

**TOWN OF BUCKFIELD, MAINE
BUILDING PERMIT ORDINANCE**

ADOPTED: June 11, 2024

A True Copy Attested: _____ Town Clerk

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1. Title

This Ordinance shall be known and cited as the Building Permit Ordinance for the Town of Buckfield, Maine.

2. Purpose

The purpose of this Ordinance is to promote the health, safety, and general welfare of the residents of the Town of Buckfield through the regulation of construction, relocation, replacement, and alteration of buildings and structures consistent with the goals expressed in the Comprehensive Plan for the Town of Buckfield. Specifically, this Ordinance is intended to establish the following:

- A. Minimum lot sizes.
- B. Required setbacks.
- C. Exceptions for certain pre-existing buildings and nonconforming lots.
- D. Land use standards.
- E. The process and fees for obtaining a Building Permit.

3. Authority & Enforcement

This Ordinance has been prepared in accordance with the provisions of M.R.S.A. Title 30-A Chapter 141 Section 3001, “Home Rule” and Section 3002, “Enactment Procedure”. The Code Enforcement Officer shall administer and enforce this Ordinance in compliance with M.R.S.A. Title 30-A Chapter 141 Section 4452 “Enforcement of Land Use Laws and Ordinances”.

4. Effective Date

The provisions of this Ordinance shall become effective on June 11, 2024, upon majority vote. Enactment of this Ordinance shall constitute a repeal of the “Town of Buckfield Building Permit Ordinance” enacted on June 24, 1987, and amended on June 22, 1988, June 27, 1990, June 22, 1994, June 17, 2003, and June 22, 2015.

5. Applicability

The provisions of this Ordinance shall apply to all land, all land uses, and all structures within the boundaries of the Town of Buckfield. No building hereafter erected, moved, added to, or structurally altered, no existing building or structure and no land shall be used except in conformance with this Ordinance.

6. Relationship with Other Ordinances

Whenever a provision of this Ordinance conflicts with, or is inconsistent with, another provision of this Ordinance or of any other ordinance, regulation or statute, the more restrictive provision shall control.

7. Validity and Severability

If any section, subsection, or any provision of this Ordinance shall be declared by any court of the competent jurisdiction to be invalid for any reason, such decision shall not be deemed to affect the validity of any other section, subsection or other portion of this Ordinance.

8. Amendments

- A. Amendments shall be initiated by a majority vote of the Planning Board, by request of the Select Board, or by petition of a number of voters equal to at least 10% of the number of votes cast in the municipality at the last gubernatorial election.
- B. The Planning Board shall hold a public hearing on the proposed amendment. Notification of the hearing shall be posted and advertised in a newspaper of general circulation in the municipality at least ten (10) days prior to the hearing.
- C. Adoption of Amendment: An amendment of this Ordinance must be adopted by a majority vote of the Town Meeting.

9. Lot Size Requirements

A. Minimum Lot Size for Principal Structures

1. No principal structure, either residential or commercial, shall be constructed upon or moved to any lot with an area less than 40,000 square feet unless the lot was a lot of record prior to the adoption of the “Town of Buckfield Building Permit Ordinance” on June 24, 1987, and has no existing structure.

Exception to A-1: Single-family dwellings that meet the requirements of 7.9 Cluster Development of Buckfield’s Subdivision Regulations, as adopted and amended, may be built on lots of less than 40,000 square feet in accordance with said Regulations.

2. If more than one unit is constructed on a single parcel of land, the minimum area requirement shall apply to each unit, e.g., a lot with two separate dwelling units on it must contain at least 80,000 square feet. Before placing a third dwelling unit or structure on a lot in any given five-year period, property owners should consult with Buckfield’s Code Enforcement Officer or Planning Board, since under Maine State Law, such placement may come under Buckfield’s Subdivision Regulations.

Exception to A-2: In the case of conversion of an accessory structure, such as a garage to an accessory dwelling unit, or construction of a separate accessory dwelling unit please reference section 11, Land Use Standards of this Ordinance.

3. Lots of 80,000 square feet or more may be divided at a future time into separate lots only if minimum lot size requirements are met, and all principal and accessory structures meet setback requirements from the newly created lot lines.

Exception to A-3: Individual lot sizes may be less than 40,000 square feet if units are clustered, and open space has been set aside in an easement to be maintained as open space in perpetuity, so that the total area of lots, combined with the maintained open space, is equivalent to the total of the minimum lot sizes required under this ordinance for each Structure.

B. Minimum Lot Size for Multi-Unit Structures

1. No multi-unit building, either residential or commercial, shall be constructed, expanded, or placed upon any lot that does not contain at least 40,000 square feet for the first unit, and 20,000 square feet for each additional unit.

Exception to B-1: This minimum lot size does not apply to the conversion of certain existing structures into multi-unit apartments or businesses, as long as the conversion does not change the dimensions of the structure (See B-2).

2. Conversions of structures from single to three or more units within a five-year period will come under subdivision review by M.R.S.A Title 30-A § 4401.

Exception to B-2: Conversion of existing structure to three or more units is not defined as a subdivision under Maine Law if:

- i. *Construction of the structure was begun prior to September 23, 1988, and the structure has not been expanded since that date,*
and
- ii. *Conversion will not involve further expansion,*
and
- iii. *The structure has not been used for commercial or industrial purposes.*

It is recommended that applicants proposing to increase the number of units in a structure consult with the Code Enforcement Officer or Planning Board before proceeding.

C. Minimum Lot Size for Mobile Home Parks

1. In compliance with State law regarding individual homes in a mobile home park:
 - i. Individual mobile homes served by a central septic system may not be placed on a lot of less than 12,000 square feet.
 - ii. A mobile home served by an individual septic system may not be placed on a lot that is smaller than 20,000 square feet.

NOTE: For setback requirements and other rules regarding land use in mobile home parks, see Buckfield's Subdivision Regulations, article 7, section 13.

10. Setback Requirements

- A. All structures must be set back at least twenty-five (25) feet, horizontal distance, from the near edge of the public right-of-way.
- B. All structures must be set back at least twenty-five (25) feet, horizontal distance, from any boundary lot line. Where an application meets the criteria for a variance from the setback requirements, as set forth in Section 18, the Board of Appeals may grant a variance.
- C. Setback requirements as prescribed herein must be met on vacant non-conforming lots.

Exception to 3-C: If a non-conforming structure is moved, destroyed, or demolished, the replacement or reconstruction of said structure will be permitted on the same lot as long as setbacks equal or exceed the setbacks of the original structure. It will be the responsibility of the owner of record to submit to the Buckfield Town Office, at least fourteen (14) days before existing evidence of the footprint is removed, information regarding the footprint of the original structure such as, but not limited to, a site plan with setbacks, photographs, etc. It shall be the responsibility of the Code Enforcement Officer to visit the site and verify the evidence and information within fourteen (14) days of its submission.

- D. The Board of Appeals may grant a variance to the owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The Board of Appeals shall restrict any variance granted under this paragraph solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability.
- E. The board may impose conditions on the variance granted pursuant to this paragraph, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. For the purposes of this paragraph, the term "structures necessary for access to or egress from the dwelling" is defined to include railing, wall, or roof systems necessary for the safety or effectiveness of the structure.
- F. A lot of record as of June 24, 1987, on which two or more principal dwellings currently exist or existed on June 24, 1987, may be divided so that each dwelling is located on a separate lot/ Each lot so created must conform to the State minimum lot size law and must conform as closely as possible to the lot size and setback requirements of this Ordinance.

- G. Dwellings on lots to be divided that were placed or constructed on the lots of record after June 24, 1987, must conform to the setback requirements for lots set out in paragraphs A, B, and C above. (Note the exception in Section 2, paragraph A-3, for clustered dwellings on a lot to be divided.)
- H. This Ordinance shall not be interpreted to prohibit the construction or placement of accessory structures on a dwelling lot. Accessory structures constructed or placed on a dwelling lot are subject to all requirements prescribed herein with the exception of the lot size requirement.

11. Land Use Standards

A. Residential Density

The following provisions apply to allow multiple dwelling units on lots where housing is allowed as of July 1, 2024, and thereafter.

- a. Undeveloped Parcels as of July 1, 2024
 - i. If the lot is located within a Designated Growth Area approved by the Town of Buckfield's Comprehensive Plan OR is served by public water and sewer, or a centrally managed water system and a comparable sewer system, the owner of the lot is permitted to have up to four (4) dwelling units, notwithstanding the requirements of the Town of Buckfield Subdivision Regulations. The third and fourth dwelling units may be located within a structure or multiple structures. If the third and/or fourth dwelling units are created within a 5-year period, the project may be subject to subdivision review and approval.
 - ii. If the lot is located outside a Designated Growth Area approved by the Town of Buckfield in its Comprehensive Plan, the owner of the lot is permitted to have up to two (2) dwelling units per lot, provided that the requirements in 12 M.R.S. Chapter 423-A, as may be amended, are met. The two (2) dwelling units may be within a single structure or two separate structures.
- b. Developed Parcels as of July 1, 2024
 - i. If the lot contains one (1) existing dwelling unit, up to two additional units may be constructed, notwithstanding the requirements of the Town of Buckfield Subdivision Regulations. The additional units may be located within, attached to, or detached from the existing structure. The owner may also choose to have one unit detached and one unit attached to the existing structure. If the third dwelling unit is created within a 5-year period, the project may be subject to additional subdivision review and approval.

- ii. If the lot contains (2) or more existing dwelling units, no more additional units are allowed.

c. Water and Wastewater

- i. Prior to occupancy, the owner of a housing structure must provide written verification to the Code Enforcement Officer that the structure is connected to adequate water and wastewater services. Written verification under this subsection must include the following:
 - 1. If a housing structure is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the structure and proof of payment for the connection to the sewer system;
 - 2. If a housing structure is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by the Local Plumbing Inspector pursuant to 30-A M.R.S. § 4221, as may be amended. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*;
 - 3. If a housing structure is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the structure, proof of payment for the connection and the volume and supply of water required for the structure; and
 - 4. If a housing structure is connected to a well, proof of access to potable water, including the standards outline in 01-672 C.M.R. Ch. 10 § 10.25(J), *Land Use Districts and Standards*, as may be amended. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

d. Shoreland Zoning

This section shall not be construed to exempt a property owner from the applicable provisions of shoreland zoning requirements established by the Maine Department of Environmental Protection under 38 M.R.S. Chapter 3 or the Town of Buckfield's Shoreland Zoning Ordinance.

e. Subdivision Requirements

This section shall not be construed to exempt a property owner from the applicable provisions of the State subdivision statute, 30-A M.R.S. § 4401-4408, or the Town of Buckfield Subdivision Regulations relating to division of a tract or parcel of land.

f. Restrictive Covenants

All residential units permitted after July 1, 2024, may not be construed to interfere with, abrogate or annul the validity or enforceability of any valid and enforceable easement, covenant, deed restriction or other agreement or instrument between private parties that imposes greater restrictions than those provided in this section, as long as the agreement does not abrogate rights under the United States Constitution or the Constitution of the State of Maine.

B. Accessory Dwelling Units

a. Requirements

A lot where a single-family dwelling unit is the principal structure may establish one accessory dwelling unit. The accessory dwelling unit is exempt from any density requirements or lot area requirements related to the area in which the accessory dwelling unit is constructed, except that any accessory dwelling unit within the Shoreland Zone, it may only be established on a lot where the accessory dwelling unit itself can meet the minimum shore frontage requirements (*e.g.*, for a single family residence and an ADU on a lot in the Shoreland Zone, the lot must have twice the minimum lot area and twice the minimum shore frontage). An accessory dwelling unit must meet the setback requirements set forth in section 15 of the Town of Buckfield Shoreland Zoning Ordinance if located within the Shoreland Zone and the setback requirements set forth in section 3 of this Ordinance.

b. Size

The accessory dwelling unit must be at least 190 square feet in size, unless the Technical Building Code and Standards Board, pursuant to 10 M.R.S. § 9722, as may be amended, adopts a different minimum standard; if so, that standard applies. Other size limitations apply if located within a subdivision. An accessory dwelling unit can be no greater than 750 square feet.

c. Water and Wastewater

- i. Prior to occupancy, an owner of an accessory dwelling unit must provide written verification to the Code Enforcement Officer that the accessory dwelling unit is connected to adequate water and wastewater services. Written verification under this subsection must include the following:
- ii. If an accessory dwelling unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by the Local Plumbing Inspector pursuant to 30-A M.R.S. § 4221, as may be amended. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, Subsurface Wastewater Disposal Rules;
- iii. If an accessory dwelling unit is connected to a public, special district or other centrally managed water system, proof of adequate service to

- support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
- iv. If an accessory dwelling unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10 § 10.25(J), Land Use Districts and Standards, as may be amended. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

C. Affordable Housing Developments

a. Eligibility for Density Bonus

An automatic density bonus applies to certain affordable housing developments approved after July 1, 2024, as set forth herein.

- i. The proposed development must be located within a Designated Growth Area as may be established in the Town of Buckfield's Comprehensive Plan and be in a location that permits multi-family dwellings as of July 1, 2024.
- ii. The proposed development must comply with the minimum lot size standards in accordance with the State Minimum Lot Size law, 12 M.R.S. Chapter 423-A, as may be amended.
- iii. The proposed development must be an affordable housing development, as defined in this Chapter, where a majority of the units are affordable and meet the following requirements:
 1. The owner of the affordable housing development executes a restrictive covenant that is enforceable by a party acceptable to the Town. This restrictive covenant must be recorded in the Oxford County Registry of Deeds to ensure that for at least thirty (30) years after the completion of construction:
 - a. For rental housing, occupancy of all the units designated affordable in the development will remain limited to households at or below 80% of the local area median income at the time of initial occupancy; and
 - b. For owned housing, occupancy of all the units designated affordable in the development will remain limited to the households at or below 120% of the local area median income at the time of initial occupancy.
- iv. Prior to occupancy, the owner of the affordable housing development must provide written verification to the Code Enforcement Officer that each unit of the affordable housing development is connected to adequate water and wastewater services. Written verification under this subsection must include the following:

1. If a housing unit is connected to a public, special district or other comparable sewer system, proof of adequate service to support any additional flow created by the unit and proof of payment for the connection to the sewer system;
2. If a housing unit is connected to a septic system, proof of adequate sewage disposal for subsurface wastewater. The septic system must be verified as adequate by the Local Plumbing Inspector pursuant to 30-A M.R.S. § 4221, as may be amended. Plans for subsurface wastewater disposal must be prepared by a licensed site evaluator in accordance with 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*;
3. If a housing unit is connected to a public, special district or other centrally managed water system, proof of adequate service to support any additional flow created by the unit, proof of payment for the connection and the volume and supply of water required for the unit; and
4. If a housing unit is connected to a well, proof of access to potable water, including the standards outlined in 01-672 C.M.R. Ch. 10 § 10.25(J), *Land Use Districts and Standards*, as may be amended. Any test of an existing well or proposed well must indicate that the water supply is potable and acceptable for domestic use.

b. Density Bonus

If the requirements of a. Eligibility for Density Bonus items i-iv above are met, the proposed development may have a dwelling unit density of not more than 2.5 times the base density that is otherwise allowed in that location. If fractional results occur when calculating the density bonus, the number of units is rounded down to the nearest whole number.

12. Building Permit

Prior to the construction, relocation, placement, expansion and/or renovation of any structure, the owner or his agent shall obtain a Building Permit from Buckfield's Code Enforcement Officer.

Exceptions: A Building Permit is not required under the following conditions:

- A. *When ordinary repairs and maintenance or when renovations total a fair market value of \$15,000.00 or less and an expansion of footprint is not involved.*
- B. *When a temporary accessory structure is erected or placed on a parcel for less than 6-months over a rolling 12-month period.*
- C. *When erecting, placing, or building a one floor accessory structure with less than 80 square feet of floor space.*

If construction, relocation, placement, expansion and/or renovation of any structure is near a body of water, requirements of Buckfield's Shoreland Zoning Ordinance, as adopted and amended, must be met.

13. Building Permit Application

Building Permit Applications will be available at the Buckfield Town Office and must be submitted to the Town's Code Enforcement Officer for approval.

The Building Permit Application will include the following:

- A. For all permits, the applicant shall provide:
 - a. The name, address, and telephone number of the applicant.
 - b. Location of the lot by existing street address or tax map number.
 - c. A brief description of the project with an estimate of project cost.

- B. For all construction, relocation, placement, expansions, or conversions of structures, the applicant shall also provide a site plan sketch indicating the following information, where applicable:
 - a. The shape and dimension of the lot of record with notes as to how the corners are marked on the ground.
 - b. Location of the septic system.
 - c. Location of well and/or water supply line.
 - d. Location and dimensions of proposed structure(s) or expansion(s) to existing structure(s).
 - e. Setback measurements from all boundary lines and abutters' structures s.
 - f. Measurements from all proposed structures and/or expansions to the near edge of the public right-of-way.
 - g. Measurements from all proposed structures and/or expansions to the high-water mark of a water body.
 - h. Location of parking and driveway.

14. Fees

Building Permit Fees shall be established by the Buckfield Select Board and may be amended from time to time.

15. Life of Permit

A Building Permit will remain valid for a term of three (3) years from the date of issuance; a renewal may be obtained upon repayment of the permit fee. In the case of new construction or expansion, substantial construction must be completed at the end of two (2) years, or a new permit will be required.

16. Violations

In the event the Code Enforcement Officer determines any provision of this Ordinance is being violated, written notice will be issued to the owner(s) of record. The notice will include the nature of the violation(s) and the action necessary to correct it. A copy of the notice will be maintained as a permanent record.

17. Penalty

Any person who fails to apply for a Building Permit as required under this ordinance, may be subject to a fine of not more than 10 times the established building permit application fee for that structure, after receiving proper notice by the Code Enforcement Officer. Any person who continues to fail to apply for a Building Permit after fourteen (14) days have elapsed shall be subject to an additional fine of not more than \$50.00 for each offense. Each day the violation exists shall constitute a separate offense.

Any person who violates any other provision of this Ordinance, after receiving proper notice by the Code Enforcement Officer, and six (6) months has elapsed shall be subject to a fine of not more than \$100.00 for each offense. Each day the violation exists shall constitute a separate offense. Additionally, violators will be responsible for any court costs that may result from the enforcement of this Ordinance.

18. Variances

The Board of Appeals may grant a variance only when the strict application of this Ordinance would cause an undue hardship. The term undue hardship is defined in items A-D below.

- A. The need for a variance is due to the unique circumstances of the property and not to the general condition of the neighborhood.
- B. The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties.
- C. The need for a variance is not the result of action taken by the applicant or a prior owner.
- D. No other feasible alternative to a variance is available to yield a reasonable return on the land.

In addition to an undue hardship, the following provisions must be met:

- E. The granting of a variance will not unreasonably adversely affect the natural environment.
- F. The granting of a variance will not create a safety or fire hazard. The Buckfield Fire Chief, Rescue Chief, the Code Enforcement Officer and/or the Road Commissioner will help the Board of Appeals assess the safety considerations of the proposed waiver.
- G. If the property is located in whole or in part within the shoreland areas as described in Buckfield's Shoreland Zoning Ordinance, the proposal must meet all criteria under that Ordinance as well.

19. Definitions

- A. Accessory Dwelling Unit:** A self-contained dwelling unit located within, attached to or detached from a single-family dwelling unit located on the same parcel of land. An accessory dwelling unit must be a minimum of 190 square feet unless the Technical Building Code and Standards Board, pursuant to 10 M.R.S. § 9722, as may be amended, adopts a different minimum standard; if so, that standard applies. An accessory dwelling unit can be no greater than 750 square feet.
- B. Accessory Structure:** A structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure.
- C. Affordable Housing Development:**
- a. For rental housing, a development in which a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs; and
 - b. For owned housing, a development in which a household whose income does not exceed 120% of the median income for the area as defined by the United States Department of Housing and Urban Development under the United States Housing Act of 1937, Public Law 75-412, 50 Stat. 888, Section 8, as amended, can afford a majority of the units that the developer designates as affordable without spending more than 30% of the household's monthly income on housing costs.
 - c. For purposes of this definition, “majority” means more than half.
 - d. For purposes of this definition, “housing costs” means:
 - i. For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and
 - ii. For an ownership unit, the cost of mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner’s insurance, condominium fees, and homeowners’ association fees.
- D. Area Median Income:** The midpoint of a region’s income distribution calculated on an annual basis by the U.S. Department of Housing & Urban Development.
- E. Attached:** Connected by a shared wall to the principal structure.
- F. Base Density:** The maximum number of units allowed on a lot not used for affordable housing based on dimensional requirements in the Town of Buckfield Subdivision Regulations or the Town of Buckfield Shoreland Zoning Ordinance, as applicable.

- G. Centrally Managed Water System:** A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, *Rules Relating to Drinking Water*. This water system may be privately owned.
- H. Commercial Building:** Anything constructed or placed for the support, shelter or enclosure of goods or property of any kind and associated with a profit seeking enterprise. Farms are excluded from being classified as commercial.
- I. Comparable Sewer System:** Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*.
- J. Density Requirements:** The maximum number of dwelling units allowed on a lot, subject to dimensional requirements.
- K. Designated Growth Area:** Any area that is designated in the Town of Buckfield's Comprehensive Plan as suitable for orderly residential, commercial, or industrial development, or any combination of those types of development, and into which most development projected over ten (10) years is directed. Designated growth areas may also be referred to as priority development zones or other terms with a similar intent.
- L. Dimensional Requirements:** Numerical standards relating to spatial relationships including, but not limited to, setback, lot area, shore frontage, road frontage, lot depth and height.
- M. Dwelling Unit:** Any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multi-family housing, condominiums, time-share units, and apartments.
- N. Existing Dwelling Unit:** A residential unit in existence on a lot at the time of submission of a permit application to build additional units on that lot. If a municipality does not have a permitting process, the dwelling unit on a lot must be in existence at the time construction begins for additional units on a lot.
- O. Expansion:** An increase in the floor area or volume of a building, including all extensions such as, but not limited to, attached decks, garages, porches, and greenhouses.
- P. Housing:** Any part of a structure which, through sale or lease, is intended for human habitation, including single-family and multi-family housing, condominiums, time-share units, and apartments.

- Q. Lot:** A single parcel of developed or undeveloped land described in a deed or other legal instrument.
- R. Multi-Family Dwelling:** A structure containing three (3) or more dwelling units.
- S. Multi-Unit Structure:** A structure containing three (3) or more units.
- T. Non-Conforming Lot:** A lot of less than 40,000 square feet which was a lot of record prior to the adoption of the “Town of Buckfield Building Permit Ordinance” on June 24, 1987.
- U. Non-Conforming Structure:** A structure which does not meet one or more of the dimensional requirements of this Ordinance, but which was lawfully constructed before the adoption of the Ordinance provisions which cause it to be non-complying.
- V. Potable:** Safe for drinking as defined by the U.S. Environmental Protection Agency’s (EPA) Drinking Water Standards and Health Advisories Table.
- V. Principal Structure:** The structure in which the main or primary use of the lot occurs or is intended to occur.
- W. Principal Use:** The main or primary purpose in which a lot is used or intended to be used.
- X. Restrictive Covenant:** A provision in a deed, or other covenant conveying real property, restricting the use of the land.
- Y. Single Family Dwelling Unit:** A structure containing one (1) dwelling unit.
- Z. Structure:** Anything temporarily or permanently located, built, constructed or erected for the support, shelter or enclosure of persons, animals, goods or property of any kind or anything constructed or erected on or in the ground as defined in 38 M.R.S. § 436-A(12). The term includes structures temporarily or permanently located, such as decks, patios, steps, landings, and satellite dishes. Structure does not include fences; poles and wiring and other aerial equipment normally associated with service drops, including guy wires and guy anchors; subsurface waste water disposal systems as defined in 30-A M.R.S. § 4201(5); geothermal heat exchange wells as defined in 32 M.R.S. § 4700-E(3-C); or wells or water wells as defined in 32 M.R.S. § 4700-E(8).
- AA. Substantial Construction:** By visual observation, the completion of a foundation or a slab, and a septic system, if required.

- BB. Unit:** Shop or office space for one distinct business or housing for one family. A family business operated in the home does not constitute a separate unit.
- CC. Variance:** A relaxation of the restrictions imposed by this Ordinance and can only be granted by the Zoning Board of Appeals. Variances may be granted by the Board from the restrictions imposed on height, lot size, lot coverage and setback.