

Town of Norway



Town of Norway

Site Plan Review

Ordinance

Amended

September 19, 1996

June 19, 2006

June 17, 2019

June 17, 2024

TABLE OF CONTENTS

SECTION I PURPOSE.....	2
SECTION II AUTHORITY AND ADMINISTRATION.....	2
SECTION III APPLICABILITY.....	3
SECTION IV ENFORCEMENT.....	4
SECTION V DEFINITIONS.....	5
SECTION VI APPLICATION PROCEDURE.....	9
SECTION VII PERFORMANCE STANDARDS.....	13
SECTION VIII GENERAL PROVISIONS.....	27
SECTION IX SPECIAL REGULATIONS.....	27
SECTION X VALIDITY & SEVERABILITY, CONFLICT WITH OTHER ORDINANCES.....	30
SECTION XI APPEALS.....	31
SECTION XII AMENDMENTS.....	31
APPENDIX A.....	32
APPENDIX B.....	33
APPENDIX C.....	34
APPENDIX D.....	35
APPENDIX E.....	36
APPENDIX F.....	37
APPENDIX G.....	38
APPENDIX H.....	41

SITE PLAN REVIEW ORDINANCE

SECTION I PURPOSE

Large scale development or major land use change can have a profound effect upon the cost and efficiency of municipal services and upon the environment of the Town of Norway. Unplanned development may result in overcrowded schools and highways, increased costs of municipal services, degrading of the air and water quality as well as the general health, safety, and welfare of the residents.

The purpose of this Ordinance is to protect the public health, safety and welfare of the residents of the Town of Norway, to implement the Comprehensive Plan to insure an orderly growth of the Town and to minimize the negative effects of that growth when caused by development.

SECTION II AUTHORITY AND ADMINISTRATION

A. Authority

1. This Ordinance is adopted pursuant to Article VIII-A of the Maine Constitution and Title 30-A M.R.S.A. Section 3001 (Home Rule) and Title 30-A M.R.S.A. Section 4352.
2. This Ordinance shall be known as the "Site Plan Review Ordinance" of the Town of Norway, Maine, adopted and effective by vote of the Town Meeting on June 6, 1978.

B. Administration

1. The Planning Board of the Town of Norway and the Code Enforcement Officer shall administer this Ordinance.
 2. No building permit or plumbing permit or certificate of occupancy shall be issued by the municipal officers or Code Enforcement Officer for any use or development within the scope of this Ordinance until a Site Plan of Development Application has been reviewed and acted upon by the Planning Board.
 3. All Site Plan approvals shall expire two (2) years after the date of approval unless substantial construction thereunder has commenced. If work is not completed within three (3) years from the date of approval, the approval lapses and a new application must be made and approved.
 4. All applications for Site Plan Review shall be made in writing to the Board on forms provided for that purpose and shall be by the owner of the property or the owner's agent as designated in writing by the owner.
-

5. An application for Site Plan Review shall be accompanied by a fee as established by the Select Board who shall have the authority to revise the fee schedule after a public hearing. This application fee shall be made by check payable to the Town of Norway and shall not be refundable. The Planning Board shall not consider an application complete until the fees have been received by the Town.
6. If the services of outside consulting engineers or other professions are required by the Planning Board to assist in the review of the application, or the amount or conditions of any performance guarantee that may be required, the Board shall notify the applicant of the nature of such services, the firm or individual selected, and the cost of services. The cost of such services shall be paid by the applicant and evidence of such payment shall be provided to the Board before the final plan is approved.

SECTION III APPLICABILITY

A. This Ordinance shall apply to:

1. All commercial proposals over 500 square feet regarding the use of land and/or structures, alteration of land, and all construction of structures including erection, relocation, alteration, or expansion of such within the town limits.
2. Construction of two or more dwelling units in one building or the division of an existing structure into two or more dwelling units.
3. Recreational Lodging Facilities.
4. Home Occupations when determined by the Planning Board that Site Plan Review is required.
5. All advertising features and signs to be replaced or installed in the town limits.

B. This Ordinance does not apply to:

1. Construction of detached single-family dwellings, and multi-family dwellings that are considered a subdivision according to state law.
2. Construction of an accessory dwelling unit on the same lot as a single-family dwelling unit. Refer to the Building Code and Land Use Ordinance for Norway for the requirements of an accessory dwelling unit.
3. Construction of barns, stables, and other agricultural related buildings by and for the private use of families residing on the property on which the building is to be located.
4. All non-structural uses of land for agricultural or forestry purposes.

SECTION IV ENFORCEMENT

- A. The Code Enforcement Officer shall act in all cases of violations of this Ordinance by notifying, in writing, the owner or lessor of the development and the Select Board of the nature of the violation and the correction of the same, if possible. Said notification shall be deemed to have been made when sent to the owner or lessor by certified mail.
- B. The Select Board is charged with the prosecution for all violations of the provisions of the Ordinance. In cases where such notices referred to in Paragraph IV A, above, are not promptly complied with after receipt of said notices, the Select Board shall make such complaints to the courts as, in their judgment, are proper, or may institute such actions or proceedings at law or in equity as are proper to restrain, correct, remove or punish such violations.
- C. Any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply with any of the requirements thereof, shall be fined not less than one hundred dollars (\$100.00) nor more than two thousand five hundred dollars (\$2,500.00) as provided by State law. Each day on which the violation shall continue shall constitute a separate offense.

SECTION V DEFINITIONS

Abutting Landowners: Owners of any lot which is within 500 feet of the lot in question, including those lots located across a public or private road.

Accessory Dwelling Unit (ADU): A self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land. An accessory dwelling unit must be a minimum of 190 square feet unless the Technical Building Code and Standards Board, pursuant to 10 M.R.S.A., Section 9722, as may be amended, adopts a different minimum standard; if so, that standard applies. An accessory dwelling unit can be no greater than 750 square feet.

Accessory Use or Structure: A subordinate use of a building, other structure or land, or a subordinate building or other structure:

1. Whose use is customary in connection with the principal building, other structure or use of land; and
2. Whose use is clearly incidental to the use of the principal building, other structure or use of land; and
3. Which is located on the same lot as the principal building, other structure or use of land, or on a lot adjacent to such lot if in the same ownership or part of the same establishment.

Affordable Housing:

1. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs; and
2. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the *United States Housing Act of 1937*, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford 51% or more of the units in the development without spending more than 30% of the household's monthly income on housing costs.
3. For purposes of this definition, "housing costs" include, but are not limited to:
 - a. For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and
 - b. For an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

Area Median Income: The midpoint of a region’s income distribution calculated on an annual basis by the U.S. Department of Housing & Urban Development.

Attached: Connected by a shared wall/roof line to the principal structure.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or material of any kind.

Campground: Refer to Recreational Lodging Facility.

Change in Use: The conversion of a building or parcel of land from one type of use to any other type of use. By way of example, the change from retail to office or retail to restaurant.

Code Enforcement Officer: A person employed by a municipality to enforce all enabling state laws and local ordinances in the following areas: shoreland zoning, land use regulation, internal plumbing, subsurface wastewater disposal, and building standards, as defined in Title 30-A M.R.S.A. § 4451.

Commercial/Industrial: Shall mean buildings, which are used, for sales, manufacturing, storage, service, warehousing, or other related purposes. It also includes non-owner-occupied apartment buildings of more than two (2) dwelling units.

Dwelling: Any building that contains one or more dwelling units used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or that are occupied for residential occupancy.

Dwelling Unit: Any part of a structure which, through sale or lease, is designated and equipped exclusively for use as living quarters including provisions for living, cooking, and eating sleeping and sanitation.

Edge of Street: Shall mean the edge of the normal travel way. Consideration should be given to the legal width of the road/sidewalk.

Historic District: Shall mean that area of the Town of Norway that is depicted on the map titled “Norway Downtown with Historic District and Gateway Areas” on file with the Town Clerk, and shown in Appendix H.

Home Occupation: An occupation or profession which is customarily conducted on or in a residential structure or property which is:

1. clearly incidental to and compatible with the residential use of the property and surrounding residential uses; and
2. which employs no more than two (2) persons other than family members residing in the home.

Industrial: Connected with the assembling, fabrication, finishing, manufacturing, packaging, or processing of goods or the extraction of minerals.

Living Space: Shall mean actual enclosed space suitable for year-round occupancy. It shall not include porches, patios, and similar areas whether enclosed or not.

Lot: A single parcel of developed or undeveloped land described in a deed or other legal instrument.

Multi-family dwellings: Structures containing three (3) or more dwelling units.

Persons: Means any person, firm, association, partnership, corporation, municipal or other local governmental entity, quasi-municipal entity, state agency, educational or charitable organization or institution, or other legal entity.

Principal structure: The structure in which the main or primary use of the lot occurs or is intended to occur.

Recreational Vehicle, tow behind camper, fifth-wheels and class A, B or C motor coaches: Shall mean a titled and registered vehicle to include but not limited to: a motorhome, housecar, travel trailer, truck camper, or camp trailer; with or without motive power; designed for human habitation, though not permanent, or other occupancy.

Recreational Lodging Facility: A commercial facility containing campsites or any other type of temporary or permanent structures which are used or rented as temporary living quarters by tourists, transient or other visitors, including, without limitation, tents, recreational vehicles, cottages, cabins, yurts, and other types of shelter. A recreational Lodging Facility does not include a Hotel/Motel, Home Occupation, Bed & Breakfast, Individual Private Campsites, Recreational Facilities, or Residential Dwelling Units, or the rental of a Residential Dwelling Unit or if rooms in a Single-Family Dwelling Unit.

Retail: Connected with the sale of goods to the ultimate consumer for direct use and consumption, and not for trade.

Rural village District: Shall mean that area of the Town of Norway that is depicted on the map titled "Norway Village District" on file with the Town Clerk, to include the areas of Nobles Corner, Norway Center Rd and Morrill Road Intersection, Morse Road and Norway Center Road intersection, and Morse Road and Wiley Road intersection. Refer to the Norway Shoreland Zoning Map and the Site Plan Review Ordinance for addition details.

Sign: Any device, fixture, placard or structure that uses any color, form, graph, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public.

Single-family dwelling unit: A structure containing one (1) dwelling unit.

Street: A vehicular public way maintained by or owned by the Town of Norway or the State of

Maine or private vehicular way shown on a recorded plan and/or approved by the Planning Board or Addressing Officer.

Structure: Anything temporarily or permanently located, built, constructed or erected for the habitable support, shelter, enclosure of persons, animals, goods, or property of any kind, or anything constructed or erected on or in the ground. The term includes structures temporarily or permanently located, such as decks, patios, solar energy systems, solar arrays, and satellite dishes.

Substantial Construction: Completion of thirty (30) percent of a permitted structure or use measured as a percentage of the estimated cost.

Tiny Home: A living space permanently constructed on a frame or chassis and designed for use as permanent living quarters that:

1. Complies with American National Standards Institute Standard A 119.5 on plumbing, propane, fire and life safety and construction or National Fire Protection Association standard 1192 on plumbing, propane and fire and life safety for recreational vehicles;
2. Does not exceed 400 square feet in size;
3. Does not exceed any dimension allowed for operation on a public way under Title 29-A Motor Vehicles and Traffic; and
4. Is a vehicle without motive power.

Use: Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; also, any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Wetlands: Freshwater swamps, marshes, bogs and similar areas as defined by the Maine Natural Resources Protection Act, 38 MRSA 480-A et seq.

Yurt: A portable, circular, wooden-framed structure built on a platform with canvas or synthetic coverings which may provide permanent human sleeping and living quarters.

SECTION VI APPLICATION PROCEDURE

A. Pre-Application Meeting

1. Prior to submitting an application for development, the developer or authorized agent should appear informally at a regular or special meeting of the Planning Board to discuss the proposed development.
2. The developer shall present to the Planning Board, at this time for informal review and comment, a sketch plan of the proposed development. The sketch plan shall consist of an outline of the proposed development and may be a freehand sketch of the parcel showing the proposed layout of buildings, roads, and other features which may be of assistance to the Planning Board in making its determinations.
3. The Planning Board may request that the developer arrange for an inspection of the site with the Planning Board, or an individual appointed by the Board to act as the Board's representative.
4. No binding commitments shall be made between the developer and the Planning Board at this stage. The purpose of the pre-application meeting shall be to understand what is proposed, what is possible, and what is acceptable. The Planning Board may provide guidance to the applicant on what is required by the ordinance, information that they will need in order to review the application, the contour interval to be used, and submittal items that may be waived.
5. During the pre-application process, the Planning Board may waive submittal items after discussion, but with no formal documentation, when the submittal of such information would not be applicable to the development or would be of such nature as to be unnecessary to insure that the standards and criteria of this ordinance will be met. This process would most often be used for changes of use or construction of relatively small projects.
6. The Board will also make a determination whether a Change in Use requires Site Plan Review and whether Home Occupations require Site Plan Review.

B. The Site Plan Review Application shall contain at least the following maps, exhibits and information, unless otherwise waived by the Planning Board.

1. A site map or maps (also called a site plan) prepared at a scale of not less than one (1) inch to fifty (50) feet, or smaller scale as determined by the Planning Board, including the following information:
 - a. name and address of the applicant or authorized agent, and name of proposed development.
 - b. tax map and lot numbers and names of abutting landowners

- c. perimeter survey of the parcel made and certified by a registered land surveyor pursuant to Rule 12, Standards of Practice, by the State Board of Regulation of Land Surveyors. This survey shall relate to reference points showing true north, graphic scale, corners of parcel and date of survey and total acreage; it is also recommended that the plan contain the latitude and longitude coordinates of the intersection of one property line with an existing street; the coordinates to be obtained by GPS.
 - d. existing and proposed locations and dimensions of any utility lines, sewer lines, water lines, easements, drainage ways and public or private rights-of-way;
 - e. existing and proposed location, ground floor area, and elevations of buildings, common facilities, and other structures on the site and parcels abutting the site;
 - f. location of soil test pits and proposed subsurface waste disposal systems if applicable.
 - g. location and dimensions of on-site pedestrian and vehicular access ways, parking areas, loading and unloading facilities, design of entrances and exits, curb and sidewalk lines, and other improvements. Also, typical cross-section of proposed streets, parking areas and other improvements; profile of streets, sidewalks, drainage ways, and other linear features may also be required.
 - h. landscape plan showing location, type, and approximate size of plantings and location and dimensions of all fencing and screening;
 - i. existing and proposed topography indicating contours at intervals of either 2, 5 or 10 feet in elevation as specified by the Planning Board;
 - j. location of aquifers, aquifer recharge areas, and wellhead protection areas, if a boundary intersects the site.
 - k. the location of Wetlands on or adjacent to the site,
 - l. the location and elevation of the 100-year flood plain if a boundary intersects the site;
 - m. if the development site is located in the direct watershed of a great pond, the name of that watershed shall be indicated on the plan; and if the boundary intersects the site, the boundary shall be shown on the plan.
 - n. the size and location and type of proposed signs and exterior lighting.
2. Exhibits showing the following information with an outline of the site shown on each. Exhibits may be copies of small-scale maps of existing information where applicable. Alternatively, information may be shown on the site map or maps.
- a. An NRCS medium intensity soil survey or soil conditions mapped and/or

described by either a soil scientist, geologist, or qualified engineer. The Board may specify the intensity of the soil survey needed and require on-site soils information to be shown on the site map.

- b. If the site is not to be served by public sewer, then an on-site soils investigation report needs to be submitted by a Department of Human Services licensed site-evaluator. The report shall contain the types of soil, and proposed location and design of the best practical subsurface disposal system(s) for the site. The location of test pits and proposed location of disposal systems shall be shown on the site map.
 - c. A copy of the municipal tax map showing the area of the development and the map and lot numbers for all lots within five hundred (500) feet of the development, and showing and stating any interest the applicant has in any parcels within 500 feet.
 - d. Location of aquifer, aquifer recharge and wellhead protection areas (maps available from town, water district, and GIS layer of aquifers at the Maine Office of Geographic Information Systems web site);
 - e. Wetlands, significant wildlife habitat, and scenic views or viewsheds as identified in the Comprehensive Plan within one thousand (1,000) feet of the parcel (maps available from town, for scenic views, reference Appendix F);
 - f. The location and elevation of the 100-year flood plain (shown on the Shoreland Zoning Map for Norway);
 - g. Location and description of any historic or archaeological sites or Archaeological Resource Potential Areas (contact the Maine Historic Preservation Commission) within one thousand (1,000) feet of the development and a description of methods to be used to mitigate impacts from the development on those resources.
3. A written, narrative statement or information on the application form and appropriate documents to provide the following information.
- a. Evidence by the applicant of title and interest in the land on which the development is proposed;
 - b. A description of the proposed uses to be located on the site including: quantity type and size of structures, products to be manufactured, description of and volume of by-products and wastes, products to be warehoused, products to be sold or services to be offered, number of patrons served on a daily basis and during peak hours, and the types of other activity expected on the site.
 - c. Total floor area and ground coverage of each proposed building and structure; driveways, roads, parking areas and other impervious areas and percentages of lot covered by each and total impervious area;

- d. A copy of the existing and/or proposed easements, restrictions and covenants placed on the property;
- e. Method of solid waste, universal waste and hazardous waste disposal for waste generated during construction and after site completion;
- f. Erosion and sedimentation control plan providing information on controls used during construction and upon completion of the site development;
- g. Stormwater management plan providing calculations of existing and proposed peak runoff flows for the 2, 10, and 25-year storm events and calculations to support the design and size of the drainage system and its components.
- h. Copies of letters mailed by the applicant to the abutting landowners notifying them of the proposed development; sent by certified mail. All Domestic Return Receipts, USPS form # 3811, must be returned to the Board.
- i. An estimate of the development cost and a statement of financial capacity which should include the names and sources of the financing parties including banks, government agencies, private corporations, partnerships, and limited partnerships and whether these sources of financing are for construction loans or long-term mortgages or both;
- j. List of applicable local, state, and federal ordinances, statutes, laws, codes, and regulations which must be complied with and the permits needed.
- k. The applicant's evaluation of the availability and suitability of off-site public facilities including sewer, water, streets, sidewalks, and parking, if applicable;
- l. The completed Department Head Sign Off Sheet with ALL Department Head signatures.
- m. An estimate of the date when construction will start and when the development will be completed.
- n. Traffic data to include the following:
 - i. the estimated peak hour and average daily traffic to be generated;
 - ii. existing traffic counts on surrounding roads;
 - iii. traffic accident data covering the most recent three-year period for which such data is available on surrounding roads.
- o. The size, location, and direction and intensity of illumination of all outdoor lighting apparatus;
- p. The type, size, description and location of all machinery, equipment, operations, or activity likely to generate appreciable noise;

- q. If located in the direct watershed of a great pond, a phosphorous control plan prepared in accordance with DEP guidelines for Phosphorus Control in Lake Watersheds.

C. Application

1. The application shall be filed with the Planning Board for review. Within thirty (30) days of filing of an application, the Planning Board shall notify the applicant in writing either that the application is complete or, if the application is incomplete, the specific additional material needed to make a complete application. After the Planning Board has determined that an application is complete, the Planning Board shall notify the applicant in writing and begin its review of the proposed development. Upon receipt of a completeness finding by the Planning Board, the applicant shall notify abutting landowners of the proposed development. Abutting landowners shall be identified by the Town and provided to the applicant.
2. The Planning Board may hold a public hearing and/ or a site visit within 30 days of the filing of a complete application. The Planning Board shall publish the time, date, and place of the hearing at least two times, the date of the first publication to be at least seven days prior to the hearing in a newspaper of area wide circulation and appropriate social media. The abutting landowners shall be notified by the Planning Board of the hearing. Public hearings by the Planning Board shall be conducted according to the procedures outlined in Title 30-A M.R.S.A. Section 2691, Subsection 3 (A), (B), (C), (D), and (E).
3. Within thirty (30) days of the public hearing or sixty (60) days of receiving a complete application, the Planning Board shall either approve the application, approve the application with conditions, or disapprove the application. The time limit for review may be extended by mutual agreement between the Planning Board and the applicant. The time period will be extended when the Planning Board requests additional information that requires the applicant time to prepare and submit.
4. Within fourteen (14) days of reaching their decision, the Planning Board shall notify the applicant in writing of any action taken and the reason for taking such action.

SECTION VII PERFORMANCE STANDARDS

- A. The following standards are to be used by the Planning Board in judging applications for site plan reviews and shall serve as minimum requirements for approval of the site plan. The site plan shall be approved, unless in the judgment of the Planning Board the development does not meet one or more of these standards. In all instances, the burden of proof shall be on the applicant and such burden of proof shall include the production of evidence necessary to complete the application and ensure that the proposed development conforms to this ordinance, Norway's Building Code and Land Use Ordinance, Maine State Laws, and other applicable ordinances.

1. Preserve and Enhance the Landscape:

- a. Downtown/Gateways:

Development will preserve the historic integrity of the downtown. Development in Gateway areas will be compatible with that of the historic buildings in the Downtown in order to create an aesthetic integrity between the Gateways and the Downtown. See Appendix C and Appendix H for Downtown and Gateway Maps.

Development shall be landscaped to create green space, separate buildings where appropriate, separate buildings from the street where appropriate, soften building features, offer shade, and hide or soften sides of buildings, storage and parking areas. Existing large trees shall be preserved to the extent possible. This is particularly true of trees along street lines and side and rear lot lines and other areas that do not have to be disturbed for structures, drives and parking areas.

Wherever possible and appropriate, new construction or renovation will provide for the planting of trees at least two (2) inches in diameter, measured at four and one half (4.5) feet above the ground level that will grow to be shade trees over time.

Neither landscaping elements nor signs shall block the visibility of travel ways including driveway access points and interior parking facilities.

b. Other Areas:

The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree removal and disturbance of soil and retaining existing vegetation, topography, and drainage ways. Development that respects the natural features of the land will retain the rural character and help maintain water quality and preserve wildlife.

Development shall use the natural features including natural vegetation to the extent possible to define and soften building and other elements and screen the appearance of off-street parking areas, mechanical systems, and storage areas from the public right-of-way and abutting properties and/or structures in order to enhance the physical design of the building(s) or site, and to minimize the encroachment of the proposed use on neighboring land uses.

Environmentally sensitive areas which include surface waters, wetlands, and significant wildlife habitat, should be preserved and protected from encroachment that would disturb them or reduce their value. Natural buffers shall be preserved adjacent to such features. The width of the buffer shall be based on the type and importance of the resource, and the slope of the land and topography. A natural buffer of seventy-five (75) feet shall be maintained along all perennial streams.

c. Rural Villages: See Section IX for special regulations for the Rural Villages, and Appendix B for the Rural Village Centers Map.

2. Relationship of the Proposed Buildings to the Environment:
Structures shall be related harmoniously to the terrain and to existing buildings in the vicinity. The structures shall have minimal adverse effect on the environment and the aesthetic qualities of the natural environment and the developed and neighboring areas.
 - a. Downtown/Gateway:
New or substantially rehabilitated buildings should be in keeping with the character of the downtown or area in which they are located. A variety of building types is encouraged, but buildings should be well designed and not be flat roofed boxes with no architectural elements. In the historic district, building design should complement historic buildings. Siding and the design of architectural and functional elements should be in keeping with existing structures. See Appendix C for Downtown & Gateways map and Appendix H for Historic District & Gateways Map.
 - b. Other areas:
 - i. A variety of building types is encouraged, but buildings should be well designed and not be flat roofed boxes with no architectural elements Buildings shall be designed to complement the natural or structural environment in the neighborhood in which it is located.
 - ii. Buildings shall have good scale and design elements and be in harmonious conformance with the environment and neighboring development.
 - iii. Mechanical equipment, waste handling storage and equipment, and other utility hardware on the ground or buildings shall be screened from public view and neighboring residential uses with landscaping or materials harmonious with the building and site, or they shall be located so visibility from any public way or neighboring residential use is minimized.
3. Vehicular and Pedestrian Access: The site layout shall provide for safe entrances and exits from public and private roads by providing adequate locations, numbers and control of access points including site distances, turning lanes, and traffic signalization when required by existing and projected traffic flow and accident rates. The site layout shall also provide for pedestrian ways on adjacent public ways as applicable and within the development. Pedestrian ways and movement patterns shall be appropriate to the type and scale of the development. For the purposes of this section, the term “driveway” may be substituted for access and egress points.
 - a. Vehicular access to the site shall be on roads which have adequate capacity to accommodate the additional traffic generated by the development.
 - b. Any exit driveway or driveway lane shall provide the following minimum sight distances in each direction. The measurement shall be from the driver’s seat of an exiting vehicle standing between ten (10) and fifteen (15) feet behind the curb line or edge of shoulder with the height of eye at 3.5 feet to the top of an object 4.25 feet above the pavement.

<u>Posted Speed Limit</u>	<u>Sight Distance</u>
25 mph	250'
30 mph	300'
35 mph	350'
40 mph	400'
45 mph	450'
50 mph	500'
55 mph	550'

Where truck traffic is expected to be substantial, the minimum site distance shall be increased by fifty (50) percent of that required in the table above. The height of eye should be six (6) feet with the height of the object no more than 4.25 feet above the pavement.

- c. Where more than one business or structure is located on a single parcel, all vehicular access to and from a public or private road shall be provided via a common access or entrance way(s) serving all business and structures, except as may be provided herein.
- d. The grade of any exit driveway or proposed street for a distance of at least seventy-five (75) feet from its intersection with any existing street shall be a maximum of three (3) percent and all streets and driveways shall be approximately perpendicular to the street with which they intersect.
- e. Where a lot has frontage on two (2) or more streets, the primary access to and egress from the lot shall be provided from the street where there is less potential for traffic congestion and for traffic and pedestrian hazards. Access from the other streets may be allowed if it is safe and does not promote shortcutting through the site.
- f. Access ways shall be designed and have sufficient capacity to avoid queuing of entering vehicles on any existing or proposed street.
- g. The following criteria shall be used to limit the number of driveways or egress points serving a proposed project. The Planning Board may allow for variation from these criteria when the type and/or nature of traffic and vehicles require it or when conflicts with the MDOT Access Management Standards exist. Requests for variations shall be documented as appropriate by a Professional Engineer Licensed in the State of Maine. This shall not prevent the Planning Board from requiring the use of standards in this ordinance when they are more stringent than the MDOT standards.
 - i. No use which generates less than one-hundred (100) trips per day shall have more than one (1) two-way driveway onto a roadway. Such driveway shall be no greater than thirty (30) feet wide.
 - ii. No use which generates one-hundred (100) or more vehicle trips per day shall have more than two (2) points of egress to a single roadway. The combined width of all access ways shall not exceed sixty (60) feet. For

so created contain within them the rectangle required by this section. Parking areas containing space for over ten vehicles and serving residential or commercial activities and all parking areas where parking will not be perpendicular to travel ways shall be clearly marked by line painting or other means.

- ii. Up to twenty (20) percent of the required parking spaces needed may contain a rectangular area of only eight (8) feet in width by fifteen (15) feet in length. If such spaces are provided, they shall be conspicuously designated as reserved for compact cars only.
- iii. Off-street parking shall be provided to conform with the number required in the following table. The Planning Board may require any fraction of a space to constitute the need for a full space.

Affordable Housing	2 spaces for every 3 dwelling units
New dwelling unit	2 spaces which can be reduced to 1.5 spaces at the discretion of the Board
Small Retail – specialty	0.3 per 100 sq. ft. gross floor area
Large Retail/Shopping Center	0.5 per 100 sq. ft gross floor area
Office	0.4 per 100 sq. ft. gross floor area
Wholesale/warehouse	0.5 per 1000 sq. ft. gross floor area
Industrial/Manufacturing	1.1 per employee on maximum working shift
Recreational Lodging Facilities	1.5 per site, or 3 spaces for every 2 sites
Hotels, motels, tourist homes	one per room plus ½ per employee
Hospitals	2.5 per bed
Nursing/convalescent homes	0.3 per bed
Schools	
Elementary	1.0 per classroom
Secondary	5 per classroom
Theaters/auditoria/churches	1.0 per five seats plus 1.0 per 100 sq. ft. of assembly area
Eating and drinking establishments	1.0 per three (3) seats

For those uses not specifically listed or able to be placed into one of the above categories, the applicant shall provide evidence indicating the number of spaces that

will be adequate to provide off-street parking for all activities.

The Planning Board may change the number of spaces or establish the number of spaces for uses not listed upon the submittal of information that indicates the number of spaces needed for the type of use. Information should be submitted based on similar existing uses in the area or based on the Institute of Transportation Engineers (ITE) Transportation Planning Handbook or other standard publications by ITE.

5. Parking facilities for lots in the downtown and gateway areas which, in the interest of creating and maintaining a vital business community and which cannot provide their own parking because of location, lot size or other existing development, may be provided by the Town of Norway, private parking resources or some combination thereof. Such public or private off-street parking shall be located within five hundred (500) feet of the principal building or use as measured along lines of public access or be located such that a rearrangement of the use of the new and existing spaces would result in an adequate number of spaces for all businesses using such public/private parking arrangements. On-street parking may be allowed for small uses in the downtown that are adjacent to on-street parking spaces.

If the required off-street parking is to be provided by off-site private parking such areas shall be held in fee simple by the owner of the use served, or in another form that assures continued availability for parking for the development.

6. The joint use of a parking facility by two or more principal buildings or uses may be approved by the Planning Board where it is clearly demonstrated that the parking facilities would substantially meet the intent of the requirements by reason of variation in the probable time of maximum use by patrons or employees of such establishments.
 7. The use of an existing building for its current use shall be deemed to be in compliance with the parking requirements of this section. However, any change in the use, expansion of use, or any renovation which increases the floor area shall be required to comply with the parking requirements for changed or expanded use.
5. Stormwater Management: Adequate provision shall be made for surface drainage so that handling of surface waters will not significantly change the quantity or quality of stormwater runoff, unnecessarily alter existing drainage patterns, or adversely affect neighboring properties, or the public storm drainage system. The stormwater from the development shall not degrade downstream water quality or cause soil erosion on the site or on downstream or neighboring property. Whenever possible, on-site absorption of run-off waters shall be used such that stormwater flow on and from the site approximates existing flows for 2-, 10-, and 25-year storms.
 - a. All construction shall be designed to minimize storm water runoff from the site in excess of the natural pre-development conditions. Stormwater management systems shall maintain the natural drainage characteristics to the extent feasible;

existing natural runoff control features, such as berms, brooks, streams, swales, terraces, and wooded areas shall be retained in order to reduce runoff and encourage infiltration of storm waters. The use of constructed natural type features is preferred over engineered structures for the control of stormwater quantity or quality where existing natural features must be supplemented to obtain the necessary results.

- b. There shall be no significant change in the quantity of stormwater. Particular attention shall be given to ensure that downstream properties and infrastructure, natural channels, and natural resources are not adversely impacted. Likewise, the quantity of runoff shall not be reduced to the point that recharge of groundwater, wetlands, and downstream water bodies, and the natural environment is adversely impacted.
 - c. Where the peak runoff from the project onto abutting properties is increased either in volume or duration, easements allowing such additional discharge shall be obtained from abutting property owners.
 - d. Storm water runoff control systems shall be maintained as necessary to ensure proper functioning.
6. Signs and Advertising Features: The size, location, design, lighting, and materials of all exterior signs and outdoor advertising structures or features shall compliment the design of proposed buildings and structures and surrounding properties and shall not interfere with or obstruct pedestrian or vehicular traffic. First time signs and signs that replace existing signs shall comply with the Sign Ordinance for the Town of Norway.
 7. Special Features of the Development: Storage areas, exterior machinery, and equipment, including waste handling equipment, service areas, truck loading areas, utility buildings, and similar equipment and structures shall have sufficient setbacks and screening to provide an audio and visual buffer sufficient to minimize their adverse impact on other land uses within the development area and surrounding properties.
 8. Exterior Lighting: All exterior lighting shall be designed to provide for the safety of pedestrian and vehicular traffic and provide for the security of the site and surrounding area. Lighting shall not adversely impact surrounding properties or public or private ways by creating glare or increasing the amount of ambient light. Lighting will be designed to direct light to the features of the development that requires lighting and shall not direct light skyward or in the direction of neighboring properties.
 9. Emergency Vehicle Access: Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures at all times. Knox Box entry is required for all commercial buildings. All commercial buildings shall provide entry through installation of a Knox box. See Appendix D for Norway's Electrical Cut-off Switch Ordinance.

10. Existing Utilities: The development shall not impose an unreasonable burden on sewers, storm drains, water lines, water supply or other public utilities such that the utilities will not function as designed or intended. The development will not cause sewers to overflow or back up, the treatment facility to exceed its capacity or discharge license, storm drains and the road drainage system, including ditches and culverts, to be overloaded such that ditches, culverts or roads may be washed out or eroded to a greater extent than currently occurs, water lines and storage facilities to be stressed so that adequate fire flows cannot be provided to existing development or the proposed development, or the water supply to be stressed so that adequate reserve is not available for firefighting and for extended drought conditions.
11. Municipal Services: The development will not have an unreasonable adverse impact on the municipal services including, but not limited to, municipal road systems, fire department, police department, solid waste program, sewage treatment plan, schools, open spaces, recreational programs and facilities. Either the scope of development shall be limited to a size that can be adequately serviced by municipal services at the time it is built, or the developer shall provide funds for such additional capital facilities and equipment that is needed to adequately provide services to the development. Impacts to municipal services shall be assessed upon completion of the development. Costs associated with impacts to municipal services shall be determined by the Select Board and encumbered by the applicant.
12. Surface Waters: Development shall not adversely impact surface waters including brooks, streams, wetlands, vernal pools, rivers and lakes. Such areas are important to the character and environment of the town and the health, safety and welfare of its residents and as such, their natural functions including their use as wildlife habitat should be protected. No discharge, spill, leak or activity shall adversely alter the quality of surface waters including wetlands unless such discharge is licensed by the Maine Department of Environmental Protection and approved by the Planning Board. Alteration means changes to the chemical or physical characteristics of the water including, but not limited to, organic matter as measured by its biological or chemical oxygen demand, suspended solids, turbidity, temperature, odor, foam, color, or taste.

The development shall not appreciably change the flow or hydrologic function of surface waters including the level of vernal pools, wetlands, ponds and lakes by either increasing or decreasing flows or levels such that the waters would not support their current uses, their wildlife habitat function, or their hydrologic function in relation to groundwater and other surface water bodies.

Features important to the protection of surface waters and the welfare of residents include flood plains, the soils and geology, the topography; the presence of aquifers and aquifer recharge areas; and the location of lakes, rivers, streams, wetlands, and drainage swales.

a. General:

1. Stormwater: The quantity and quality of stormwater runoff shall be controlled so that surface waters are not adversely impacted.

2. Erosion and Sedimentation: Erosion during and after construction of the development shall be controlled so erosion on site and downslope or downstream of the development is minimized by using recognized Best Management Practices for the control of both stormwater and erosion. There shall be no sedimentation on downslope land or in downstream water bodies. Refer to Appendix A: Maine Erosion and Sediment Control Best Management Practices (BMP's): Manual for Designers and Engineers, Oct. 2016)

3. Waste disposal practices and the storage of materials and/or wastes shall be done in such a manner to prevent pollution from leaving the site or from entering surface waters on or adjacent to the site.

b. Phosphorus Export to Lakes. Projects proposed within the direct watershed of a lake or pond shall be designed to limit phosphorous run-off to the levels defined below or to levels determined by an updating of the relevant information by the Maine Department of Environmental Protection. The Board shall keep an accurate record of permits issued, by watershed, using an appropriate record keeping system and shall review actual development rates and recommend adjustments to the table at five-year intervals.

Water Body	Lake Protection Level	Phosphorus Load	Allowable Export Per Acre
North	Medium	7.36	0.046
Pennessewassee	Medium	97.70	0.046
Sand	High	6.38	0.052
Mud	Medium	3.04	0.049
Round	Medium	1.14	0.049
Thompson	High	23.56	0.048
Sebago	High	145.10	0.063
Hobbs/Little Penn	High	6.02	0.035
Furlong	Medium	0.26	0.064
Speck 1 (south)	Medium	0.39	0.063
Speck 2 (north)	Medium	0.72	0.064
Little	Medium	0.02	0.067

(as of April 2019)

- i. Calculations and the design of phosphorus control measures shall be based on the procedures defined in "Phosphorus Control in Lake Watersheds: A Technical Guide for Evaluating New Development" by the Maine Department of Environmental Protection, September 1989 with revisions in 1992 and as may be revised. Copies of all worksheets and calculations shall be provided to the Planning Board.
- ii. In controlling phosphorus, on lot, low maintenance control methods shall be used to the greatest extent practicable. Such measures include vegetative buffers, limits of clearing, and minimizing road lengths and number of impermeable surfaces. These and other non-structural measures shall be used prior to the use of structural measures. When using structural measures, measures should be used as near to the site of

the phosphorus generation as possible so that high-maintenance structural measures such as infiltration systems and wet ponds are minimized.

13. Groundwater and Aquifer Protection: Development occurring on a mapped sand and gravel aquifer and development having the potential to adversely impact groundwater quality by virtue of water withdrawals, amount of impervious area, the type of operations, storage of materials, production or storage of wastes shall use recognized Best Management Practices to reduce the threat the greatest extent possible. The development shall not significantly impact the quantity of groundwater available.
- a. The boundaries of the development shall be delineated on the Sand and Gravel Aquifer Map provided as part of the Comprehensive Plan or the most recent information available in GIS format from the Maine Office of Geographic Information Systems.

When boundaries of the sand and gravel aquifer are disputed due to the lack of sufficient detail on the available maps, the applicant may submit hydrological evidence prepared by a geologist, certified in the State of Maine, which identifies actual field locations of the aquifer boundaries within the project area.

- b. No use shall dispose of other than normal domestic wastewater on site without approval of the Planning Board. Disposal of wastewater shall be in strict compliance with the Maine Subsurface Wastewater Disposal Rules and other relevant State and local laws, rules, and ordinances. The Board may request a nitrogen concentration study of the area and downslope areas for development that would produce large quantities of domestic type sewage.
- c. Indoor use or storage facilities where hazardous materials, wastes, or other liquids with the potential to threaten groundwater quality are used or stored shall be provided with containment which is impervious to the material being stored and have the capacity to contain ten (10) percent of the volume of the containers or one hundred ten (110) percent of the volume of the largest container, whichever is larger.
- d. Petroleum and other hazardous material storage and transfer. A Spill Control and Countermeasure Plan (SPCC) shall be submitted and approved by the Planning Board. The SPCC shall provide detailed information on how spills and leaks will be prevented and how they will be controlled and cleaned up should they occur. The SPCC will also contain information on employee training to ensure that the contents of the plan are familiar to all employees.
- e. The development shall not substantially reduce the groundwater recharge in the area due to the amount of impervious surface, changes to the surface water hydrology, or other features of the development; neither shall the development withdraw groundwater in quantities that would reduce the amount of water available off-site for existing or expected uses in the vicinity of the area.
- f. In those areas identified as sand and gravel aquifers as defined in subsection B above, the following newly established land uses are prohibited unless the Planning Board finds that no discharges will occur such that water quality at the

property line will fall below State Drinking Water Standards and all provisions of this Ordinance.

dry cleaners
photo processors
printers
auto washes
laundromats
meat packers/slaughter houses
salt piles/sand-salt piles
wood preservers
leather tanning
electrical equipment manufacturers
plastic/fiberglass fabricating
chemical reclamation facilities
industrial waste disposal/impoundment areas
graveyards
chemical manufacturing
pesticide/herbicide stores
metal platers
concrete/asphalt/coal companies
auto repair/ salvage

14. Air pollution: The development will not cause significant air pollution that could be a detriment to the health and welfare of residents or create a nuisance from dust, soot, or other material or chemical created by use of the development. The applicant shall comply with all federal and state air quality laws and regulations, and shall furnish evidence of compliance to the Board.
15. Sufficient water: The development shall have sufficient water available for the reasonably foreseeable needs of the development, and the development will not cause an unreasonable burden on an existing water supply, if one is to be utilized.
 1. Sufficient water shall be available to meet all drinking water, cleaning, and process water needs of the development. Additionally, the development shall provide adequate water for firefighting purposes or shall provide an alternative means of fire suppression.
 2. Water use by the development will not reduce the ability of the system to provide water to existing customers or to provide adequate firefighting flows throughout the system.
16. Soil Erosion and hydrologic capacity: The development will not cause unreasonable soil erosion on- or off-site or reduce the capacity of the land to hold water so that fish and wildlife habitat are adversely impacted, stream channels, other surface waters and wetlands are changed, or additional flooding or destruction of downstream property occurs. Soil erosion shall follow recognized Best Management Practices (see Appendix A: Maine Erosion and Sediment Control Best Management Practices (BMP's): Manual for Designers and Engineers, Oct. 2016)

17. Sewage Disposal: The development will provide for adequate sewage waste disposal whether on-site facilities or the public sewer system are used. Wastewater disposal facilities are required wherever human sanitary waste is created or where water is used for sanitary, process, or other purposes. When the public sewer system lines are available, they will be used for wastewater disposal purposes. Any extension will be made to the specifications established by the Sewer Department and shall be paid for by the developer. When the public sewer systems are not available, onsite facilities shall be provided and shall comply with the State Plumbing Code. The sewage disposal system shall be maintained so that it will function as designed.
18. Scenic, Natural Beauty, Aesthetics, and Historic Sites: The development will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas. See Appendix F for Norway's Comprehensive Plan Scenic Areas Chart
 - a. The Board shall assess the impact of the proposed development on scenic areas, views, aesthetics, and Natural Beauty. Where the proposed activity would adversely affect the scenic views, the development shall minimize such effects by providing site corridors, reducing the height of buildings and setting buildings into the landscape, retaining natural vegetation, and ensuring that development does not cut ridge lines and that existing trees are preserved along ridge lines.
 - b. Historic Sites and Archaeological Sites: The development shall protect historic and archaeological sites located on the property or on nearby lands.
 - i. Buildings as identified on the National Register of Historic Places, as having significance by the Maine Historic Preservation Commission, or identified in the most recently approved Norway Comprehensive Plan, shall be protected to the greatest practicable extent. For Historic Locations, see Appendix G.
 - ii. Archaeological sites identified by the Maine Historic Preservation Commission shall be protected from disturbance or, based upon review by qualified archaeologists, shall be excavated and cataloged in accordance with sound and accepted archaeological practices.
19. Financial and Technical Capacity: The applicant shall have adequate financial and technical capacity to fully complete the development in accordance with the standards contained herein and with applicable federal, state, and other local laws, rules, and regulations. In determining financial capacity, the Board may require a guarantee that the work will be completed. Technical capacity shall be demonstrated by employing persons with professional certifications in the State of Maine and training relevant to the type of design and construction work to be performed.
20. Shoreland Zone: Whenever situated in whole or in part, within two hundred fifty (250) feet of any pond, lake, river, or wetland as delineated on the Shoreland Zoning map, the development shall not adversely affect the quality of such water body or unreasonably affect the shoreline of such body of water and will be in compliance with the Shoreland Zoning Ordinance of the Town of Norway.

21. Noise levels: will not raise noise levels to the extent that abutting and/or nearby residents are adversely affected.
- a. The maximum permissible sound pressure level of any continuous, regular or frequent or intermittent source of sound produced by any activity shall be limited by the time period and land use which it abuts as listed below. Sound levels shall be measured at least four (4) feet above ground at the property boundary of the source.
 - b. The hourly sound level resulting from the activity shall not cause the ambient hourly sound levels at the property lines of the development to be more than 5dBA more than the ambient hourly sound limit prior to the development.
 - c. Noise shall be measured by a meter set on the A-weighted response scale, fast response. The meter shall meet the American National Standards Institute (ANSI 81 4-1961) "American Standard Specification for General Purpose Sound Level Meters."

Abutting Use	Sound Level Limits dBA	
	6:00AM - 10:00PM	10:00PM - 6:00AM
Residential	55	45
Commercial	65	55
Industrial	70	60

- d. The following uses and activities shall be exempt from the sound pressure level regulations:
 - i. Noises created by construction and temporary maintenance activities between 6:30 a.m. and 8:00 p.m.
 - ii. The noises of safety signals, warning devices and emergency pressure relief valves and any other emergency activity.
 - iii. Traffic noise on public streets.
22. Odors: The proposed development will not produce offensive or harmful odors perceptible beyond the lot lines, either at ground level or habitable elevation.
23. Waste Disposal: The proposed development shall store, handle, and dispose of all solid, liquid, universal, and hazardous wastes as defined by federal and/or state statute, whichever is more stringent, in accordance with current federal and state laws and rules. The development shall handle, store and dispose of all waste materials in a manner that will ensure protection of the public, employees, and adjacent uses and will further ensure the protection of the environment from leaks, spills, other accidents or disposal.
24. Comprehensive Plan and Other Ordinances: The proposed development shall be in conformance with the Comprehensive Plan and other applicable ordinances. In demonstrating compliance with other ordinances, the developer shall not have to

obtain a permit, if required, prior to site plan approval, but shall provide such permits to the Code Enforcement Officer prior to beginning construction of the development.

SECTION VIII GENERAL PROVISIONS

- A. Where the Planning Board makes written findings of fact, it may modify or waive any of the above application requirements or performance standards when the Planning Board determines that because of the special circumstances of the site, such application requirements or standards would not be applicable or would be an unnecessary burden on the applicant and not adversely affect the abutting land owners and the general health, safety and welfare of the town.
- B. The Planning Board may require the filing of a Performance Bond and /or a Payment Bond or the execution of a conditional agreement with the municipality by the applicant.
- C. All construction performed under the authorization of a building permit or certificate of occupancy issued for the development within the scope of this Ordinance shall be in conformance with the approved site plan and any additional conditions established by the Planning Board.

SECTION IX SPECIAL REGULATIONS

- A. The following regulations shall be complied with, in addition to the performance standards contained in Section V of this Ordinance. When there is a conflict between the standards of Section V and this section, the standards of this section shall prevail.
 - 1. **Childcare and Educational Institutions:** All residential childcare and/or educational institutions and/or facilities shall comply with the Rules for the Licensure of Childcare Facilities as adopted by the Department of Health and Human Services and the Department of Education.
 - 2. **Industrial and Commercial Development:** Any industrial/commercial use which is found by the Planning Board to constitute a public nuisance by reason of emission of dust, fumes, gas, smoke, odor, noise, vibration, or other disturbance shall be expressly prohibited. No such finding shall be made by the Planning Board until after a public hearing has been held.
 - 3. **Outdoor storage:** No outdoor storage of articles, supplies, and materials shall be within the required set-back.
 - 4. **Signs**
For regulation of signs, refer to the Sign Ordinance for Norway.

B. Downtown Development District and Gateway Areas

1. The purpose of this section is to provide for greater flexibility in development review, to encourage business development, the utilization of vacant and/or underutilized space, maintain historic values and implement the policies of the Comprehensive Plan.
2. The Downtown Development District and Gateway areas shall be as mapped in the Comprehensive Plan adopted by the town on June 14, 2004, or the most current plan adopted thereafter. (Appendix H for Downtown, Gateway and Historic areas.)
3. Mobile Homes are prohibited in the Historic District.

C. Rural Villages Area

1. The purpose of this section is to implement the policies of the Comprehensive Plan relating to Rural Villages. These policies are:
 - a. To encourage the preservation of historic structures and the very small villages located there; and
 - b. To provide a place for neighborhood commerce and service businesses such as general stores and small specialty shops.
2. The Rural Villages Areas shall be designated on the official Rural Village Area map found in Appendix B of this Ordinance.
3. All development proposals requiring site plan review and home occupations shall comply with the following standards.
 1. No activity or use including home occupations shall generate more than ten (10) vehicle trip ends per 24-hour period. Trip generation shall be determined by the most recent edition of "Trip Generation" published by the Institute of Traffic Engineers. When the "Trip Generation" report does not provide information for the proposed use or is believed to be inaccurate, the Planning Board shall request the applicant to provide trip generation information.
 2. No activity or use including home occupations that is to be located in an area where the daytime predevelopment ambient hourly sound level (Leg 60) is equal to or less than 45 dBA and/ or the nighttime predevelopment ambient sound level is equal to or less than 35dBA. The hourly sound level resulting from the activity shall not cause the ambient hourly sound levels at the property lines of the development to be more than 5dBA more than the ambient hourly sound limit prior to the development.

D. HOME OCCUPATIONS

1. No more than two persons who do not make the residence his or her permanent home may be employed at the site of the home occupation.
2. The appearance of the structure or accessory structure may not be altered, except as provided under subsection c below and the occupation within the residence must be conducted in a manner that would not cause the residence to differ from its residential character by means of colors, lights, or sounds.
3. Additions to the residence or accessory structure for the express purpose of a home occupation shall be constructed and finished in the same manner as the original structure such that the character and appearance of the principal structure is maintained.
4. If the home occupation attracts any regular customer or client traffic, there shall be at least two but not more than five off street parking spaces specifically designated for use by the employees and any customers of the home occupation. Such parking shall not be located within the front setback.
5. There shall be no public display of goods or wares or machinery, exterior exhibits, exterior storage of materials, or any other exterior indications of the home occupation or variation from the residential character of the principal dwelling or accessory structure.
6. The home occupation shall not generate any nuisance, waste discharge, offensive noise, vibration, smoke, dust, odors, heat, glare, radiation, fumes, or electrical interference detectable to the normal senses or which interferes with normal radio, television, or internet reception, or causes other nuisances which extends beyond the limits of the subject property. All waste material from the home occupation shall be removed promptly from the premises according to state laws and local ordinances.
7. The home occupation shall not adversely affect any natural resource or environmentally sensitive area including but not limited to a wetland, aquifer, water course, or water body. The home occupation shall not use chemicals not commonly found in a residence and shall not use any chemicals not commonly used in a residence.

E. Recreational Lodging Facilities

Recreational Lodging Facilities shall conform with the following requirements and meet the definition for a Recreational Lodging Facility as described in Section V of this Ordinance.

1. The minimum size for a Recreational Lodging Facility shall be ten (10) acres.
2. Each site within a Recreational Lodging Facility shall be a minimum of 7,500 square feet.
3. A facility manager must be located on the premises at all times when

the Recreational Lodging Facility is in operation.

4. Clearing is limited to 1,000 square feet per site to house the temporary living quarters.
5. If any structure other than a non-habitable permanent support structure such as bathroom facilities, remains anywhere on the campground property for more than 30 days, it must conform to all the requirements of a residential structure.
6. There shall be one common access to any natural resource located on site. The applicant shall provide signage to direct guests to the access points.
7. Common access shall be limited to a meandering path as designated on the Site Plan.
8. Parking areas shall be suitably designed and adequately sized to accommodate the anticipated traffic generation and vehicular use. Parking areas shall also be designed to prevent stormwater runoff from causing erosion, or flowing directly into a waterbody, tributary stream, or wetland, and where feasible, shall be designed to retain all runoff on site.
9. Parking shall be calculated at one and one half (1 ½) parking spots per campsite, or three (3) parking spots for every two (2) campsites. Overflow parking is not required to be located on the campsite.

F. Disposal of Construction Waste and Debris

- a. Construction sites shall be properly maintained. During construction, all debris (including concrete, brick, lumber, building materials, paper, cups, and trash) shall be properly disposed of daily.
- b. A 2- to 10-cubic-yard container or dumpster must be temporarily located on a construction site to deposit any waste or debris generated by the construction.
- c. Any building material (new or used), lumber, brick, gravel, sand or dirt is prohibited to be stored on any lot, except during such reasonable time as a house or structure is under actual construction and properly permitted by the Town of Norway, except for dirt and sand being used by the occupant of a home on such property for leveling, grading or landscaping purposes.

SECTION X VALIDITY AND SEVERABILITY AND CONFLICT WITH OTHER ORDINANCES

- A. **Validity and Severability:** Should any section or provision of this Ordinance be declared by any court to be invalid, such decision shall not invalidate any other section or provision of the Ordinance.
- B. **Conflict with Other Ordinances:** Whenever the requirements of this Ordinance are inconsistent with the requirements of any other ordinance, code or statute, the more restrictive requirements shall apply.

SECTION XI APPEALS

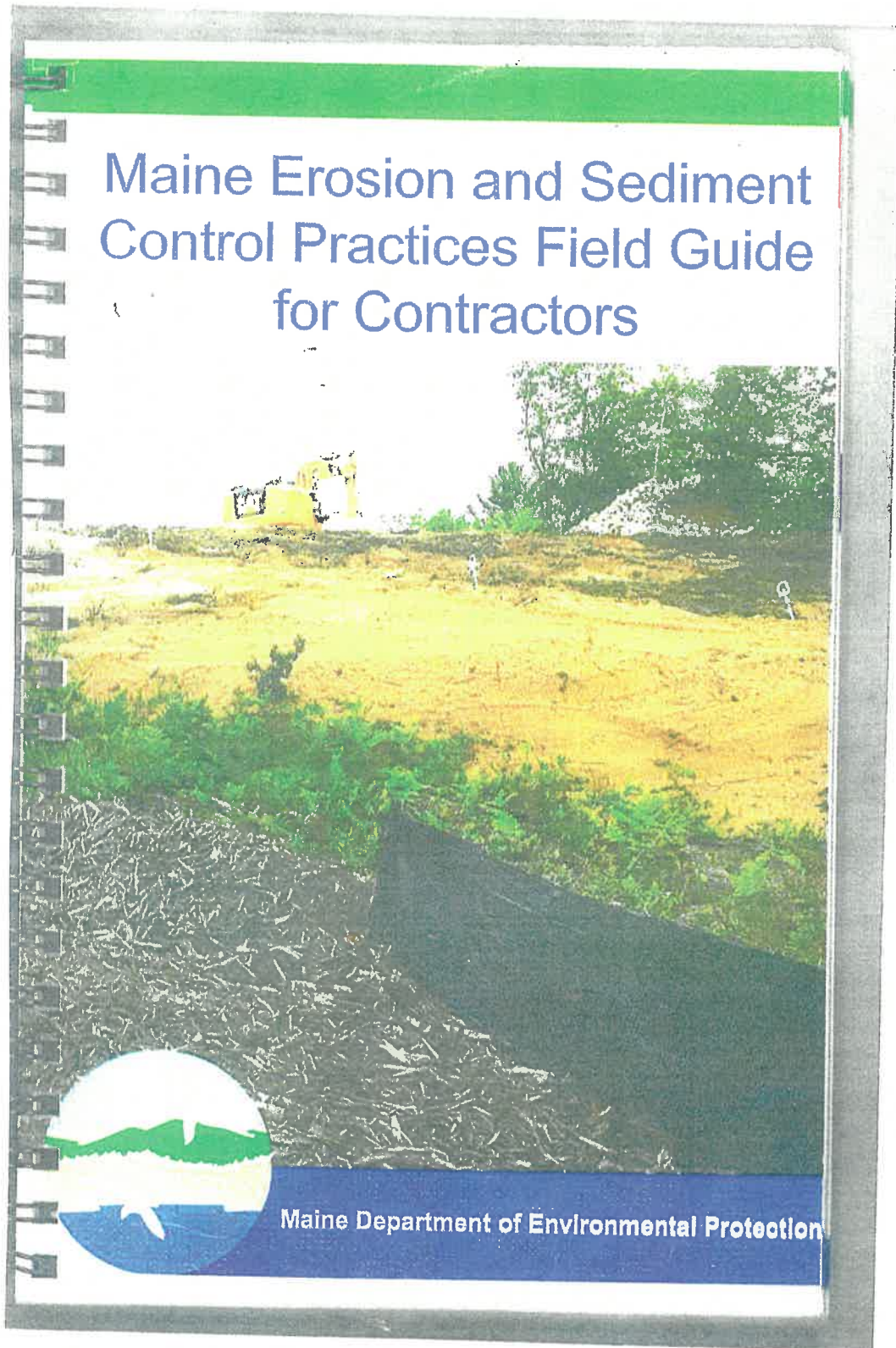
- A. An administrative appeal may be taken to the Board of Appeals by an aggrieved party from any decision of the Code Enforcement Officer or the Planning Board, except for enforcement-related matters, which can be appealed to the Superior Court. Such an appeal shall be taken within thirty (30) days of the date of the official, written decision appealed from, and not otherwise, except that the Board, upon a showing of good cause, may waive the thirty (30) day requirement.
- B. Code Enforcement Officer Decisions: When the Board of Appeals reviews a decision of the Code Enforcement Officer the Board of Appeals shall hold a “de novo” hearing. At this time the Board may receive and consider new evidence and testimony, be it oral or written. When acting in a “de novo” capacity, the Board of Appeals shall hear and decide the matter afresh, undertaking its own independent analysis of evidence and the law, and reaching its own decision.
- C. Planning Board Decisions: When the Board of Appeals hears a decision of the Planning Board, it shall hold an appellate hearing, and may reverse the decision of the Planning Board only upon finding that the decision was contrary to specific provisions of the Ordinance or contrary to the facts presented to the Planning Board. The Board of Appeals may only review the record of the proceedings before the Planning Board. The Board of Appeals shall not receive or consider any evidence which was not presented to the Planning Board, but the Board of Appeals may receive and consider written or oral arguments. If the Board of Appeals determines that the record of the Planning Board proceedings are inadequate, the Board of Appeals may remand the matter to the Planning Board for additional fact finding.

SECTION XII AMENDMENTS

- A. This Ordinance may be amended by a majority vote of the Town Meeting. Amendments may be initiated by a majority vote of the Planning Board or by request of the Board of Select Board to the Planning Board or on petition of ten percent (10%) of the votes cast in the last gubernatorial election in the Town. The Planning Board shall conduct a public hearing on any proposed amendment.

Appendix A

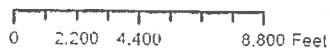
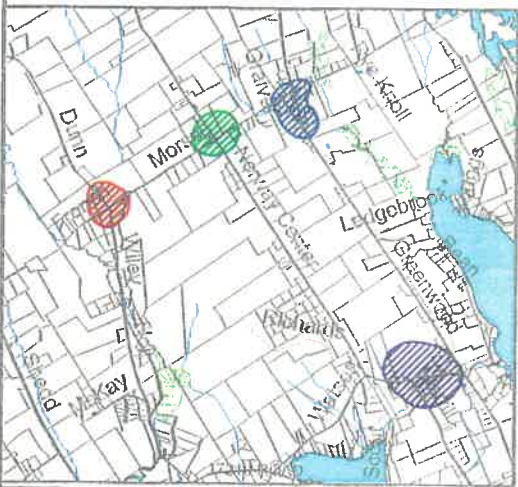
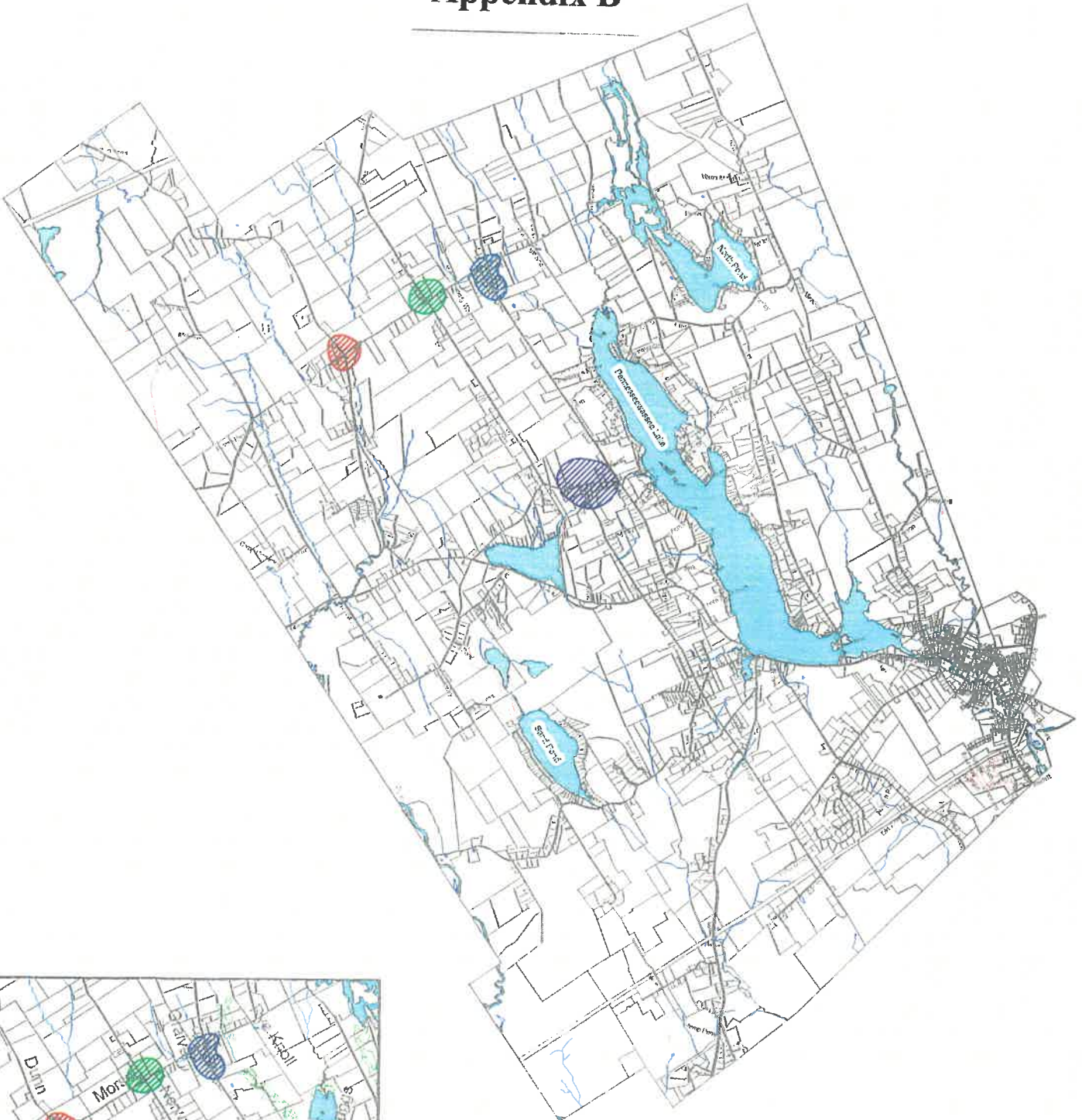
DEP Erosion & Sediment Control Best Management Practices



Town of Norway, Maine Village Center Map



Appendix B

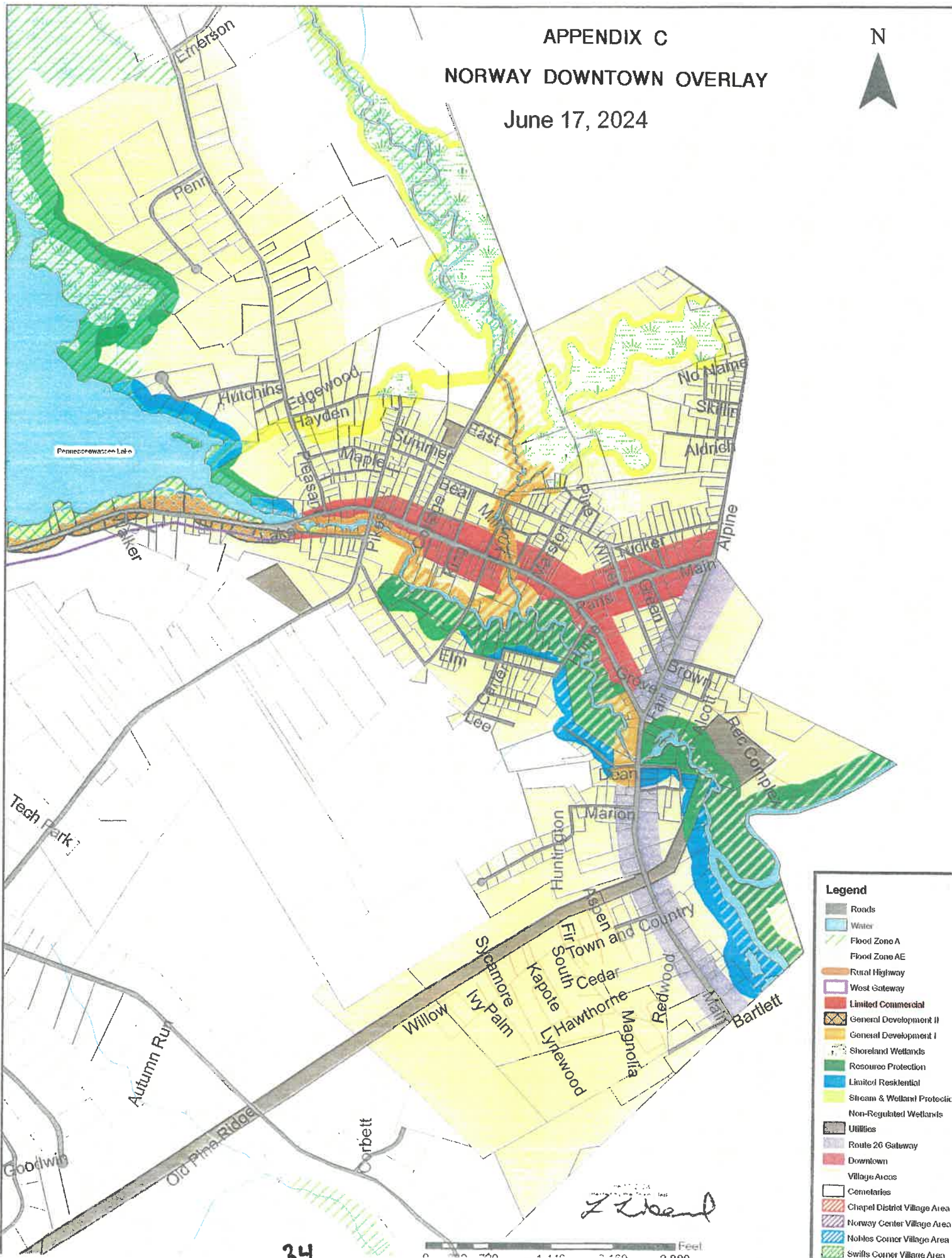


Legend

- Chapel District Village Area
- Norway Center Village Area
- Nobles Corner Village Area
- Swifts Corner Village Area
- Utilities
- E911 Roads

APPENDIX C
 NORWAY DOWNTOWN OVERLAY

June 17, 2024



Legend

- Roads
- Water
- Flood Zone A
- Flood Zone AE
- Rural Highway
- West Gateway
- Limited Commercial
- General Development II
- General Development I
- Shoreland Wetlands
- Resource Protection
- Limited Residential
- Stream & Wetland Protec
- Non-Regulated Wetlands
- Utilities
- Route 26 Gateway
- Downtown
- Village Areas
- Cemeteries
- Chapel District Village Area
- Norway Center Village Area
- Nobles Corner Village Area
- Swiffs Corner Village Area

Appendix D

Norway Electrical Cut-Off Switch Ordinance

NORWAY ELECTRICAL ORDINANCE 2012

STANDARDS:

1. All wiring installation in any structure regulation by the Ordinance under this ordinance must conform to the provisions of the latest edition of the National Electrical Code published by the National Fire Protection Association. (The adopted State of Maine Standard) shall be the regulation to follow.

Purpose: to follow minimum safety standards

2. All newly constructed and/or created dwelling units must have an exterior main electrical shutoff disconnect located on the exterior of the structure in which the dwelling unit is located in a visible convenient location. All service upgrades will also be required to have an electrical shutoff disconnect located on the exterior of the structure.

Purpose: to enhance safety for first responders in a fire related event

3. Any dwelling that has an alternate power source (i.e. an automatic start generator) that activates once the power supply is interrupted or cut off shall have a warning sticker located on the meter socket disconnect on the exterior of the dwelling. (Warning stickers shall be provided by the Town of Norway).

Purpose: to warn Fire Personnel there is an alternate power source

APPENDIX E

Building Drawings for new, expansions, & renovations are requirement of the MUBEC building code. The drawings will include floor plan, framing, foundation, elevation, window and door schedule.

Updated fee structure for building permits.

- **Accessory (sheds, barns, garages, decks, docks, stairs to the waterbody, slabs, foundations etc...) structure fees - \$ 0.10/ sq ft.**
- **Usable residential living space fees- flat \$30.00 plus \$.15/sq ft.**
- **Commercial fees- flat \$50 fee with \$.20/sq ft.**
- **Renovations are (renovations are considered moving of interior walls, enlarging windows/doors, expanded kitchens or bathrooms and/or adding square footage) – Flat \$40 for the first \$20,000 then maintain the \$1/\$1,000 after that.**

Planning Board fees

Subdivision is \$125/lot

Shoreland Zoning is \$50 plus the \$50 for advertising

Site Plan is \$125

Board of Appeals is at \$100.00 filing cost

Lot size:

Town water and sewer – 10,000sq ft

Private water and sewer – 20,000sq ft

Shoreland Zoning – 40,000sq ft

Shoreland Frontage -- 200ft

Road Frontage – 100 ft

Setbacks – Front 25' from edge of traveled way

Side and back 20ft for residential and 10ft for one story outbuildings

Inspections required when building new or renovating one and two family homes.

~Footer and substrate

~Foundation and drainage prior to backfilling

~Framing (with rough-in plumbing)

~Radon Mitigation Rough in

~Masonry and/or Chimney

~Insulation (once completed)

~Final before Occupancy permit can be issued; plumbing, electrical is complete and finishes; Radon Air test results filed at the town office
A blower door may be required for the Energy Code.

~Subsurface septic scarification and System (engineered or pipe & stone) installed prior to being covered.

Plumbing and Septic - for new or renovated buildings and modular homes/mobile homes. Any new homes (built or set) will require a septic design prior to a building permit being issued.

Fees; Plumbing \$10/plumbing fixture - \$40 minimum.

Septic; Fees range from an engineered system at \$265.00 – to alternative toilets at \$50.00.

This is not an inclusive list of Town requirements - For further information please call the code enforcement officer/LPI at 207-743-6651 or email at ceo@norwaymaine.com

Appendix F

Scenic Views in Norway, Maine			
Taken from the Norway Comprehensive Plan Adopted May 2011			
View #	View Location	Direction of View	View
1	Upton Road ~1,000 ft. from Round the Pond Road	south	Penn Lake & Pike's Hill Area
2	Crockett Ridge Road just south of Larson Road	west	Penn Lake & Brown Hill
3	Norway Center Road	east	Overlooking Norway Center
4	Morrell Road ~150 ft. south of Norway Center Road	northeast	Overlooking Thurston's Farm
5	Old Stage Road ~500 ft. from the end	north	Pike's Hill Area (winter view)
6a	Old Stage Road ~500 ft. from Brackett Road	west/south	
6b	Old Stage Road at the end of Brackett Road	south	Oxford
6c	Old Stage Road ~500 ft. from Brackett Road	north	Narrow view
7	Rest Area on Route 117	north	Penn Lake
8	Pennesseewassee Lake	All	Ridge lines from Lake

Appendix G

Historic Locations Chart

Map Reference	Address	Brief Description
1	279 Main Street	Grammar School - 1866 - Greek Revival
2	265 Main Street	Evans - Cummings House c. 1855
3	265 Main Street	Store - between 1851-58 - Greek Revival
4	265 Main Street	Bartlett Store - between 1851-58
5	265 Main Street	Store - noncontributing - c. 1960-70
6	221 Main Street	Hathaway Block - 1881
7	225-27 Main Street	Store - 1894
8	229 Main Street	Woodman's Store - 1894 - log face added c. 1936
9	219 Main Street	Opera House Block - 1894
10	201 Main Street	Oddfellow's Block - 1894 (1st story) 1911 (upper)
11	199 Main Street	Z.L. Merchants Store - between 1895-1901
12	Main Street	J.J. Newberry c. 1960 - noncontributing
13	Main Street	(New England Furniture) ?Aubuchon Hardware noncontributing - c. 1960-70
14	185 Main Street	Denison - Hathaway House c. 1855 - remodel 1893
15	171-75 Main Street	Noyes Block - 1894
16	169 Main Street	Savings Bank Block - 1894
17	167 Main Street	Tucker Block - 1894
18	Main Street	Hawkins House - 1894
19	161 Main Street	Dr. Frank Barker House - 1894
20	163 Main Street	Dr. Augustus French House - 1894
21	165 Main Street	Victorine Blanchard House - 1894 - remodel 1913-24 Colonial Revival Style
22	Main Street	Norway Memorial Library - 1938 - Georgian Revival
23	Main Street	Baker House - 1894
24	Main Street	Hobbs Variety Store - 1894
25	Main Street	Store 1913 - 1924
26	Main Street	Knights of Pythias Hall - 1894
27	144 Main Street	Danforth Block - 1896
28	146 Main Street	Asa Danforth House - 1830

Map Reference	Address	Brief Description
29	134-36 Main Street	U.S. Post Office - 1940 - Georgian Revival
30	Main Street	Schiavi Block - 1950 - noncontributing
31	Main Street	Norway Water District - 1860 - moved to site 1863
32	160 Main Street	Old Beal Block - c. 1852
33	170 Main Street	Pike's Blue Store - 1885
34	174 Main Street	Norway National Bank - 1926
35	178 Main Street	Weary Club - 1926
36	182 Main Street	Store - 1860-1865 - Greek Revival
37	194 Main Street	Crooker Building c. 1865-75
38	198 Main Street	Leavitt Hardware -1816
39	200 Main Street	Store - 1916
40	204 Main Street	Barjo's - noncontributing - facade added - 1946, Art Deco influence
41	206 Main Street	Jackson's Store - 1899
42	208 Main Street	Henry Bangs House - 1806 - remodel 1907
43	Main Street	Mark Poole Smith House - 1832 moved to site c. 196
44	234 Main Street	Increase Robinson House 1818 - Federal style
45	Main Street	Universalist Church - 1829, removal-1865
46	Bridge Street	Advertiser Block - 1848, enlarged c. 1887
47	9 Whitman Street	Stephen & Edward Cummings House - 1886
48	8 Whitman Street	Norway Grange - 1909 - Colonial Revival
49	Whitman Street	Battery Storage Building c. 1918
50	Whitman Street	Storage Building - 19th century - noncontributing
51	13 -15 Deering Street	Clement - Noyes House c. 1937 - Greek Revival
52	19 Deering Street	James Crooker House c. 1860-65 - Greek Revival
53	21 Deering Street	House c. 1840-55 - Greek Revival
54	Deering Street	Edward Cummings House - 1924 - Colonial Revival
55	Deering Street	House c. 1860-1880 - Greek Revival Trim
56	Deering Street	House c. 1880-1895 - Queen Anne Style
57	Deering Street	Samuel Farrar House c. 1840-1850
58	12 Deering Street	Ichabod Bartlett House c. 1820
59	8 Deering Street	House c. 1860-70

Map Reference	Address	Brief Description
60	11 Cottage Street	House c. 1850-55
61	13 Cottage Street	Ames House c. 1880
62	10 Cottage Street	Baptist Church - 1889
63	17 Cottage Street	House c. 1850 - noncontributing
64	21 Cottage Street	Peter Frost House c. 1870
65	23 Cottage Street	Jonathan Blake House c. 1840-1850 - Greek Revival
66	25 Cottage Street	House c. 1880-1890
67	Cottage Street	Mixer House c. 1880
68	Cottage Street	Daniel Beal House - 1852
69	Cottage Street	George Beal House - 1852
70	Cottage Street	Arthur Hebbard House c. 1897 - Queen Anne style
71	8 Cottage Street	Masonic Temple - 1887 - Queen Anne style
72	Cottage Street	Rex Theater - 1913, brick facade added 1924-34

