

**SHORELAND REGULATIONS  
PROPOSED CHANGES**

The three words defined below are commonly used when discussing shoreland development. A variety of definitions are listed in Section 17 of the ordinance.

Shoreland - *the land area located within 250', horizontal distance, of the normal high-water line of any great pond or river, within 250' of the upland edge of a freshwater wetland, or, within 75' of the normal high-water line of a stream.*

Legal non-conforming - *lots, structures or uses that were legal when ordinances took effect.*

*Waterboro Zoning Ordinance was enacted March 12, 1977.*

Non-vegetated surface - *include, but are not limited to, driveways, parking areas, structures, decks, patios, and other areas from which vegetation is removed.*

PBR – *permit-by-rule, Section 305 of the DEP regulations. Once this permit is approved by the department, a shoreland permit is needed from the municipality. An approval from DEP is not an insurance that a permit will be approved and issued by the municipality.*

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*The Mandatory Shoreland Zoning Act, 38 M.R.S.A. Section 435-449, requires all municipalities to adopt and enforce shoreland ordinances based on the guide lines set forth by the Board of Environmental Protection.*

*The municipal ordinances shall be consistent with, or no less stringent than, the minimum guidelines.*

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Existing districts: *resource protection, limited residential, limited commercial, stream protection and general development.*

**Proposed districts eliminated:** *stream protection and limited commercial*

Non-conforming structures: *presently allows up to a 30% expansion of floor area or volume, allows relocation, replacement and reconstruction with Planning Board approval.*

**Proposed changes:** *volume calculations is eliminated, if the structure is entirely within 25' of the high watermark you may expand 30% larger up to 800 sq. ft. with a height limit of 15 ft. If the structure is located less than 75 ' from the high watermark 30% expansion is allowed up to 1,000sq. ft. with a height limit of 20 ft. If the structure is less than 100 ' of the high watermark, 30% expansion is allowed up to 1,500 sq. ft. with a height limit of 25 ft. In all cases, when vegetation is removed for any construction, re-vegetation is required and must consist of similar native vegetation. A re-vegetation plan will be required.*

Piers, docks, wharfs: *presently does not restrict the length of a dock.*

**Proposed changes:** 6' wide and 30' long "accumulative". Permanent piers or docks require Planning Board review and approval.

Campgrounds: *presently not in shoreland ordinance. "Individual private campground" is currently in the ordinance.*

**Proposed changes:** campground restrictions and new text for "individual private campgrounds" have been added.

Roads, driveways, mineral extraction: *roads and driveways are not currently in the ordinance.*

**Proposed changes:** restrictions, slopes, drainage, ditches and culverts added.

Erosion/sedimentation control: *presently in the ordinance and includes simple guidelines.*

**Proposed changes:** stricter standards enforced by the Town, excavation personnel must be certified in erosion control to excavate within the shoreland zone. Homeowners and Municipal public works departments are exempt from the requirement of certification within the Shoreland Zone.

The following words have been added to the definitions;

**Basal area, basement, canopy, dock, pier, mooring, wharf, driveway, footprint, hazard tree, normal high water, temporary, permanent.**

*Changes included in this summary are not inclusive and only represent changes of current and/or prior interest.*

Glenn Charette  
Code Enforcement Officer