

Article 9: Definitions

The following words and phrases, as used in this ordinance, have the meanings specified below. Any words not defined below are assumed to have their normal dictionary meaning

Abutter: Any lot which is physically contiguous with the lot in question even if only at a point and any lot which is located directly across the public or private street from the lot in question.

Accessory building, accessory structure or use: A detached, subordinate building or structure, the use of which is clearly incidental and related to that of the principal building or structure and which is located on the same lot as that of the principal building, structure or use.

Adult Business: Any commercial enterprise, including but not limited to bookstores, amusement centers, and theaters, which as a substantial or significant portion of its enterprise rents, sells, or keeps for display books, videos, motion pictures or any other form of representation of sexually explicit material or activities. Sexually explicit means the depiction of display of human sex organs.

***Aggrieved Party:** An owner of land whose property is directly or indirectly affected by the granting or denial of a permit or variance under this ordinance; A person whose land abuts land for which a permit or variance has been granted, or any other person or group of persons who have suffered particularized injury as a result of the granting or denial of such permit or variance.

Agriculture (Agricultural Production): The production, keeping or maintenance for sale or lease, of plants and /or animals, including but not limited to forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products, livestock; fruits and vegetables; and ornamentals and green house products.

Applicant: A person, group of people , business or corporation applying for a permit under this Ordinance.

Belgrade Lakes Village: An area described in the Town of Belgrade Comprehensive Plan and depicted in the map.

Building: Any structure having a roof supported bu columns or walls intended for sheltering or housing people, animals, business processes or activities, equipment, goods or materials of any kind or nature.

Building footprint: The area covered by a building measured from the exterior surface of the exterior walls at grade level exclusive of cantilevered portions of the building. Where the building is elevated above the grade level on post or similar devices, the building footprint is the area the building would cover if it where located at ground level.

Campground: A plot of ground upon which 2 or more campsites are located , established, or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education, or vacation purposes including erection of tents, trailers, lean-to, overnight cabins, or similar structures and parking facilities.

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Critical Natural Area: Any area identified and listed by the Natural Areas program of the Maine Department of Conservation as containing rare or unique botanical features or habitat for rare, threatened, or endangered plant species or rare and unique natural communities.

Development: Any man-made changes to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, or drilling operations.

Developed Area or disturbed area: Any area on which a site improvement or change is made, including buildings, landscaping, parking areas and streets.

Essential Service: The construction, alteration and maintenance of gas, electric, communication facilities, steam, fuel, or water transmission, distribution, collection supply or disposal systems. Such systems may include towers, poles, wires, mains, call boxes, traffic signals, hydrants, and similar accessories, but shall not include buildings which are necessary for the furnishing of such services.

Historic or Archeological Resource: Areas identified by a governmental agency such as the Maine Historic Preservation Commission as having significant value as an historic or archeological resource as well as areas identified in the Town of Belgrade Comprehensive Plan.

Home Occupation: An occupation or profession which is carried on in an dwelling unit or accessory building, which is clearly incidental and secondary to the residential use of the dwelling; carried on by a member of the family residing in the dwelling unit; includes no more than 2 outside employees not residing in the dwelling unit; and, which does not alter the residential character of the neighborhood.

Impervious surface: The area covered by buildings and associated constructed facilities, areas which have been or will be covered by a low permeability material, such as asphalt or concrete and areas such as gravel roads and unpaved parking areas, which have been or will be compacted through design or use to reduce their permeability.

Level of Service; A term used by traffic engineers, indicating a scale of "A" to "F", measuring the volume of vehicular traffic in relation to the capacity of an intersection or road segment. Levels of service "E" to "F" describe road situations with severe problems attributable to traffic congestion.

Material (Mineral) Extraction Operation: The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of more than 1,000 cubic yards of product or overburden from the earth within 12 successive calendar months; any activity or process that for the extraction or removal of the product or overburden; and the preparation, washing, cleaning or other treatment of that product so as to make it suitable for commercial, industrial or construction use, but it shall not include the excavation or grading preliminary to a construction project.

Overnight Accommodation: A building or buildings in which lodging or meals and lodging are offered to the general public for compensation and in which there are no separate kitchen facilities other than associated with common eating areas or owner's quarters. The term includes establishments commonly referred to as hotels, motels, inns, bed and breakfast, and guest houses, but does not include housekeeping units.

Peak Hour Volume: The highest number of vehicles found to be passing over a section of a lane or roadway during any 60 consecutive minutes. Typically there is a peak hour condition in the A.M. and a peak hour condition in the P.M. for which the roadway or intersection is analyzed for capacity and level of service.

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Sight Distance: The visible distance available to a motorist at an access point to a public road, sufficient to allow a vehicle to enter the road without inhibiting the progress of other vehicles. for the purpose of calculation, sight distance is measured from the height of a hypothetical driver 3 ½ feet above the driveway at a point ten (10) feet behind the street line, to an object 4 ½ feet above the street.

Sign: An advertising message, graphic illustration, or insignia erected or inscribed for public view for the purpose of promoting the interests of the occupant of the premises or owner of the sign.

Sign Area: The surface area of that portion of the sign containing the advertising matter. Signs which have no separate sign surface shall be measured by taking the smallest area of a rectangle or circle which encloses the advertising matter. For two-sided signs, only one side of the sign shall be counted towards sign area.

Sign, freestanding: A sign that is directly and permanently supported, and physically separated from any other structure.

Sign, canopy or projecting: A sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structure protective cover over a door, entrance, window or outdoor service area. It also means a sign that is attached to the building wall and extends more than 6 inches from the face of such wall.

Structure: Anything constructed or erected on the ground or which is attached to something located on the ground.

Street, Public: An existing state, county, or town way; dedicated for public use and shown upon a plan approved by the Planning Board and recorded in the County Registry of Deeds.

Arterial Street: State Route 27

Collector Street : the following streets shall be considered collectors: State Routes 8, 11, and 135.

Substantial Start: The completion of 30% of a permitted structure or use measured as a percentage of estimated total cost.

Telecommunication Tower: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self supporting lattice towers, guyed towers and monopoles. for the purpose of transmitting or relaying radio frequency signals, including, but not limited to radio, television, cellular, and personal communication service frequencies. Towers established for personal use such as citizen band and ham radio operations, and which are less than 50 feet in height, shall not be included in this definition.

Water body or water course: Any river, stream, brook, pond, lake or wetland.

Wetland: An area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. wetland includes swamps, marshes, bogs, certain forest areas and similar areas.

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