

Land Use Ordinance

Amendments for Town Vote June 2018

Amendment 1.

FIGURE 1. – Map of Village Overlay District

See the Town of Berwick’s Zoning Map at berwickmaine.org/maps as the map may be amended from time to time.

Amendment 2.

Section 5.2

D. Non-conforming Lots of Record

1. A vacant non-conforming lot of record may be built upon provided it is not contiguous with any other vacant lot in the same ownership. A vacant lot of record does not have to meet area or frontage requirements of this ordinance. However, all other dimensional standards of this ordinance shall be met unless a variance is obtained from the Board of Appeals. Buildings shall be limited to a single family or two-family dwelling unit **unless the property has frontage on Route 9 or Route 4 and the use is permitted in the pertinent zoning district.**

Amendment 3.

Section 2.2

Retail Use Marijuana: Means the cultivation, manufacture, distribution or selling of marijuana by a retail marijuana establishment or retail marijuana social club as referenced in MRS 7, Section 2442.

Amendment 4.

Land Use Table

	R1	R2	R3	C/I	RC/I	AP	LR	SC/I	RP	SP
Retail Use Marijuana+	X	X	X	X	X	X	X	X	X	X

+ Retail Use Marijuana is prohibited until the laws at the State level are determined, after that point, the Planning Board will review the Retail Use Marijuana definition and Land Use Table.

Amendment 5.

Section 12.2

Any proposal for an amendment shall be made to the Planning Board in writing stating the specific changes requested. When a change in zoning boundaries is proposed, the application shall state the nature, extent, and location of the boundary change proposal, and shall be accompanied by a scale drawing showing the areas to be changed, with dimensions. When an amendment is proposed by other than the municipal officers or the Planning Board, a fee of **\$250** shall accompany the proposal to cover the costs of hearings and advertisements

Amendment 6.

Section 8.3

F. Failure to achieve substantial completion of a subdivision within 3 years of the date of approval and signing of the plan shall render the plan null and void. Phased subdivisions must complete the first phase within 3 years and each phase thereafter within 3 years of the completion of the previous. **Upon determining that a subdivision's approval has expired under this paragraph, the Board shall have a notice placed in the Registry of Deeds to that effect.**

Amendment 7.

Section 7.21

E. Prohibition of Non-Storm Water Discharges

1. **2. Allowed Non-Storm Water Discharges.** The creation, initiation, origination and maintenance of the following non-storm water discharges to the storm drainage system are allowed **as long as they do not cause or contribute to a violation of the State's water quality standards:**
 - a. Landscape irrigation; diverted stream flows; rising ground waters; uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)); uncontaminated pumped ground water; uncontaminated flows from foundation drains; air conditioning and compressor condensate; irrigation water; flows from uncontaminated springs; uncontaminated water from crawl space pumps; uncontaminated flows from footing drains; lawn watering runoff; flows from riparian habitats and wetlands; residual street wash water (where spills/leaks of toxic or hazardous materials have not occurred, unless all spilled material has been removed and detergents are not used); hydrant flushing and fire fighting activity runoff; water line flushing and discharges from potable water sources; individual residential car washing; **and dechlorinated swimming pool discharges**
 - b. Discharges specified in writing by the Code Enforcement Officer as being necessary to protect public health and safety; and
 - c. Dye testing, with verbal notification to the Code Enforcement Officer prior to the time of the test.