

**TOWN OF SEBAGO**  
**SITE PLAN REVIEW**  
**ORDINANCE**

**ADOPTED**

**MARCH 7, 1986**

# TOWN OF SEBAGO

## SITE PLAN REVIEW ORDINANCE

### SECTION I. PURPOSE

The purposes and objectives of this section are to:

- A. Conserve the Town's natural beauty and visual character by insuring that structures, signs and other developments are properly related to their sites and to surrounding sites and structures, especially in regard to the natural terrain and landscaping, and that the exterior appearances of structures, signs and other improvements harmoniously relate to their environment.
- B. Promote and protect the health, safety and welfare of the Town of Sebago.

### SECTION II AUTHORITY

- A. No development shall take place within Sebago nor shall any land be cleared or altered, nor shall any watercourse be diverted or its channel or floodplain dredged or filled, nor shall any parking areas, accessory or otherwise, be constructed, installed or enlarged, nor shall any building permit, certificate of occupancy or other required permit be issued with respect to any such structures, land or parking area, except in accordance with any approval by the Planning Board of such development granted according to the requirements of this Ordinance.
- B. Exempted from this ordinance are:
  - i) detached single and two-family dwellings and their accessory buildings and parking areas as permitted by applicable zoning regulations,
  - ii) normal agricultural and forestry uses,
  - iii) the construction of a parking area for less than three vehicles,
  - iv) interior improvements which meet code requirements,
  - v) home occupations, and
  - vi) external changes to a building which will close an existing entrance or create a new one or a building extension totaling less than 100 sq. ft. of gross floor area.
- C. Construction, site development and landscaping shall be carried out in accord with the plans, drawings, sketches and other documents approved by the Board, unless altered with Board approval.
- D. Any approved subdivision consisting of single and two-family dwellings which complies with the Subdivision Ordinance of Sebago shall be deemed to satisfy the site plan criteria of this chapter.
- E. Where the Planning Board finds that, due to special circumstances of a particular Plan, the provisions of certain criteria and standards and the payment of specified fees are not requisite in the interest of public health, safety and general welfare, the Planning Board may waive such requirements.

### **SECTION III ADMINISTRATION**

A. The following procedures and requirements shall apply to all applications for site plan review.

- 1) All applications for site plan review shall be made in writing to the Planning Board on the forms provided for this purpose. The application shall be made by the owner of the property or his/her agent, and shall be accompanied by the payment of an application fee of \$35.00 to the Town of Sebago to cover the administrative costs of processing the application.

The completed application for site plan review, together with the documentation required in these regulations, shall be placed on the Planning Board's agenda for consideration at its next scheduled meeting. Within sixty (60) days of the hearing, the Board shall act to approve or disapprove the site plan the site plan as submitted or amended. The Board shall specify in writing its reasons for modifications or disapproval.

- 2) Prior to taking final action on any site plan review application, the Planning Board may hold a public hearing to afford the public the opportunity to comment on the application. If a public hearing is held, abutting property owners shall be notified by mail of a pending application for site plan review. The hearing shall be advertised in a newspaper of general circulation and notice shall be posted in three (3) prominent places in Sebago at least ten (10) days prior to the hearing. This notice shall indicate the nature of the application, the time, date, and place of the hearing.
- 3) One copy of the approved site plan shall be included in the application for a building permit.
- 4) Prior to formal application, an owner or his/her authorized agent may request an informal review of the site plan by the Planning Board to determine its compliance with town regulations.
- 5) An appeal from any order, relief, or denial of the Planning Board may be taken by any party to the Board of Appeals and then to Superior Court in accordance with the Maine Rules of Civil Procedure, Rule 808.

B. The Board may require the applicant to show financial capacity to complete the development as approved and may require the posting, prior to final approval of any plan, of a bond or escrow agreement, in such amount as is approved by the Board as being reasonably necessary to ensure completion of all improvements required as conditions of approval of such plan, in such form as approved by the Board.

C. The applicant must comply with all State and Federal requirements and receive all relevant approvals before any development activities may begin.

D. The Building Inspector shall issue a building permit if he/she determines that the application complies with the plan approved by the Board. The approval of a site

plan shall become void if substantial construction is not commenced within one (1) year of the date of such approval unless such time limit is extended by the Board.

Failure to comply with any conditions of the Site Plan Review, subsequent to approval of the Plan, shall be construed to be a violation of this Ordinance and shall be the grounds for revoking the approval, initiating legal proceedings to enjoin construction or any specific activity violating the conditions of approval, or applying a fine of not more than \$100 for each day the violation continues to exist after official notification by the Code Enforcement Officer.

#### **SECTION IV SUBMISSION REQUIREMENTS**

- A. When the owner of the property or his/her authorized agent makes formal application for site plan review, the application shall contain at least the following exhibits and information:
- 1) A fully executed and signed copy of the application for site plan review.
  - 2) Two (2) copies of the site plan drawn at a scale sufficient to allow review of the items listed under the preceding general standards, but at not more than 50 feet to the inch for that portion of the total tract of land being proposed for development, and showing the following:
    - a. Owner's name, address and signature.
    - b. Names and addresses of all abutting property owners.
    - c. Sketch map showing general location of the site within the town.
    - d. Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.
    - e. The zoning classification of the property.
    - f. The location of all existing and proposed buildings (including size and height), access points, driveways, sidewalks, parking spaces, loading areas, open spaces, large trees, open drainage courses, service areas, and easements.
    - g. The location of all buildings within 200 feet of the parcel to be developed and the location of intersecting roads or driveways with 200 feet of the parcel.
  - 3) Building plans showing, as a minimum, the first floor plans, all elevations and proposed materials and colors of all structures.
  - 4) Copies of any proposed or existing easements, covenants, deed restrictions, etc.
  - 5) Copies of applicable State and Federal approvals and permits, provided however, that the Board may approve site plans subject to the issuance of specified State and Federal licenses and permits in cases where it determines that it is not feasible for the applicant to obtain them at the time of the site plan review.

- B. The Board shall require the following submissions where it determines that, due to the scale or nature of the proposed development, such information is necessary to assure compliance with the intent and purposes of the Ordinance.
- 1) Existing and proposed topography of the site at two foot contour intervals.
  - 2) The bearings and distances of all property liens and the source of this information and a plot plan certified by a licensed surveyor.
  - 3) A storm water drainage plan showing:
    - a) The existing and proposed method of handling storm water run-off
    - b) The direction of flow of the run-off through the use of arrows
    - c) The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.
    - d) Engineering calculations used to determine drainage requirements based upon a 10-year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.
  - 4) A utility plan showing provisions for water supply and waste water disposal including the size and location of all piping, holding tanks, leach fields, etc., and showing the location and nature of any solid waste collection facility and all electrical, telephone and any other utility services to be installed on the site.
  - 5) A landscaping plan keyed to the site plan and indicating the varieties and sizes of trees, shrubs, and other plants to be planted on the site and other landscaping arrangements.
  - 6) The location, size and character of all signs.
  - 7) An erosion and sedimentation plan showing plans for before and after construction. Approval from the appropriate State or Federal Soil and Water Conservation agency in this area is required.
  - 8) Lighting plans showing the location, type, radius and intensity in footcandles of all exterior lighting.

## **SECTION V CRITERIA AND STANDARDS**

- A. The following criteria and standards shall be utilized by the Planning Board in reviewing applications for site plan review. These standards are intended to provide a guide for the applicant in the development of the site and building plans as well as a method of review for the Board. The Planning Board may require an expert consultant or consultants to study and report as to compliance or noncompliance with these standards and to advise, if necessary, of procedures which will result in compliance. Such consultants shall be fully qualified to provide the required information and shall be mutually acceptable to the Town and the applicant. Costs shall be borne by the applicant.

## 1) Landscaping

- a. The purpose of landscaping is to define, soften or screen the appearance of off-street parking areas or other uses from the public right-of-way and abutting properties, to enhance the physical design of the building(s) and site, and to minimize the encroachment of the proposed use on neighboring land uses. Landscaping shall be provided as part of the overall site plan design and integrated into building arrangements, topography, parking and buffering requirements. Landscaping shall include trees, bushes, shrubs, ground cover, perennials, annuals, plants, grading and the use of building and paving materials in an imaginative manner.

The landscaping plan submitted with each application may, at the discretion of the Board, include major existing and proposed trees, shrubs, bushes, plant material, ground cover and natural features such boulders and rock outcroppings. It shall show present or proposed location and planting details. Applicant shall include in the plan proposed methods to protect existing trees and growth during and after construction. These may include fences, berms, curbing, tree walls and similar devices.

- b. The following criteria shall be followed:
  1. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, retaining existing vegetation where desirable, and keeping any grade changes in character with the general appearance of neighboring areas.
  2. Landscaping should be provided in public areas, recreation sites and adjacent to buildings.
  3. Wherever possible, existing large trees should be saved. Maximum effort should be made to save clumps of trees rather than individual one.
  4. Parking lots should be landscaped to provide buffering for adjacent properties. Sight vision, safety and appearance should be considered in determining landscaping plans.

## 2) Buffers

- a. Buffers are fences, landscaping, berms, rocks, boulders, mounds or combinations thereof designed to minimize any potential adverse impacts or nuisances on the site from adjacent areas. Extensive buffering will be required where intensive land uses (such as higher densities and potential conflicting uses) abut less intensive land uses.

- b. The following criteria shall be followed:
  - 1. Existing natural vegetation shall be retained if they can appropriately act as suitable buffers.
  - 2. Buffering (other than fences and walks) shall be located around the perimeter of the site at the property lines to minimize headlights of vehicles, noise, light from structures, the movement of people and to shield activities from adjacent properties when necessary.
  - 3. Parking areas, garbage collection areas, utility buildings, loading and unloading areas, outdoor storage areas and similar accessory areas and structures shall be buffered.
  - 4. Evergreens can be used as buffers if two or three rows of staggered plantings are proposed. The rows should be at least five feet apart.

### 3) Environmental Considerations

- a. Environmental elements relating to prevention of soil erosion, preservation of trees, protection of watercourses and other natural resources, noise, topography, soil and animal life shall be reviewed and the design of the plan shall minimize any adverse impact on these elements.
- b. The following criteria shall be followed:
  - 1. The design and layout of buildings and/or other development areas shall encourage safety and fire protection.
  - 2. Proposed structure(s) shall relate harmoniously to the terrain and to existing building(s) in the vicinity which have a visual relationship to the proposed building(s). Special attention shall be paid to the scale of the proposed building(s), massing of the structure(s), and such natural features as slope, orientation, soil type and drainage courses.
  - 3. Adequate provision shall be made for on-site surface drainage so that removal of vegetation will not adversely affect neighboring properties, down stream conditions, or a public storm drainage system. One-site absorption shall be utilized to minimize discharge whenever possible. All drainage calculation shall be based on a ten year storm of duration equal to the time of concentration for the area addressed.
  - 4. The erosion and sedimentation plan shall be based the following principles, when applicable.
    - a. Stripping of vegetation, regarding or other development shall be done in such a way as to minimize erosion.
    - b. Development shall preserve salient natural features, keep cut-fill operations to a minimum and ensure conformity with topography so as to create the least erosion potential and adequately handle the volume and velocity of surface water run off.

- c. Whenever feasible, natural vegetation shall be retained, protected and supplemented.
- d. The disturbed area and the duration of exposure shall be kept to a practical minimum.
- e. Disturbed soils shall be stabilized as quickly as practicable
- f. Temporary vegetation or mulching shall be used to protect exposed critical areas during development.
  
- g. The permanent (final) vegetation and mechanical erosion control measures shall be installed as soon as practical on the site. Ground cover planting shall be used, if appropriate.
- h. Until the disturbed area is stabilized, sediment in the runoff water shall be trapped by the use of debris basins, sediment basins, silt traps or other acceptable methods.
- i. Whenever sedimentation is caused by stripping vegetation, regarding or other development, it shall be the responsibility of the developer causing such sedimentation to remove it from all adjoining surfaces, drainage systems, and watercourses and to repair any damage at his expense as quickly as possible.

4) Site Conditions

- a. During construction. During construction, the site shall be maintained and left each day in a safe and sanitary manner, and any condition which could lead to personal injury or property damage shall be immediately corrected by the developer upon an order by the Code Enforcement Officer or other authorized personnel.
- b. Disposal of dead trees, litter, building materials. Developed areas shall be cleared of all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris, and excess or scrap building materials shall be removed or destroyed immediately upon the request of and to the satisfaction of the Code Enforcement Officer prior to issuing an occupancy permit.
- c. Changes in elevation. No change shall be made in the elevation or contour of any lot or site by the removal of earth to another lot or site other than as shown on an approved site plan.
- d. Temporary improvements. Prior to or during construction, the Code Enforcement Officer may require the installation or construction of improvements to prevent or correct temporary conditions on the site which could cause personal injury, damage to property or constitute a health hazard. These conditions may result from erosion and landslide, flooding, heavy construction traffic creation of steep grades and pollution. Improvements may include berms, mulching, sediment traps, detention and retention

basins, grading, plantings, retaining walls, culverts, pipes, guardrails, temporary roads and others appropriate to the specific condition. All temporary improvements shall remain in place and in operation until otherwise directed by the Code Enforcement Officer.

5) Vehicular Access

- a. The proposed site layout shall ensure that vehicular and pedestrian traffic conditions shall not exceed reasonable limits for the neighborhood. Special consideration shall be given to the location, number and control of access points, adequacy of adjacent streets, traffic flow, sight distances, turning lanes, existing or proposed traffic signalization and pedestrian vehicular contacts. The Planning Board has the authority to determine the type of surface to be used on interior driveways and shall consider location and intensity of use when making its decision.
- b. The following criteria shall be followed:
  1. No access drive or driveway or other means of ingress and egress shall be located in any residential area to provide access to uses other than those permitted in such residential area.
  2. All entrance and exit driveways shall be located and designed in profile and grading to afford safety to traffic, provide for safe and convenient ingress and egress to and from the site and to minimize conflict with the flow of traffic.
  3. The dimensions of driveways shall be designed to adequately accommodate the volume and character of vehicles anticipated to be attracted daily onto the land development for which a site plan is prepared.
  4. Provision shall be made for convenient and safe emergency vehicle access to all buildings and structures at all times.
  5. Any exit driveway or driveway lane shall be so designed in profile and grading and so located as to provide the following minimum sight distance measured in each direction. The measurements shall be from the driver's seat of a vehicle standing on that portion of the exit driveway with the front of the vehicle a minimum of ten (10) feet behind the curblineline or edge of shoulder, with the height of the eye level and seventy-five hundredths (3.75) feet to the top of an object four and five-tenths (4.5) feet above the pavement.

<b>Allowable Speed (miles per hour)</b>	<b>Required Sight Distance (feet)</b>
25	160
40	275
45	325
50	350
55	425

6. Where a site occupies a corner of two (2) intersecting roads, no driveway entrance or exit shall be located within fifty (50) feet of the point of tangency of the existing or proposed curb radius of that site.
7. No part of any driveway shall be located within a minimum of ten (10) feet of a side property line. However, the Planning Board may permit a driveway serving two (2) or more adjacent sites to be located on or within ten (10) feet of a side property line between the adjacent sites.
8. Where two (2) or more two-way driveways connect a single site to any one (1) road, a minimum clear distance of one hundred (100) feet measured along the right-of-way line shall separate the closest edges of any two (2) such driveways. If one driveway is two-way and one is a one-way driveway, the minimum distance shall be seventy-five (75) feet.
9. Angles
  1. Two-way operation. Driveways used for two-way operation shall intersect the road at an angle of as near ninety degrees (90°) as site conditions will permit and in no case less than sixty degrees (60°).
  2. One-way operation. Driveways used by vehicles in one (1) direction of travel (right turn only) shall not form an angle smaller than forty-five degrees (45°) with a road unless acceleration and deceleration lanes are provided.
10. Dimensions. The dimensions of driveways shall be designed to accommodate adequately the volume and character of vehicles anticipated to be attracted daily onto the land development for which a site plan is prepared. The required maximum and minimum dimensions for driveways are indicated below. Driveways serving large volumes of daily traffic or traffic of over fifteen percent (15%) truck traffic shall be required to utilize high to maximum dimensions.

	<b>One-Way Operation Driveways-*Width (feet)</b>	<b>Two-Way Operation Driveways-*Width (feet)</b>
3 to 10 Dwelling Units	10-15	15-25
10 Dwelling Units or Over	15-25	20-35
Commercial and Industrial	15-30	25-35

\* All driveways shall be five (5) feet wider at the curblines, and this additional width shall be maintained for a distance of twenty (20) feet into the site.

11. Grades. Driveways shall not have a grade in excess of fifteen percent (15%) over the entire length. On arterials the grade shall not be more than five percent (5%) for the first twenty-five (25) feet from the road unless otherwise approved by the Planning Board. Driveways shall not be located where visibility is limited because of curves or topography.

6) Parking and Circulation

- a. The layout and design of all means of vehicular and pedestrian circulation, including walkways, interior drives and parking areas, shall be safe and convenient and shall not detract from the proposed building(s) and neighboring properties. General interior circulation, separation of pedestrian and vehicular traffic, service traffic, parking and loading areas shall be reviewed.
- b. The following criteria shall be followed:
  1. Parking areas shall be landscaped to minimize noise, glare and other nuisances and to enhance the site and surrounding area.
  2. Sidewalks and other pedestrian linkages may be required to provide safe conditions.
  3. Adequate off-street parking spaces shall be provided according to the following schedule:
    - a. Restaurants:  
1 space for each 150 sq. ft. of floor space
    - (b) Office & Commercial:  
1 space for each 400 sq. ft. of floor space
    - (c) Residential:  
1 space per dwelling unit
    - (d) Warehouse/Manufacturing:  
1 space per 1000 sq. ft. of floor space
    - (i) Parking areas shall have suitable drainage facilities
    - (ii) Lighting shall be shielded so it will not create a hazard or nuisance to adjoining properties or to the traveling public.
    - (iii) Spaces, drives and aisles shall be clearly marked.

4. No off-street parking or loading area shall be located in a minimum required setback.
5. The number of off-street loading bays required by the site plan shall be determined by the Planning Board. Each loading space shall be no less than twelve feet in width, fifty feet in length and fourteen feet in height.

7) Lighting

- a. Adequate lighting shall be provided to ensure safe movement of persons and vehicles and for security purposes. Lighting standards shall be of a type approved by the Planning Board.
- c. The following criteria shall be followed:
  1. Directional or display lighting shall be arranged so as to minimize glare and reflection on adjacent properties and the traveling public.
  2. Lights all be shielding away from residences and roads. All light be shielded to restrict the maximum apex angle of the cone of illumination to one hundred fifty degrees.
  3. Direct or indirect light from the source shall not cause illumination in excess of 0.5 footcandles when measured in a residential district.
  4. The maximum height of freestanding lighting shall be the same as the principal building or not exceed thirty-five feet.
  5. Lighting shall be located along streets, parking areas, at intersections and crosswalks and where various types of circulation systems merge, intersect or split.

8) Signs

- a. The size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties and shall not constitute hazards to vehicles and pedestrians.
- b. The following criteria shall be followed:
  1. From a safety point of view, signs shall be located so as not to create a hazard, particularly at intersections. The locations shall be selected in terms of visibility.

9) Utilities

- a. All utilities included in the site plan shall be reviewed as to their adequacy, safety and impact on surrounding properties. Storm drainage, sanitary waste disposal, solid waste collection and disposal, water supply, electricity and telephone services shall be reviewed.

b. The following criteria shall be followed:

1. Emphasis shall be placed on the protection of floodplains; reservation of stream corridors; establishment of drainage right of way and the adequacy of the existing system; the need for improvements, both on site and off-site, to adequately control the rate, volume and velocity of storm drainage; provide for treatment of effluent, and maintain an adequate supply of potable water at sufficient pressure.
2. Whenever feasible, utility lines shall be installed underground.
3. Any utility installations above ground shall be located so as to have a harmonious relationship with neighboring properties and the site.

#### 10) Industrial and Commercial Environmental Performance Standards

a. The following industrial and commercial performance standards are designed to control industrial and commercial uses in Sebago so that potential nuisances may be assessed factually and objectively and the community protected from hazards and nuisances. Because residential uses may also be located in an area where industrial and commercial uses are permitted, specifications are designed to result in a nuisance free performance.

b. The following criteria shall be followed:

1. Air pollution. All air pollution control shall comply with minimum Federal, State and local requirements.

a. Smoke. Emission of smoke from any chimney, stack, vent, opening or combination process shall not exceed a density or equivalent capacity of Ringelmann No. 1. (Ringelmann Chart published by the Bureau of Mines.)

b. Particulate matter. Particulate matter shall be defined as combustion products made up of smoke, soot, flyash, etc., and industrial dust from foundries, paint spraying and rock crushing. Allowed particulate emissions shall not exceed 0.10 grams per standard cubic foot emitted from a stack.

## **Definitions**

Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the “lot” includes the word “plot”; and the word “building” includes the word “structure”; “shall” is always mandatory; “occupied” or “used” shall be considered as though followed by the words “or intended, arranged, or designed to be used or occupied”.

Accessory Use: A use customarily incidental and subordinate to the principal building or use and located on the same lot with such principal building or use.

Accessory Building: A subordinate building or a portion of the main building, the use of which is incidental to that of the main or principal building.

Apartment: A building arranged, intended or designed to be occupied by three or more families living independently of each other.

Billboard: A structure, either free standing or attached to a building, the surface of which is available for hire for advertising purposes.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons, animals or chattels. Each portion of a building, separated from other portions by a fire wall, shall be considered as a separate building.

Building Inspector: Shall mean the inspector of buildings for the Town of Sebago.

Coverage: That percentage of the plot or lot area covered by the building area.

Dwelling: A building designed or used as the living quarters for one or more families. The term shall not be deemed to include hotel, motel, rooming house, or trailer.

Dwelling Unit: A building or portion thereof providing complete housekeeping facilities for one family. The term shall not be deemed to include trailer.

Family: One or more persons occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house or hotel as herein defined.

Frontage: The portion of a lot’s boundaries measured in lineal feet which abuts a street.

Height of Building: The vertical measurement from grade to the highest point of the roof beams in flat roofs; to the highest point on the deck of mansard roofs; to a level midway between the level of the eaves and highest point of pitched roofs or hip roofs; or to a level two thirds of the distance from the level of the eaves to the highest point of gambrel roofs. For this purpose, the level of the eaves shall be taken to mean the highest level where the plane of roof intersects the plane of the outside wall on a side containing the eaves.

Home Occupation: An occupation or profession which is: customarily carried on in a dwelling unit or in a building or other structure accessory to a dwelling unit; carried on by a member of the family residing in the dwelling unit and is clearly incidental and secondary to the use of the dwelling unit for residential purposes.

Lot: A parcel of land in single ownership occupied or capable of being occupied by one building and the accessory building or uses customarily incidental to it, including such open spaces as are required by this Ordinance, and having frontage upon an approved street.

Mobile Home: Mobile home shall mean a dwelling with a habitable floor area of at least 750 square feet and so constructed as to permit its being towed on a public street or highway.

Mobile Home Park: Mobile home park shall mean a plot of land of at least 25 acres laid out to accommodate two or more mobile homes and which for the purpose of this Ordinance shall be regarded as a subdivision and subject to all applicable State and local codes and ordinances. Not more than 4 mobile homes per net residential acre shall be permitted in any mobile home park.

Motel: A building or group of detached or connected buildings designed or intended or used primarily for the providing of sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. An automobile court or tourist court with more than one unit or a motor lodge shall be deemed to be a motel.

Net Residential Acreage: The gross available acreage less the area required for streets or access and less the areas of any portions of the site which are unsuitable for development because of topography, natural drainage or subsoil conditions.

Net Residential Density: Net residential density shall mean the number of dwelling units per net residential acre.

Non Conforming Use: A building, structure or use of land existing at the time of adoption of this Ordinance, and which does not conform to the regulations of the district or zone in which it is situated.

Parking Space: Parking space shall mean an area of not less than 200 square feet, exclusive of drives or aisles giving access thereto, accessible from streets or aisles leading to streets and usable for the storage or parking of passenger vehicles. Parking space or access thereto shall be construed as to be usable year round.

Sign: Any structure or part thereof attached thereto or painted or represented thereon, which shall display or include any letter, work, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement. The work "sign" does not include the flag, pennant or insignia of any nation, state, city or other political unit, or any political, educational charitable, philanthropic, civic, professional, religious campaigns, drive, movement or event.

Special Exception: A special exception is a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permitted in such zoning districts as special exceptions, if specific provision for such special exception is made in this Zoning Ordinance

Street: A public way maintained by the Town of Sebago, or a private way not less than fifty feet in width, and constructed according to the minimum standards as detailed in the municipal subdivision regulations which afford the principal means of access to abutting properties and the existence of which is of record in the Cumberland County Registry of Deeds.

Subdivision: The division of land in single ownership into two or more parcels or lots.

Trailer: Trailer shall mean any vehicle used or so constructed as to permit its being used as a conveyance on the public streets and highways and duly licensed as such, and constructed in such a manner as will permit occupancy thereof as a temporary dwelling for one or more persons, and which cannot readily be connected to a common sewer and water service. This definition shall apply whether the trailer is placed on a foundation or not.

Variance: A variance is a relaxation of the terms of this Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Ordinance will result in unnecessary or undue hardship.

As used in this Ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces. Establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the particular zone or adjoining zone.