Commercial Site Plan Review Ordinance of the Town of Blue Hill, Maine

Originally Adopted and Effective: March 16, 2002
Amended and Restated Effective\(^1\): April 6, 2018

Certified By:
/s/ Vaughn Leach
Vaughn Leach
May 22, 2019
/s/ Ellen S. Best
Ellen S. Best
May 22, 2019
/s/ James W. Dow
James W. Dow
May 22, 2019
Municipal Officers

Attest: True Copy
/s/ Etta E. Perkins
Etta E. Perkins
May 22, 2019
Town Clerk

\(^1\) And reflecting fees (Sections 4(E)(2) and 4(E)(3)) approved by the Select Board on May 1, 2019.
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Section 2. Definitions

As used in this Ordinance, unless the context otherwise indicates, the following terms have the following meanings.

NOTE: For convenience only, defined terms are marked in bold italics where they appear in the text.

Abutting lot: A lot which abuts, is contiguous to, or joins at a border or boundary, including lots across a road, the lot(s) subject to the Site Plan Review requirement and any contiguous lots under common ownership.

Aggrieved party: An owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this Ordinance; a person who owns an abutting lot to that lot for which a Site Plan Review Permit or variance has been granted; or any other person who has suffered particularized injury as a result of the granting or denial of such Site Plan Review Permit or variance.

Accessory structure or use: A use or structure which is incidental and subordinate to the principal use or structure. Accessory uses, when aggregated, shall not subordinate the principal use of the lot.

Agricultural activities: The production, keeping or maintenance for sale or lease, of plants and/or animals, including but not limited to forages and sod crops, grains and seed crops, dairy products, poultry and poultry products, livestock, fruits and vegetables, and ornamentals and greenhouse products. Agricultural activities do not include the processing of agricultural products for market or consumption such as slaughterhouses, packing plants or canneries.

Attic: That part of a structure immediately below and wholly or partly within the roof framing.

Basement: Any portion of a structure with a floor to ceiling height of six (6) feet or more and having more than fifty per cent (50%) of its volume below the existing ground level.

Building: Any structure designed to shelter people, animals or property.

Campground: Any premises established for camping, including recreational vehicle parks, for which a fee is charged.

Campsite: An area in a campground designed for use by a single recreational vehicle, tent or shelter.

CEO (Code Enforcement Officer): A person appointed by the municipal officers to administer and enforce this Ordinance.

Commercial: An activity the intent or result of which is to generate revenue from the buying and selling of goods and/or services, exclusive of rental of single-family or duplex dwellings. This definition includes non-profit organizations and activities.

Commercial recreation facility: Any commercial enterprise that provides recreational activities including, but not limited to, racquet ball clubs, health clubs, amusement parks and golf courses.

Commercial use: The use of lands or structures, other than for a "home occupation," for commercial purposes.
Lot line: A line bounding a lot that divides one lot from another, or from a public road.

Major Development: A project which has been classified as such under the provisions of Section 4(B) (or reclassified under Section 4(C)) of this Ordinance.

Minor Development: All projects not classified as a Major Development.

Non-conforming (building or structure): A building or structure which 1) was in commercial use as of the date of adoption of Section 6(H)(3) and 2) did not conform to the setback provisions of that section as of such date.

Owner: The person having the right of legal title to, beneficial interest in, or a contractual right to purchase a lot.

Permitting authority: The person (CEO) or entity (Planning Board) responsible for issuing a particular permit or approval under this Ordinance.

Person: An individual, corporation, governmental agency, municipality, trust, estate, partnership, association, two or more individuals having a joint or common interest, or other legal entity.

Principal structure: A building other than one that is used for purposes wholly incidental or accessory to the use of another building or use on the same premises. A deck or similar extension of the principal structure or a garage attached to the principal structure by a roof or a common wall is considered part of the principal structure.

Principal use: A use other than one that is wholly incidental or accessory to another use on the same premises.

Public road: A road designated for public use; typically maintained by a governmental body such as a town, county, state, or the Federal government.

Recreational vehicle: A vehicle or vehicular attachment designed for temporary sleeping or living quarters for one or more persons, including, without limitation, a pickup camper, travel trailer, tent trailer, motor home, or converted van or truck.

Road: A thoroughfare, way or easement permanently constructed for or created by the repeated passage of vehicles.

Site Plan Approval: A decision by the permitting authority to approve a project as a result of Site Plan Review.

Site Plan Review: The process of evaluating an application for a project under this Ordinance.

Site Plan Review Permit: A written order granting Site Plan Approval.

Shore frontage: The horizontal distance, measured in a straight line, between the intersections of the lot lines with the shoreline at the normal high water line or the upland edge of a coastal wetland. The terms "normal high water line" and "coastal wetland" shall have the meanings set forth in 38 M.R.S.A. § 480-B.

Shoreland area: All areas to which the Shoreland Zoning Ordinance for the Municipality of Blue Hill is applicable.
Section 3. Site Plan Review Required

A. Permit Required

No person shall commence or undertake any land use activity within the Town of Blue Hill without first obtaining a Site Plan Review Permit as indicated by the following Table of Land Uses.

B. Table of Land Uses

<table>
<thead>
<tr>
<th>Land Use Activity</th>
<th>Site Plan Review Permit Required?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. One or two <em>single-family dwellings</em> on a single lot.</td>
<td>No</td>
</tr>
<tr>
<td>2. <em>Duplex dwelling</em> on a single lot.</td>
<td>No</td>
</tr>
<tr>
<td>3. Conversion of a <em>single-family dwelling</em> on a single lot to a <em>duplex dwelling</em>.</td>
<td>No</td>
</tr>
<tr>
<td>4. Any structure or activity that is an <em>accessory structure or use</em> to items 1 through 3, above.</td>
<td>No</td>
</tr>
<tr>
<td>5. <em>Subdivisions</em> subject to review under the Blue Hill Subdivision Ordinance.</td>
<td>No</td>
</tr>
<tr>
<td>6. All <em>agricultural activities</em>.</td>
<td>No</td>
</tr>
<tr>
<td>7. <em>Forest management activities</em>.</td>
<td>No</td>
</tr>
<tr>
<td>8. The construction of any new <em>structure</em> not otherwise exempted by this table.</td>
<td>Yes</td>
</tr>
<tr>
<td>9. Any new <em>commercial use</em> of land not otherwise exempted by this table.</td>
<td>Yes</td>
</tr>
<tr>
<td>10. Any expansion of an existing <em>commercial use</em> that results in:</td>
<td>Yes</td>
</tr>
<tr>
<td>A. <em>lot coverage</em> greater than fifty percent (50%);</td>
<td></td>
</tr>
<tr>
<td>B. a <em>structure</em> with a <em>footprint</em> greater than two thousand (2,000) sq. ft. in area; or</td>
<td></td>
</tr>
<tr>
<td>C. total <em>impervious surfaces</em> on the lot in excess of four thousand (4,000) sq. ft. or seventy five percent (75%) of <em>lot area</em>.</td>
<td></td>
</tr>
<tr>
<td>11. Any use that will result in substantial waste water discharge as described in Section 4(B)(1) of this Ordinance.</td>
<td>Yes</td>
</tr>
<tr>
<td>12. The interior expansion of any <em>commercial use structure</em> that increases the floor area used for <em>commercial</em> purposes by fifty percent (50%) or more.</td>
<td>Yes</td>
</tr>
<tr>
<td>13. Any use that will result in substantial groundwater extraction as described in Section 4(B)(4) of this Ordinance.</td>
<td>Yes</td>
</tr>
</tbody>
</table>
6. **Conversion or Expansion of a Major Development**

Any project which is a conversion or expansion of an existing project meeting the description of a **Major Development**.

7. **CEO Determination of Potential Significant Impact**

Any project which the **CEO** determines a) may have significant impact to the physical, social, economic, or the environmental welfare of the Town or b) has characteristics that make it reasonable and necessary to conduct a professional review (as described in Section 5(E)) prior to considering the application for **Site Plan Approval**.

C. **Minor Developments**

A project not classified by the **CEO** as a **Major Development** shall be considered a **Minor Development** under this Ordinance. Any project initially classified as a **Minor Development** may be reclassified as a **Major Development** upon a finding by the **CEO** that the project meets the requirements for classification as a **Major Development**. After reclassification, all further review shall be conducted by the Planning Board.

D. **Submission Requirements**

1. **Major and Minor Developments**

   All projects requiring **Site Plan Review** shall submit the information specified in Section 4(E). **Major Developments** meeting the criteria in Section 4(B)(1) (**Projects with substantial waste water discharge**) and Section 4(B)(2) (**Projects with substantial groundwater extraction**) shall submit additional information as provided in Section 4(F).

2. **Waiver**

   The **permitting authority** may waive any of the submission requirements upon the written request of an applicant for good cause shown. The **permitting authority** must state the facts constituting good cause in writing. No waiver may be granted if it will unduly restrict the review process. The **permitting authority** may condition such a waiver on the applicant's compliance with alternative requirements. Good cause may include the **permitting authority's** finding that particular submissions are inapplicable, unnecessary, or inappropriate for a complete review. Notwithstanding the waiver of a submission requirement, the **permitting authority** may, at any later point in the review process, rescind such waiver if it appears that any submission requirement previously waived is necessary for an adequate review. A request for submission previously waived shall not affect the pending status of an application.

3. **Procedures**

   Applications for **Site Plan Review** shall be submitted on forms provided by the Town. The complete application form, required fees, and the required plans and related information shall be submitted to the **CEO** who shall, for **Major Developments**, forward these materials to the Planning Board.
d. Names and addresses of all **abutting lot owners**, together with certification by the applicant (on a form provided by the Town) that notice of the applicant’s intent to file the application has been provided to each **abutting lot owner** by certified mail;

e. Sketch map showing general location of the site within the **Town**;

f. Location map showing the relationship of the proposed project to adjacent properties and to the general surrounding area within three thousand (3,000) feet of any property line of the site, and the location of any identified sand and gravel aquifers within three hundred (300) feet of the project. The scale shall not be smaller than 1" = 400'; reduced tax maps showing **owner's** names and other required information may be acceptable;

g. The tax map(s) and lot number(s) of the **lot** where the project is located and of **abutting lots**;

h. A copy of the current deed to the **lot**, option to purchase the **lot** or other documentation to demonstrate right, title, or interest in the **lot** on the part of the applicant; and

i. The name(s), registration number(s), and seal(s) of the land surveyor, architect, engineer, and/or similar professionals assisting with the preparation of the plan.

### 6. Site Information

The following information regarding the proposed project and existing conditions is required. This information must accompany, or be submitted on, a map using the following scale and showing the date of the map, magnetic north, the scale and the identity of the draftsman:

<table>
<thead>
<tr>
<th>Acres</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 to 10</td>
<td>1&quot; = 10' to 1&quot; = 50'</td>
</tr>
<tr>
<td>10+ to 50</td>
<td>1&quot; = 50' to 1&quot; = 100'</td>
</tr>
<tr>
<td>50+(lots &lt;= 4 acres)</td>
<td>1&quot; = 100'</td>
</tr>
<tr>
<td>50+(lots &gt; 4 acres)</td>
<td>1&quot; = 200'</td>
</tr>
</tbody>
</table>

a. Zoning classification(s) of the **lot** and the location of zoning district boundaries if the **lot** is wholly or partially located in a **shoreland area**.

b. The bearings and distance of all **lot lines** of the **lot** on which the project is located and the source of this information.

c. Location and size of all existing and proposed wells, sewer and water mains, culverts, drains, above or below ground utilities and waste water disposal systems on the **lot** on which the project is located, and of any of these items that currently serves or will serve the project from **abutting lots** or **public roads**.

d. Location, names and widths of all existing and proposed **roads** and rights-of-way adjacent to the proposed project.

e. The location, dimensions and ground floor elevations of all existing and proposed **buildings** on the **lot**.
7. Waivers sought by applicant

A list of the submission requirements for which the applicant seeks a waiver under Section 4(D)(2), and a written explanation of the reasons that the waiver is sought.

F. Additional Reports for Specific Project Types

1. Projects with substantial waste water discharge (Section 4(B)(1)) must submit a high intensity soil survey and a hydrogeologic assessment, which shall include, at a minimum, the following information:

   a. A map showing basic soil types on the lot.
   
   b. The depth of the water table at representative points throughout the lot.
   
   c. Drainage conditions throughout the lot.
   
   d. Data regarding the existing ground water quality, either from test wells on the lot or from existing wells on the lot or on abutting lots.
   
   e. An analysis and evaluation of the impact of the project on ground water resources, including a projection of nitrate-nitrogen concentrations associated with the project. Projects within the watershed of a lake or pond shall include phosphate impact calculations.
   
   f. The location of any existing or proposed subsurface wastewater disposal systems and wells on the lot and within two hundred (200) feet of the lot lines.
   
   g. Projections of post-development water quality at any wells within the lot or within five hundred (500) feet from the point of contamination, whichever is the shorter distance. These projections shall be based upon a drought condition assumption of sixty per cent (60%) of annual average recharge from precipitation.
   
   h. The signature and seal of the Certified Geologist who prepared the assessment.

The Planning Board may require additional information where necessary to evaluate the project's compliance with this Ordinance.

2. Projects with substantial groundwater extraction (Section 4(B)(2)) shall submit a groundwater extraction impact assessment which shall include, at a minimum, the following information:

   a. A statement from the applicant specifying the quantity of ground water to be extracted expressed as the annual total, the maximum monthly rate by calendar month, and the maximum daily rate. These rates shall be maximum rates, which rates shall not be exceeded without further Site Plan Approval by the Planning Board.
   
   b. For projects coming under the jurisdiction of the Maine DHHS, a letter from that agency containing its review comments.
   
   c. A report prepared by a Certified Geologist showing:

      i. A map of the aquifer tributary to the spring(s), well(s) or excavation(s) from which the water is to be extracted. The map shall include sufficient detail to support a
Section 5. Site Plan Review Process

A. Purpose

The purpose of Site Plan Review is to promote the public health, safety and general welfare by requiring CEO or Planning Board review of plans for certain uses or structures which have a significant potential impact on the neighborhood or the environment and which, when properly designed with respect to their surroundings, can become uses or structures that are compatible with the neighborhood and environment.

B. Prohibition

No activity or use requiring a Site Plan Review Permit shall commence until the applicant has been granted the requisite Site Plan Approval from the applicable permitting authority and complied with all other applicable provisions of this Ordinance.

C. Review Procedures

The procedures for Site Plan Review are as follows:

1. Submission of completed application to the CEO.

   The applicant shall submit the requisite number of copies of the application and supporting information required by this Ordinance, as described in Section 4.

2. CEO classification and review

   a. Dated receipt

      The CEO shall issue the applicant a dated receipt and will date-stamp the application.

   b. Classification

      The CEO shall review the application and classify it as either a Major or Minor Development in accordance with the provisions of this Ordinance.

   c. Fees submitted

      After classification, the applicant shall provide the CEO with the applicable review fees.

   d. Review for completeness

      The CEO shall initially review the application and determine whether or not it is complete.

   e. Notice of incomplete application

      If the application is found to be incomplete, the CEO shall, within ten (10) days, notify the applicant in writing of the information needed to complete the application. Upon the applicant's submission of such additional information, the process above shall be repeated.

3. Complete applications

   Upon finding an application to be complete, the CEO shall take the following action with regard to that application.
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5. Public hearing for Minor Developments

At the CEO's discretion, a public hearing may also be required for Minor Developments, in which case such public hearing shall be conducted by the CEO within forty (40) days of the CEO's determination that the application is complete. This deadline may be extended by mutual agreement, in writing, of the CEO and the applicant.

6. Deliberation and decision

a. Deliberation

Within forty (40) days after the public hearing on an application or, if no hearing is held, within forty (40) days of a determination of completeness by the CEO, the permitting authority shall decide the matter. For Major Developments, the Planning Board shall deliberate the matter at a public meeting. Site Plan Approval shall be granted if the proposed project complies with all applicable criteria and minimum standards set forth in Section 6. This deadline may be extended by mutual agreement of the permitting authority and the applicant in writing, or (in the case of Major Developments) either in writing or orally, on the record, at a public meeting.

b. Decision

If the permitting authority finds that the proposed project complies with all criteria and minimum standards of this Ordinance it shall issue an order granting Site Plan Approval subject to such terms and conditions as the permitting authority finds are reasonably necessary to ensure conformity with the criteria and minimum standards of this Ordinance.

If the permitting authority finds that the proposed project does not comply with all applicable review criteria and minimum standards, it shall issue an order denying Site Plan Approval.

In either case the permitting authority shall, within fifteen (15) days after the completion of its deliberations, issue specific written findings of fact supporting its decision.

The decision shall state any conditions of approval that apply to the project and the reason for the imposition of those conditions. A copy of the decision shall be sent to the applicant at the address provided on the application. Decisions by the CEO shall also be sent to any abutting lot owner who responded, in writing, to the notice sent by the CEO.

D. Public Hearing Procedures

Site Plan Review public hearings and notice thereof shall comply with the following procedures:

1. Published notice

Notice of the hearing shall be published in a newspaper of general circulation in the Town of Blue Hill at least ten (10) days prior to the hearing date.
G. Appeals

Any aggrieved party may appeal a decision to grant or deny a permit under this Ordinance, or the imposition of conditions of approval, to the Blue Hill Board of Appeals.

H. Expiration of Approvals

Unless specifically authorized by the permitting authority at the time Site Plan Approval is granted, all Site Plan Approvals shall expire unless work on the project is substantially commenced within twelve (12) months from the date Site Plan Approval is granted. If work is not substantially completed within twenty-four (24) months from the date Site Plan Approval is granted, a new application and Site Plan Approval shall be required prior to the commencement of any project activity or use.

I. Other Permits

The granting of Site Plan Approval does not relieve the applicant from the need to obtain any other permits or approvals required prior to the commencement of any activity or use. Such other required permits or approvals may include, but are not limited to, building and plumbing permits, permits required under other ordinances of the Town of Blue Hill, licenses granted pursuant to 38 M.R.S.A., § 1022, Maine Department of Environmental Protection and United States Army Corps of Engineers’ approvals, subsurface wastewater disposal permits, sewer connection permits, and Maine Department of Transportation approvals. The fact that the applicant may have obtained or may have been granted such permits or approvals prior to Site Plan Review may be considered by the Planning Board as evidence as to the project’s compliance with applicable review standards, but shall not be deemed conclusive evidence as to compliance. The written order granting Site Plan Approval constitutes the Site Plan Review Permit for the project.

J. Access to Site and Records

The CEO shall have reasonable access to the site at all times to review the progress of the work and shall have the authority to review all records and documents related to the project. The applicant, by accepting Site Plan Approval, waives any objection to the CEO having access to the site to review the progress of the work or to review all records and documents related to the project.
C. Soil Types, Erosion, Contamination, Drainage, etc.

Criterion: The project will be built on soil types which are suitable to the nature of the project and adequate provision has been made to avoid erosion, contamination of ground or surface waters, interference with adjacent land, over-burdening of natural or artificial drainage systems and/or any other adverse effects of inadequate drainage.

Minimum Standards:

1. Conservation, erosion and sediment control.
   a. 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 cleanup stages.
   b. Erosion of soil and sedimentation of watercourses and water bodies shall be minimized by employing the Maine Erosion and Sediment Control Best Management Practices (BMPs). To the extent the applicant cannot employ all of the BMPs, the application shall identify all BMPs from which relief is sought, together with the reason the BMP cannot be employed and any alternative measures proposed by the applicant. The permitting authority will determine whether to waive full compliance with the BMPs as part of its Site Plan Review.
   c. In addition:
      i. The project shall preserve outstanding natural features, keep cut-fill operations to a minimum and insure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water runoff;
      ii. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
      iii. The disturbed area and the duration of exposure shall be kept to a practical minimum;
      iv. Permanent (final) vegetation and mechanical erosion control measures shall be installed as soon as practicable;
      v. The top of a cut or the bottom of a fill section shall not be closer than ten (10) feet to an abutting lot, unless specifically permitted by the permitting authority.
      vi. Extraction operations (gravel pits, etc.) shall not be permitted within one hundred (100) feet of any lot line unless specifically permitted by the permitting authority and upon the prior written agreement of the owner of such abutting lot;
      vii. Whenever sedimentation is caused by stripping vegetation, re-grading or other development, it shall be the responsibility of the applicant to remove it from all adjoining surfaces, drainage systems and watercourses and to repair any damage at his expense as quickly as possible; and
      viii. Maintenance of drainage facilities or watercourses originating completely on private property is the responsibility of the applicant to the point of open discharge at the lot line or at a communal watercourse on the lot.
days of the date Site Plan Approval is granted. No construction may commence on the project before this payment is made.

D. Outdoor Displays and Storage Areas

Criterion: Adequate provision has been made to locate and design proposed outdoor display and/or storage areas so as to avoid any safety hazard to vehicular and pedestrian traffic on and off the site.

E. Hazards and Nuisances

Criterion: Adequate provision has been made to avoid any hazard to travel on public or private ways, or any glare or other nuisance to the use of adjoining public or private property.

Minimum Standards:

1. Emissions
   a. Emissions of dust, dirt, fly ash, fumes, vapors or gases which pose an unreasonable risk of harm to human health or the environment shall be prohibited.
   b. No land use activity shall be permitted to produce unreasonable, offensive or harmful odors perceptible beyond the lot lines, measured either at ground or habitable elevations.

2. Lighting
   a. No land use activity shall be permitted to produce unreasonable glare or brightness beyond the lot lines.
   b. Lighting fixtures shall be shielded or hooded so that the lighting elements are not exposed to normal view of motorists, pedestrians or buildings on abutting lots.
   c. Direct or indirect illumination shall not exceed 0.5 foot-candles upon residences on abutting lots.
   d. All exterior lighting shall be designed to insure safe movement of people and vehicles, and to minimize adverse impact on abutting lots and public roads. Adverse impact is to be judged in terms of hours of use, hazards to people and vehicular traffic and potential damage to the value of abutting lots. Lighting shall be arranged to minimize glare and reflection on abutting lots and the traveling public.

3. Hazardous materials
   a. No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground, unless they are stored in compliance with the requirements of the rules and regulations adopted by the State of Maine.
   b. All storage of petroleum or liquid petroleum products shall be in conformance with the provisions to 38 M.R.S.A. §§ 541-560 which, among other things, establishes a ten-year compliance schedule for the discontinuance and removal of non-conforming underground storage facilities and requires qualified personnel to oversee the removal of certain underground facilities.
2. Water Supply
   
a. The project shall be provided with a system of water supply that provides an adequate supply of water meeting the standards of the State of Maine for drinking water. Where groundwater pollution exceeds the Primary Drinking Water Standards and the project is to be served by on-site ground water supplies, the applicant shall provide adequate evidence of the manner in which the water quality will be adequately improved or treated.
   
b. For Major Developments the applicant shall construct ponds and dry hydrants to provide for adequate water storage for firefighting purposes. An easement shall be granted to the Town granting access to the dry hydrants where necessary. The Planning Board may waive the requirement for dry hydrants or ponds only with the written concurrence of the Blue Hill Fire Chief.
   
3. Lot line setback
   
a. Except as provided in Section 6(H)(3)(c) below, all structures must be set back at least ten (10) feet from all lot lines and must be set back at least ten (10) feet from the edge of the traveled way of any road.
   
b. Original non-conforming structures are not subject to the setback requirements above; however, replacements or significant repairs to such structures shall be subject to such requirements except as provided in Section 6(H)(3)(c) below.
   
c. In the event a non-conforming structure is removed, damaged or destroyed, such structure may be repaired or replaced, subject to the following provisions:
   
i. Any such reconstruction or replacement may not increase the footprint of the previous structure within the setback area. Furthermore, reconstructed or replaced buildings may not be sited within the footprint of a previous non-building structure.
   
ii. A permit for the project must be obtained within eighteen (18) months of the date of the damage, destruction or removal of the non-conforming structure.
   
iii. The provisions of Section 6(A) and Section 6(B) will only apply to the same extent that they applied to the non-conforming structure and its commercial use.
   
iv. An existing commercial use of a non-conforming structure may be changed to another commercial use provided that the proposed use has no greater adverse impact on the subject and adjacent properties and resources than the former use as determined by the permitting authority.
   
v. A permit for the repair or replacement of a non-conforming structure shall only be granted in the event no reasonable alternative is available. The historic appearance and context of the non-conforming structure shall be a factor in making the determination of reasonableness.
   
I. Municipal Services
   
Criterion: Adequate provision has been made to avoid any undue burden on municipal services including, but not limited to, water, fire, sewer and police services.
10. Each *recreational vehicle*, tent site or covered shelter site shall include at least one picnic table per site, and at least one (1) covered trash receptacle for every three (3) sites. Trash receptacles shall be emptied at least once per day.

11. There shall be one toilet and lavatory for each five (5) *campsites*. Water and sewage systems shall conform to state regulation.

12. Each *campsite* shall be equipped with a masonry or metal fireplace, the construction of which is approved by the Blue Hill Fire Chief.

L. Signs

*Criterion:* Adequate provision has been made to ensure that any *signs* associated with the project do not create a safety hazard.

*Minimum standards:*

1. Where vision may be obscured entering a *public road* the whole of a sign board or display elements of any free-standing *sign* shall be either below three (3) feet or above seven (7) feet in height above level.

2. Any free-standing *sign* located in any *yard* space abutting a *public road* shall be set back at least ten (10) feet from the edge of the traveled way of such *public road* and at least twelve (12) feet from all other *lot lines*. Where an existing *principal structure* is located within fifteen (15) feet of the edge of the traveled way of a *public road*, a free-standing *sign* may be located no closer than five (5) feet to the edge of the traveled way.

3. These *sign* design and placement standards shall not apply to the following:
   a. *Legal notices, identification, informational or directional control signs* erected or required by a governmental entity; and
   b. *Signs* that guide or direct traffic and parking on private property, but bear no advertising or commercial identification.

M. Site Conditions

*Criterion:* Adequate provision has been made to ensure that, during construction, the site and surrounding area is safe.

*Minimum standards:*

1. During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition that could lead to personal injury or property damage, shall be immediately corrected by the applicant upon an order by the *CEO* or other authorized person. The applicant shall make provision for disposal of oil and grease from equipment, and the site area should be regularly treated to control dust from construction activity; and

2. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris. Excess or scrap building materials shall be removed or destroyed immediately upon the request of and to the satisfaction of the *CEO*. 
Section 7. Enforcement

A. Enforcement Authority

The CEO is authorized to enforce the provisions of this Ordinance, and to take legal action for enforcement at the direction of the Municipal Officers of the Town.

B. Violations

1. Any person who undertakes any land use activity listed in Section 3 as requiring a Site Plan Review Permit, without first obtaining such permit, violates this Ordinance. Each day that such use continues shall constitute a separate violation of this Ordinance.

2. Any person who, having received a Site Plan Review Permit, thereafter conducts the land use activity in such a manner contrary to any condition set forth in the Site Plan Review Permit, or to the provisions of this Ordinance, violates this Ordinance. Each day that such use continues shall constitute a separate violation of this Ordinance.

3. Every violation of this Ordinance may be prosecuted pursuant to 30-A M.R.S.A. § 4452.