

## Section 5: Performance Standards

4. Permanent (final) vegetation and mechanical erosion control measures shall be installed prior to the completion of construction, but no later than 6 months after completion of the construction.
5. Until a disturbed area is stabilized, sediment in runoff water shall be trapped by the use of debris basins, sediment basins or silt traps. The discharge from the basin should be through a vegetated filter strip.
6. The top of a cut or the bottom of a fill section shall not be closer than ten feet to an adjoining property unless otherwise mutually agreed to by the affected landowner and Town but in no instance shall said cut or fill exceed a 2:1 slope.
7. During grading operations, methods of dust control shall be employed.
8. On slopes greater than 25% there shall be no grading or filling within 100 feet of the normal high water mark except to protect the shoreline and prevent erosion.
9. All erosion control measures shall be monitored periodically by the applicant and inspected after each rain storm for signs of failure (erosion, displacement of mulch, etc.). If more than 10% of the soil is exposed, re-mulching is required. If erosion or washouts occur, the area must be regraded and preventative measures re-installed. The site shall be monitored until 95% of the permanent grasses or other vegetation is firmly established.

### 5.5 ESTATE LOTS

The following standards shall apply to the creation of estate lots in the Town of Arundel:

1. **Zoning Districts:** Estate lots shall be permitted for residential uses in all Zoning Districts except in any RP District and except in the BI district where the required access strip for the estate lot fronts onto Route 1. (Amended June 12, 2013)
2. **Minimum Lot Size:** The minimum lot area of a residential estate lot shall be the same as that required for the appropriate zoning district, however the area of the access strip shall not be applied to minimum lot area calculations.
3. **Minimum Separations between Access Strips:** The minimum separation between estate lot access strips discharging onto the same side of a street or private way shall be no less than 200 feet or the minimum lot frontage required for the zoning district, whichever is the greater.
4. **Access Strips restricted on Terminus:** No more than two (2) estate lot access strips may access a single cul-de-sac terminus. No access can access a hammerhead terminus.
5. **Principal Driveway Entrance :** The designated 50-foot access strip shall be used as the principal driveway entrance into an estate lot, except where the Planning Board grants a Special Exception where multiple legally-nonconforming residences exist on a parcel or where access to a common driveway, as defined in §1.3 of the Street Design and Construction Ordinance, would result in significantly-reduced environmental impact. (Adopted July 15, 2020)

### 5.6 EXPLOSIVE MATERIALS

All flammable or explosive liquids, solids or gases shall be stored in a manner and location which is in compliance with National Fire Protection Association (N.F.P.A.) Code Sections, 30, 58 and 59-A, and rules and regulations of the Maine Department of Public Safety.

### 5.7 FIRE PROTECTION (Adopted 11/11/16 14,2017)

#### 5.7.1 AUTHORITY

Except for exemptions cited herein, Section 5.7 shall be applicable to the following structures constructed after June 14, 2017:

~~h+~~ Residential subdivisions regulated by 30-A MRSA §4403 and subdivisions exempt by 30-A MRSA §4401.4 and 4401.4D-1, D-2, D-3, and D-4 shall comply with Section 12.1.B FIRE PROTECTION within the Subdivision Regulations. [Probate and family divisions] consisting of:

- a. Eight (8) lots or more;

~~1.4.1~~ Between a four (4) ~~and seven (7)~~ lots located more than 1,500 linear feet by established travelway from a ~~designated~~ designated and operational Fire Department water supply of at least 15,000 ~~gallon capacity~~ capacity;

2. Commercial and institutional structures with-in excess of 4,000 square feet of area, excepting agricultural buildings.

**S.7.2 RESIDENTIAL FIRE PROTECTION WATER SUPPLY**

~~1.1. Proximity to Fire Protection Water Supply:~~ All ~~residential~~ residential buildings governed by § 5.7.1. shall be ~~located~~ located with 2,500 linear feet by established ~~travelway~~ travel way of a designated and ~~operational~~ operational Fire Department water supply of at least 15,000 gallon capacity.

~~2. Alternative Water Supply~~ **Supply Required:** Proposed new ~~residential~~ residential structures failing to meet the standard of 5.7.2.1 will be required to provide one of the following remedies:

~~§5.7.2.1 will be required to provide one of the following remedies:~~

- ~~a. Install a residential fire sprinkler~~ **Hydrant** system in all ~~residential~~ residential units in ~~conformance~~ conformance with the ~~standards~~ standard of NFPA 13D;
- ~~b. Install an enclosed concrete or polycarbonate cistern with a minimum 15,000 gallon capacity on site or within 500 feet by established travelway of the principal structure and provide Fire Department vehicular access to the cistern;~~
- ~~c. Install a fire pond with a minimum water capacity of 60,000 gallons according to standards of the Arundel Fire Chief or designee~~  
~~Arundel Fire Chief, or designee.~~

**S.7.2.2 NON-RESIDENTIAL FIRE PROTECTION WATER SUPPLY**

**1. Proximity to Fire Protection Water Supply:** Commercial and institutional structures in excess of 4,000 square feet in area must be located within 2,500 linear feet by established travelway of a designated and operational Fire Department water supply of at least 15,000-gallon capacity. The **Fire Chief and/or** Planning Board may require a water supply in excess of 15,000 gallons based on building size, use, fire load, and/or number of buildings served by the water supply...**QI**;

**2. Non-residential uses along Route 1:** Non-residential located in the DB-1, DB-2, B-1, and GW districts that fail to meet the standard of Section 5.7.2.1 above, shall install a dry barrel fire hydrant in the existing water line along Route 1 operated by Kennebunk, Kennebunkport and Wells Water District (KKWWD). The location of the hydrant shall be at a location closest to the new structure, and not less than 1,000 feet.

- a. Water Line Laterals:** Water line laterals may be constructed beneath Route 1 to supply dry barrel hydrants where the KKWWD water main is located on the opposite side from the proposed non-residential structure. The Fire Chief and/or Planning Board's decision to require a hydrant lateral will be based on building(s) size, use, fire load, exposures and neighborhood safety.
- b. Interior Water Line Extensions:** Non-residential uses and buildings located more than 1,000 feet from the Route 1 water main by established travel way shall construct water line extensions along access roads, private ways and driveways and install dry barrel hydrants to meet the requirements of §5.7.3.2. The Fire Chief or his/her designee may require the installation of additional hydrants at 500-foot intervals along such roads to service the fire protection needs of infill non-residential uses.
- c. Design Standards:** All hydrants shall be designed and constructed in conformance with NFPA 24. No hydrant shall be serviced by a water supply main of less than six (6) inch diameter

**!!! Costs & Responsibilities:** The applicant shall be responsible for expenses associated with the installation, maintenance, and/or lease of fire hydrants located in private ways, driveways, and private property. Applicants shall also be responsible for the installation and lease costs associated with a hydrant installed in the right-of-way of a Town or State road for a period of three (3) years, whereupon all lease costs shall be assumed by the Town of Arundel.

**3. Sprinkler Systems:** Where the Non-Residential development occurs outside the Route 1 Corridor, all buildings shall be required to either:

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a. Sprinkle the building with an onsite fire suppression system or:

b. Install a privately maintained cistern system acceptable to the Fire Chief & NFPA 13 Standards as listed in section 5.7.4

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AUTOMATIC FIRE SPRINKLER SYSTEMS

**I. Fire Sprinkler Design Standards**

All automatic fire sprinkler systems shall conform to the following design criteria:

- a. NFPA 13D for one and two family residential dwelling units;

~~b. NFPA 13R~~ in all residential structures ~~except~~ for one and two family dwelling units;

~~c. NFPA 13~~ in any commercial or non-residential structure.

#### ~~7.4S.7.4~~ CISTERN ~~STANDARDS~~ FIRE POND STANDARDS

1. **Cisterns:** Fire Water Supply cisterns shall be designed as follows:

- a. All cisterns shall be water proofed prior to installation.
- b. Cisterns shall be plumbed with six (6) inch drafting outlet with a threaded fitting with long handles and a metal cap mounted on an elbow at least two (2) feet above the surface of the ground
- c. All plumbing fixtures shall be metal in construction.
- d. A separate vent pipe shall be installed
- e. A separate fill pipe on an elbow mounted at least 2 feet above the ground and fitted with a threaded 2.5-inch wye.
- f. A sight gauge showing water level in the cistern.
- g. Cisterns shall be constructed with a cleanout manhole enabling maintenance access to the interior with a locking mechanism to prevent vandalism.
- ~~g.h.~~ The landowner/business owner shall have the cistern inspected twice a year by an independent inspection agency and provide a report to the Fire Chief on the operational aspect of the Cistern.

2. **Fire Ponds:**

- a. **Fire Pond Capacity:** The water ~~capacity~~ of a proposed fire pond shall be determined based on the geometric volume of the pond ~~is~~ that volume located from the bottom to 14 foot above the strainer elevation and minus a three (3) foot ~~thick~~ ice pack at the pond surface.
- b. **Fire Pond Water Supply:** The fire pond shall be lined with clay, a ~~synthetic~~ synthetic liner, or any other impervious material approved by the Fire Chief or his/her ~~designee~~ designee to minimize water loss in the facility. Fire ponds should be fed by a perennial surface water ~~source~~ or by ~~groundwater~~ groundwater to reliably maintain ~~design~~ design capacity year round.
- e. **Dry Hydrant:** A Dry ~~hydrant~~ hydrant connection shall be installed consisting of a eight (8) inch strainer situated on ~~granular~~ granular material in the pond bottom, a connector line, riser pipe and elbow with a 6 inch threaded connection mounted at least two feet above the ground surface.
- c. **Cleanout Access:** A minimum of one access point shall be provided of sufficient size to enable pond ~~maintenace~~ maintenance and periodic silt cleanout by ~~excavator~~ excavator or similar ~~equipment~~ equipment.

##### **Pumping Apron:**

- a. **Apron Design:** A paved access apron at least 15 feet long shall be constructed from the cistern or fire pond's dry hydrant to the edge of the street or private way to provide easy Fire Department access to the dry hydrant and fill pipe.
- b. **Bituminous Surface:** The apron shall consist of 2.5-inch bituminous concrete surface constructed on 18 inches of MDOT Type D gravel compacted to 95 Proctor.
- c. **Protective Bollards:** Two three-inch concrete filled metal pipe bollards shall be installed at on either side and in front of the hydrant and fill pipe connections in order to protect the fittings from impact from vehicles.

#### ~~65.7.S~~ FIRE RESPONSE ACCESSIBILITY

- 1. **Road & Parking Design:** All private ways, subdivision roads, private driveways, and parking lots shall be designed to provide adequate travelway widths and curve/curb radii to accommodate a 100-foot ladder /tower apparatus with a minimum 42-foot inside turning radius.
- 2. **Fire Lanes:** Buildings of high-density occupancy, public accommodation or hazardous conditions; including but not limited to multi-family complexes, shopping centers, auditoriums, theaters, office buildings,

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hospitals, lodging, and manufacturing facilities, shall provide 15-foot fire lanes designated as "No Parking zones" that will enable rapid and unimpeded access of fire/rescue equipment and personnel to the interior, roof, mechanical room, and/or other critical areas.

The Arundel Fire Chief or designee shall exercise sole discretion in the location and design of such Fire Lanes.

### 3. Fire Department Connection (FDC)

All buildings fitted with an Automatic Fire Sprinkler System in conformance with NFPA 13 and NFPA 13R shall provide an exterior Fire Department Connection (FDC) in a location readily accessible to responding Fire apparatus. The Fire Chief or designee shall exercise sole discretion on the location of the FDC, and the configuration of road access to the FDC.

### 4. "Knox Box" Rapid Entry System (RES)

All multi-family uses and non-residential buildings, including but not limited to places of public accommodation, manufacturing and fabrication facilities, gated emergency accesses and similar uses shall install a secure Rapid Entry System box, containing keys facilitating rapid entry of fire and rescue personnel to a locked facility. The Arundel Fire Chief or designee shall specify the location and number of such Knox Box systems.

### S.+.5.7.6 EXEMPTIONS & ADDITIONS:

1. **Exemptions:** Given the proximity of adequate established Fire Department water supplies, the Fire Chief or designee may exempt a proposed development from providing an on-site water supply.
2. **Additional Requirements:** Given site conditions and constraints, inaccessibility, fire loads, and /or exposures, the Fire Chief or designee may impose additional fire protection standards beyond the minimum requirements specified in Section 5.7 in order to maintain neighborhood safety, preserve property, and protect civilian and firefighter lives.

## 5.8 FLOOD PLAIN MANAGEMENT

### 5.8.1. COMPLIANCE

The Town has elected to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program, provides that areas of Arundel having a special flood hazard be identified by the Federal Emergency Management Agency and that flood plain management measures be applied in such flood hazard areas. These provisions establish a Flood Hazard Development Permit system and review procedure for development activities in the designated flood hazard areas of the town. (Amended June 11, 2003)

### 5.8.2. IDENTIFICATION OF AREAS

The areas of special flood hazard, Zone A and AE, identified by the Federal Emergency Management Agency in a report entitled "Flood Insurance Study - Town of Arundel in the County of York, Maine", with accompanying "Flood Insurance Rate Map", dated June 4, 1996 is hereby adopted by reference and declared to be a part of this ordinance. (Amended June 12, 1996)

### 5.8.3. PERMIT

Before any construction or other development, including the placement of manufactured housing units, begins within any areas of special flood hazard, a Flood Hazard Development Permit shall be obtained from the Code Enforcement Officer. This permit shall be in addition to any other permits that may be required pursuant to the codes and ordinances of the Town. (Amended June 11, 2003)

### 5.8.4. APPLICATION FOR A FLOOD HAZARD DEVELOPMENT PERMIT

*The application for a Flood Hazard Development Permit shall be submitted to the Code Enforcement Officer and shall include:*

1. The name and address of the applicant, property owner, and contractor. (Amended June 11, 2003)
2. An address and map indicating the location of the construction site;
3. A site plan showing location and dimensions of existing and/or proposed development, including but not limited to structures, sewage disposal facilities, water supply facilities, areas to be cut and filled, and the dimensions of the lot; (Amended June 11, 2003)
4. A statement of the intended use of the structures and/or development. (Amended June 11, 2003)
5. A statement of the type of sewage system proposed.