimum lot size, single family: *20,000 square feet*
- F. MD-B minimum lot size, single family if not connected to public water and sewer: *20,000 square feet*
- G. MD-B minimum lot size, single family if connected to public water and sewer: *7,000 square feet*
- H. Minimum lot area per dwelling unit, two family, and multiple family dwellings: *7,000 square feet*

3. Large Lot Subdivisions requirements

- A. MD-A net residential density, single family: *1 unit per 100,000 square feet of net residential acreage*
- B. MD-A net residential density, per dwelling unit, two family, and multiple family dwellings: *1 unit per 40,000 square feet of net residential acreage*
- C. MD-B net residential density without public water and sewer, single family: *1 unit per 80,000 square feet of net residential acreage*
- D. MD-B net residential density without public water and sewer, per dwelling unit, two family, and multiple family dwellings: *1 unit per 40,000 square feet of net residential acreage*
- E. MD-B net residential density with public water and sewer, single family and per dwelling unit, two family, and multiple family dwellings: *1 unit per 40,000 square feet of net residential acreage*
- F. MD-A minimum lot size, single family: *100,000 square feet*
- G. MD-B minimum lot size without public water and sewer, single family:

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80,000 square

feet

H. MD-B minimum lot size with public water and sewer, single family:

40,000 square

feet

I. Minimum land area per dwelling unit, two family, and multiple family dwellings:

40,000

square feet

E. Bulk Standards for Lot in Subdivisions approved after April 9, 2002

1. Minimum road frontage and lot width, open space and expanded open space subdivisions:

75 feet

2. Minimum road frontage, large lot subdivisions:

100 feet

3. Minimum lot width, large lot subdivisions:

75 feet

4. Minimum setback for open space and expanded open space subdivisions

front:

30

feet

rear:

25 feet

side:

10 feet

combined side:

30 feet

5. Minimum setback for large lot subdivisions

front:

60 feet

rear:

40 feet

side:

40 feet

6. Maximum building height:

35 feet

7. Minimum shore frontage:

See Section 507

F. Prohibited Uses:

Specifically include, but are not limited to, the following:

1. Manufacture, fabrication, disposal or any use of asbestos products
2. Paper Manufacturing
3. Petroleum and petrochemical refining and reprocessing
4. Production of lubrication oils and grease
5. Manufacture of explosives including, but not limited to, ammunition and fireworks
6. Offal or dead animal disposal and reprocessing
7. Abattoirs and slaughterhouses

G. Other Standards:

1. Outdoor storage for home occupation uses is prohibited in the front setback.
2. For all lots other than those with single and two-family uses, the following buffer requirements shall apply:

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Landscaping is required in all front, side and rear setbacks for a minimum depth of 25 feet. The purpose of the landscaping is to provide a buffer between low density residential uses and commercial/industrial uses. The Project Review Board shall determine the type of landscaping to be required and may use the applicable standards listed in Section 506 (Buffer Zones) below.

3. Minimum outdoor storage standards for non-residential uses are:
 - a. The storage area shall be fully fenced with an opaque material 5 to 6 feet high.
 - b. Only materials and/or equipment used in the business shall be stored.
 - c. Stored materials shall be no higher than the height of the fence.
 - d. No outdoor storage shall be allowed in any setback areas.
4. [A reduction of fifty percent of The Project Review Board may reduce](#) any setback requirement [is allowed](#) if doing so will increase the distance between an existing residential building and a commercial building, if environmentally sensitive areas will be avoided, or if a lot shares access with another commercial building, and /or varying the setback will alter the front lines of the buildings.
5. All buildings that are subject to Site Plan Review and that are plainly visible from a public road shall be required to meet the building design standards of this section. For the purposes of this section, buildings that are screened by a depth that is the same or more than the front setback requirement of natural, mature vegetation, and/ or another building, and/or a change in elevation or other method as approved by the Project Review Board are not considered to be visible from the road, These building may be seen from the road, but they are not considered to be in plain sight.
 - a. Designs that are characterized by long monotonous unrelieved shape or form or by the unbroken extension of line for any building are not permitted. Wall projections, recesses, windows, roof elevation variations and design features such as moldings, color changes, material changes, signs, awnings, dormers and so on can be used to break up the visual expanse of a building facing a public or private road.
 - a. Efforts should be made to vary the setback of the building on a parcel from the setback of adjacent buildings to avoid a monotonous, visual building line along a road. In situations where this is not possible landscaping, parking lot design and building design are some examples of site features which can be used to minimize the uniformity of the setback line.
6. Buildings that are subject to Site Plan Review that are not plainly visible as described in Sec.406.G.5 above shall provide extra attention to the entrance rather than the building. For example, signs for the business or a simple address sign might be made of a distinctive material, or decorative plantings, lighting, or art work may be included. The Project Review Board may base the appropriateness of an entrance design on the amount of customer recognition that is needed for a business.

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7. Non-residential uses are allowed one overhead door on a side of the building visible from U.S. Route One. The Project Review Board may approve more than one overhead door on a side of a building visible from Route One if the size and shape of the lot are such that no other feasible alternative exists or if the building is not plainly visible from U.S. Route One as described in Sec. 406.G.5.