

**§957-D. Omitted uses**

**1. Omitted uses.** Uses not specifically mentioned or covered by any general category in the enumeration of permitted and prohibited uses for each district shall be deemed prohibited unless allowed by special permit upon a showing by the applicant that the soils are suitable for the proposed use and that it will not unreasonably interfere with the use and enjoyment of their property by adjacent landowners or involve any significant:

- A. Degradation of air and water quality; [PL 1979, c. 459, §1 (NEW).]
- B. Harmful alteration of wetlands; [PL 1979, c. 459, §1 (NEW).]
- C. Increase in erosion or sedimentation; [PL 1979, c. 459, §1 (NEW).]
- D. Danger of increased flood damage; [PL 1979, c. 459, §1 (NEW).]
- E. Obstruction of flood flow; [PL 1979, c. 459, §1 (NEW).]
- F. Damage to fish and wildlife habitat; [PL 1979, c. 459, §1 (NEW).]
- G. Despoliation of the scenic, rural and open space character of the corridor; [PL 1979, c. 459, §1 (NEW).]
- H. Overcrowding; [PL 1979, c. 459, §1 (NEW).]
- I. Excessive noise; [PL 1979, c. 459, §1 (NEW).]
- J. Obstruction to navigation; or [PL 1979, c. 459, §1 (NEW).]
- K. Interference with the educational, scenic, scientific, historic or archaeological values of those areas designated and approved for inclusion within the Resource Protection District. [PL 1979, c. 459, §1 (NEW).]

[PL 1979, c. 459, §1 (NEW).]

The burden of proof shall be upon the applicant to show entitlement to a permit under this section. [PL 1979, c. 459, §1 (NEW).]

**SECTION HISTORY**

PL 1979, c. 459, §1 (NEW).

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