

DRAFT
**HIGHLIGHTS OF PROPOSED BELGRADE SHORELAND ZONING ORDINANCE
AMENDMENTS & UPDATES**

Town of Belgrade Planning Board
July 2018

Objectives:

1. Implement recommendations of 2014 Belgrade Comprehensive Plan, including those related to protecting lake water quality
2. Increase consistency with current State of Maine minimum requirements for municipal Shoreland Zoning Ordinances statewide
3. Correct legal problems identified in current ordinance
4. Update the Town's Shoreland Zoning map to improve legibility, incorporate improvements in mapping software, and reflect recent changes in wetland mapping
5. Clarify confusing standards and language to better ensure consistent implementation in future

Major Proposed Changes from Current Ordinance:

1. Eliminate the current vague storm water management requirement for new construction and replace with more specific and clearer standards based on Maine DEP recommended best management practices (pg. [48](#))
2. Addition of septic system inspection requirement by State certified inspector at time of property sale or transfer, and replacement of failing systems (pp. [50](#))
3. Inclusion of existing requirement in State law that earth moving contractors have Maine DEP training and certification in soil erosion control (pg. [69](#))
4. Eliminate Town permit requirement for timber harvesting; clarifying that such operations are now regulated by the Maine Bureau of Forestry (pp. [30](#) , [53](#))
5. Change standards for expansion of non-conforming structures – base on increases of total footprint square footage and maximum allowed height, and eliminate current reliance on allowed structure volume increases (pp. [10](#))
6. Eliminate confusing language regarding reconstruction or replacement of non-conforming structures, and replace with State minimum requirement (pp. [10](#))
7. Eliminate illegal language currently allowing the Planning Board to waive various new construction standards, including for slope, setbacks from wetlands, and structure setbacks from lake shore in the Limited Commercial District (e.g. Belgrade Lakes Village) (pp. [37](#))
8. Revise Shoreland Zoning map based on results of Maine Dept. of Inland Fish & Wildlife re-evaluation of high value waterfowl and wading bird wetlands – eliminating any downgraded from high to moderate value from Resource Protection District

9. Simplify setback for new and expanded structures from privately owned roads – base on 25 ft. from nearest edge of road vs. edge of the right-of-way (pg. [38](#))
10. Incorporate State required standards allowing removal of hazard trees, removal of vegetation in limited specific circumstances, re-vegetation requirements, and shoreline stabilization projects (pp. [59](#))
11. Clarification of permit application requirements (pp. [73](#))
12. Inclusion of new State exception for a single family residence in the Resource Protection District (p. [77](#))
13. Revision of the appeals process to increase efficiency and timeliness – administrative appeals of a Planning Board decision where alleged the Board incorrectly implemented the ordinance would be handled on an “appellate” basis vs. the current “de novo” basis which requires the entire application process to start over (pp. [79](#))
14. Addition of previously undefined key terms used in the ordinance and changing definitions to be consistent with State definitions (pp. [begins on 93, first example on 95](#))