

Shoreline Zoning Buffer Standards

This sheet provides notification of standards required by the Lyman Shoreland Zoning Ordinance.

Violation of any of these standards will require the contractor(s) and/or landowner(s) to fully restore any site conditions not in compliance to their pre-construction condition and could possibly include legal action and violation fines.

NOTE: This form summarizes key Ordinance provisions. Other restrictions and Maine DEP requirements may also apply. Approval of a DEP permit does not supersede these standards that in some cases are more restrictive.

Please review the town's shoreland zoning ordinance to determine if a local permit from the code enforcement office is required. It is suggested that you contact the code enforcement office prior to doing anything within the shoreland zone. Shoreland zone regulations apply to all land areas within **250** feet of the normal high-water line of any great pond, river or the upland edge of a freshwater wetland, and within **75** feet of the normal high-water line of a stream.

The following standards apply within the buffer area. The buffer area for structures is typically 100 feet from a pond, lake or river and 75 feet from a stream. (See the official Shoreland Zoning Map for exact boundaries.)

- Structures are not allowed within the buffer area. This prohibition includes storage buildings, boathouses, patios, decks, tents and any portion of a dock extending above the normal high water line. Retaining walls are a structure and require building permits. There are provisions for allowing an 80 square foot shed within the buffer zone with a permit from the code enforcement office.
- One winding footpath of no more than six feet in width is allowed for each lot or for each 200 feet of shoreline frontage. Footpaths must be winding in order to provide opportunities for runoff to disperse into the buffer. They cannot be constructed so as to create a view corridor.
- In the off-season, docks should be stacked on the footpath to avoid damage to buffer vegetation. The placement of a new dock requires planning board approval.
- Fill cannot be brought into the buffer except for path construction or to re-vegetate bare ground as part of an approved re-vegetation plan which requires a permit.
- Trees can be limbed on the lower one third of the tree.
- Openings or view corridors in existence prior to January 1, 1989 can be maintained but not enlarged.

- No disturbance of the ground cover (including the duff and leaf layer) or vegetation shall be caused within the buffer, or between the lake and a grandfathered or new structure. Equipment movement and excavation disturbance must be carefully controlled to avoid any impact on the buffer. For example, it is not legal to locate a foundation at the buffer limit if that placement will cause any disturbance within the buffer. The placement of silt fence at the buffer limit is intended to prevent this problem and satisfy state and local laws.
- Openings that have "closed" with growth of woody vegetation cannot be "re-opened".
- Grandfathered buildings within the buffer may be expanded if the expansions are no closer to the water body than the original structure. Such expansions of floor area are limited to 30% of the floor area and volume in existence as of January 1, 1989. The town has adopted new expansion regulations. Please see the ordinance for specific information.
- Planning Board review is required to obtain a permit to expand an existing structure that is within the minimum setback of the waterbody.
- Before any construction begins, a pre-construction inspection is required by the code enforcement officer to inspect the erosion and sedimentation control.
- Clearing of vegetation within the strip of land 75 feet inland from the normal high-water line in a shoreland area zoned for resource protection abutting a pond is not allowed. Vegetation under three feet in height cannot be removed or cut. Timber harvesting within 75 feet of a pond or stream is not allowed.
- To allow for development of permitted uses within 100 feet of a great pond or 75 feet from other waterbodies: There shall be no cleared opening created greater than 250 feet; Selective cutting is permitted provided a well distributed stand of trees is maintained, but no more than 40% of the total volume in a ten-year period.

Clearing for development from 100-250 can be done selectively but no more than 40% of the total volume of trees four inches or more in diameter measured at 4 ½ feet above the ground can be removed on any lot within a ten-year period. Cleared openings in this area shall not exceed 10,000 square feet or 25% of the total lot area within the shoreland zone.

Trees removed due to storm damage, hazard trees, diseased, unsafe trees or dead trees that create a cleared opening shall be replanted with native trees.

Please contact the Code Enforcement Office at 247-0647 with any questions you may have about the shoreland zoning regulations. It is our philosophy to assist you to accomplish what you would like to do with your property within the guidelines of the shoreland zoning regulations and avoid all shoreland zoning violations and /or fines.

