

**TOWN OF
DENMARK, MAINE**
“Beautiful by Nature”



Proposed Amendments To The June 2023
Zoning Ordinance of the Municipality of Denmark, Maine

SECTION 7.1.

RESOURCE PROTECTION

**PREPARED FOR THE TOWN OF DENMARK SELECT BOARD
MARCH 26, 2024 PUBLIC HEARING**

MARCH 08, 2024

Proposed amendments to Section 7.1. Resource Protection District of the Zoning Ordinance of the Municipality of Denmark, Maine. Synopsis is below:

- Amended the definition of Resource Protection as ordered by the Maine Department of Environmental Protection – in both Section 7.1. text and the Definitions Section 9.2.

CHAPTER 7 – RESOURCE PROTECTION DISTRICT

7.1. Resource Protection District.

7.1.1. All areas within the 100-year floodplain are Resource Protection District. The Resource Protection District also includes: ~~areas around wetlands which have been rated as high or moderate value habitat for waterfowl by the Department of Inland Fisheries and Wildlife.~~

7.1.1.1 Areas around wetlands which have been rated as high or moderate value habitat for waterfowl by the Department of Inland Fisheries and Wildlife.

7.1.1.2. Within the Shoreland area or District: areas of two or more contiguous acres with sustained slopes of 20% or greater.

7.1.1.3. 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.

7.1.2. Purposes

7.1.~~24~~.1. To further the maintenance of safe and healthful conditions and the general welfare; prevent and control water pollution; protect spawning grounds, fish, aquatic life, bird and other wildlife habitat; control building sites, placement of structures and land uses; and conserve shore cover, visual as well as actual points of access to inland and coastal waters and natural beauty.

7.1.~~24~~.2. To control the use of shoreland and other areas to provide maximum protection to the land and water resources so that:

7.1.~~24~~.2.1. The processes of eutrophication, sedimentation, and pollution, leading to the ultimate degradation or destruction of the water body, will be eliminated or delayed as long as possible;

7.1.~~24~~.2.2. The process of accelerated nutrient enrichment of waterbodies, which almost always accompanies shoreland development, will be kept to a minimum; and,

7.1.~~24~~.2.3. Waterbodies, particularly those with public access, will be maintained in a condition fit for the present and future use and enjoyment of the public.

7.1.~~24~~.3. To provide minimum standards, as a stopgap measure, until such time as research establishes precisely the susceptibility of various waterbodies to degradation and the exact nature of the effects of shoreland development on that degradation process.

7.1.~~24~~.4. To enhance the enjoyment and use of waterbodies through the protection of fish and aquatic life from destruction that results from advanced stages of man-induced eutrophication.

7.1.~~24~~.5. To protect the most vulnerable shoreland areas of all waterbodies and other areas in which land uses would adversely affect water quality, productive habitat, biological systems, or scenic and natural values, and discourage development in unsafe or unhealthful areas. Such areas include, but are not limited to:

7.1.~~24~~.5.1. Wetlands, swamps, marshes and bogs.

CHAPTER 9 – CONSTRUCTION OF LANGUAGE AND DEFINITIONS *(Amended 6.3.23)*

Resource Protection District: *All areas within the 100-year floodplain are Resource Protection District. The Resource Protection District also includes: ~~areas around wetlands which have been rated as high or moderate value habitat for waterfowl by the Department of Inland fisheries and Wildlife.~~*

- 1. Areas around wetlands which have been rated as high or moderate value habitat for waterfowl by the Department of Inland fisheries and Wildlife.*
- 2. Within the Shoreland area or District: areas of two or more contiguous acres with sustained slopes of 20% or greater.*
- 3. 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.*