

ARTICLE 4. ZONING DISTRICT REQUIREMENTS

4.0 Basic Requirements

The following basic requirements apply in all zoning districts:

A. Use Regulations

Table A sets forth those uses which are permitted, permitted with a permit from the Code Enforcement Officer, permitted with a permit from the local plumbing inspector, permitted with a permit from the Planning Board, or prohibited in each zoning district. Any use not listed on Table A is prohibited use. Uses requiring Planning Board review (other than home occupations) must be approved under the Site Plan Review Standards of Article 6 of this Ordinance.

B. Dimensional Requirements

Dimensional Requirements are set forth on Table B.

C. Performance Standards

Performance standards are set forth in Article 5 of this Ordinance. Additional requirements applicable in particular zoning districts are set forth in Sections 4.1 through 4.10 below.

4.1 Resource Protection Zone

A. Purpose

1. To protect the most vulnerable shore land areas along with other areas in which development would adversely affect water quality, productive habitat, biological ecosystems, or scenic and natural values, and to discourage development in unsafe and unhealthful areas. The Resource Protection Zone may include areas located outside the Shore land Zone. The Resource Protection Zone may include but is not limited to:
 - a. Wetlands, swamps, and bogs;
 - b. Floodplains to the extent of the 100 year flood designation on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps or Flood Hazard Boundary Maps; or other floodplains as mapped by the Town and depicted on the Zoning Map.
 - c. Slopes subject to severe natural erosion or on which erosion would be expected to be severe as the result of human activities;
 - d. Areas designated as having special historic or scenic or natural significance;
 - e. Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands, and wetlands associated with great ponds and rivers, which are rated “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Department as of May 1, 2006 or as subsequently adopted. For the

purposes of this paragraph “wetlands associated with great ponds and rivers” shall mean areas characterized by non-forested wetland vegetation and hydric soils that are contiguous with a great pond or river, and have a surface elevation at or below the water level of the great pond or river during the period of normal high water. “Wetlands associated with great ponds or rivers” are considered to be part of that great pond or river.

- f. Areas of two or more contiguous acres with sustained slopes of 20 percent or greater that are located in the shore land zone as defined herein; and
- g. Land areas along rivers subject to severe bank erosion, undercutting or river bed movements.
- h. Areas of two (2) or more contiguous acres supporting wetland vegetation and hydric soils, which are not part of a freshwater wetland as defined, and which are not surficially connected to a water body during the period of normal high water.

B. Specific Performance Standards

The provisions contained in Section 4.8 governing the Varnum Pond Watershed Overlay District apply if the property is also located in said District.

C. Special Permit for Single Family Residence

Notwithstanding the provisions of Section 4.0.A and Table A, excepting structure setback requirements the Planning Board may issue a special permit for construction of a single family residence in the Resource Protection Zone if the applicant demonstrates that all of the following conditions are met:

- 1. There is no location on the property, other than a location within the Resource Protection Zone, where the structure can be built.
- 2. The lot on which the structure is proposed is undeveloped and was established and recorded in the Franklin County Registry of Deeds before the adoption of the Resource Protection Zone.
- 3. All proposed buildings, sewage disposal systems and other improvements are:
 - (a) Located on natural ground slopes of less than 20% and
 - (b) Located outside the floodway of the 100-year floodplain along rivers and artificially formed great ponds along rivers based on detailed flood insurance studies and as delineated on the Federal Emergency Management Agency’s Flood Boundary and Floodway Maps and Flood Insurance Rate Maps; all buildings, including basements, are elevated at least one foot above the 100-year floodplain elevation; and the development is otherwise in compliance with the Floodplain Management Ordinance for the Town of Wilton. If the floodway is not shown on the Federal Emergency Management Agency maps, it is deemed to be ½ the width of the 100-year floodplain. For purposes of this subparagraph, “floodway” means the channel of a river or other watercourse and adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot in height.
- 4. The total ground-floor area, including cantilevering or similar overhanging extensions of all principal and accessory structures is limited to a maximum of 1,500 square feet.

This limitation shall not be altered by variance.

5. All structures, except functionally water-dependent structures, are set back from the normal high-water line of a waterbody, tributary stream or upland edge of a wetland to the greatest practical extent, but not less than 75 feet, horizontal distance. In determining the greatest practical extent, the planning board shall consider the depth of the lot, the slope of the land, the potential for soil erosion, the type and amount of vegetation to be removed, the proposed building site's elevation in regard to the floodplain and its proximity to moderate-value and high-value wetlands.

4.2 Limited Residential & Recreational Zone

A. Definition and Purpose

1. Definition: This zone comprises areas which would fall into the Resource Protection Zone except that they have already been developed, primarily for residential and recreational uses.
2. Purpose: To regulate uses in such a way as to prevent significant pollution of the water and to preserve the aesthetic and recreational values of shore land areas.

4.3 Residential I Zone

A. Definition and Purpose

1. Definition: This zone comprises the older built-up village areas of Wilton, Dryden, and East Wilton. These areas are, for the most part, served by Town water and sewer.
2. Purpose: To maintain the close residential character of these areas, the older built-up village areas of Wilton, Dryden and East Wilton, and to assure new development is compatible.

4.4 Residential II Zone

A. Definition and Purpose

1. Definition. This zone comprises the medium density, suburban residential areas of the Town.
2. Purpose. The purpose of establishing this zone is to identify those areas whose proximity to Town maintained roads indicate a historical use for residential or other low intensity development and designate areas where low density residential growth can occur while minimizing local service costs.

4.5 Farm and Forest Zone

A. Definition and Purpose

1. Definition: This zone comprises the majority of generally unbuilt areas in the Town, primarily woodland and farmland.
2. Purpose: To encourage the continued production of renewable resources by recognizing and maintaining those areas suitable for either agricultural or forest production.

B. Specific Performance Standards

The requirements of §4.8 governing the Varnum Pond Watershed District shall apply if the property is also located within said District.

C. Rural Land Management System

The following system shall be used to determine the required minimum lot area per dwelling unit and thus the density of development for residential subdivisions in the Farm & Forest Zone of the Town of Wilton. This system is based upon the United States Department of Agriculture's farmland importance classification and the sites' suitability for subsurface sewage disposal.

To determine the density of development for a subdivision proposal, the site shall be evaluated according to the following factors.

This evaluation shall be based on a soils map prepared by a soil scientist following an on-site investigation and certified by the Franklin County Conservation District. For each factor, a numerical rating shall be made, and the ratings for the four factors shall be combined to get the "Overall Suitability Rating" for the parcel. The following schedule shall then be applied to the "OSR" to determine the allowable density of development.

Overall Suitability Rating	Minimum Lot Area Per Dwelling Unit
30 to 35	40,000 sq. ft.
24 to 29	80,000 sq. ft.
16 to 23	120,000 sq. ft.
12 to 15	200,000 sq. ft.
less than 12	Not permitted

Criteria:

1. Percent of the site classified as Prime Farmland or Unique Farmland by the U.S. Department of Agriculture Soil Conservation Service.

a.	less than 10%	10
b.	11% - 20%	9
c.	21% - 40%	7
d.	41% - 65%	4
e.	more than 65%	0

2. Percent of the site suitable for private underground sewage disposal utilizing conventional septic tank leach field systems based upon Part 11 of the Maine State Plumbing Code.

- | | | |
|----|------------------|----|
| a. | more than 90% | 10 |
| b. | more than 70-90% | 9 |
| c. | more than 40-70% | 7 |
| d. | more than 20-40% | 4 |
| e. | less than 20% | 0 |

3. Percent of the site with a SCS soil suitability rating of good or fair for houses with basements.

- | | | |
|----|------------------|----|
| a. | more than 90% | 10 |
| b. | more than 70-90% | 9 |
| c. | more than 40-70% | 7 |
| d. | more than 20-40% | 4 |
| e. | less than 20% | 0 |

4. Percent of the site located outside of a flood hazard area or wetland area, or located at least 100 feet from the high watermark of any pond, perennial stream or river.

- | | | |
|----|------------------|----|
| a. | more than 90% | 10 |
| b. | more than 70-90% | 9 |
| c. | more than 40-70% | 7 |
| d. | more than 20-40% | 4 |
| e. | less than 20% | 0 |

4.6 Commercial Zone

A. Purpose

To identify those areas which were deemed suitable for light industry, stores, lodging, or similar businesses.

4.7 Industrial Zone

A. Purpose

To provide areas within the Town of Wilton for manufacturing, processing, treatment, research, warehousing, distribution and other industrial activities through the establishment of an industrial floating zone.

B. Location (*Amended June 19, 2000*)

The location of the Industrial Zone shall be by amendment to this Ordinance and shall be adopted by a majority vote of the Governing Body of the Town. The location of an Industrial Zone shall be based upon:

1. The minimum size of the area to be zoned shall not be less than twenty (20) acres.
2. The zone is or will be served by adequate infrastructure including water and sewer provided by the Town or the developer.
3. The availability of adequate transportation and traffic facilities.
4. The zone shall be affixed not more than two (2) times without amendment to the