



ORDINANCE COMMITTEE MEMO

DATE: April 7, 2026

TO: Council Ordinance Committee

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

Cc: Amanda Lessard, Assistant Town Manager

RE: Proposed Land Use Ordinance Policies – Blasting Performance Standards and Street Connection Review Criteria

Ordinance Council Meeting – April 15, 2026

OVERVIEW

Blasting Performance Standards (Article 5 – Performance Standards)

Purpose

To establish a clear, enforceable Blasting Performance Standard within Article 5 of the Land Use Ordinance that satisfies the Maine Department of Environmental Protection’s requirements for Delegated Review Authority under the Site Location of Development Law, while also functioning as a stand-alone local public safety standard applicable town-wide.

Background and Need

The Town’s current Land Use Ordinance does not include a blasting standard. While blasting is regulated by State agencies, municipalities with DEP Delegated Review Authority are expected to demonstrate that local ordinances adequately address blasting impacts when reviewing Site Location of Development Law projects.

Absent an adopted standard, Town review of blasting-related impacts relies heavily on project-specific conditions, external permits, and discretionary enforcement. This approach creates regulatory gaps and inconsistency and places the Town at risk of not fully meeting DEP expectations for delegated review.

Policy Direction

Staff proposes adopting a new **Blasting Performance Standard in Article 5** that would:

- Apply to blasting associated with development subject to site plan, subdivision, or Site Location review.
- Establish clear permitting, notification, and documentation requirements.
- Provide enforcement authority and remedies to protect public safety and private property.

Policy Outcome

This policy ensures:

- Continued compliance with DEP Delegated Review Authority.
- A predictable, uniform standard for applicants.
- Improved protection of residents, infrastructure, and environmental resources.
- Reduced reliance on ad hoc conditions during project approval.

PURPOSE

Street Connection Standards – Fire Department Review Criteria

Purpose

To replace the existing street connection performance standard matrix with a Fire Department–based review framework that determines appropriate street connection requirements based on site-specific conditions and emergency response needs.

Background and Need

The current street connection matrix, which ties required connections primarily to the number of lots or dwelling units, has proven difficult to interpret and apply consistently. In practice, developments with similar unit counts can present vastly different safety and access challenges due to building configuration, road length, topography, water supply, or emergency response constraints. Requiring waivers by the Planning, which requires the Fire Chief to support waiver requests.

Fire Department experience demonstrates that emergency access issues cannot be effectively addressed through a fixed numerical table alone. Rigid thresholds may serve public safety in some cases and overregulate in others.

Policy Direction

Staff proposes amending the ordinance to:

- Eliminate the existing street connection matrix.
- Formalize a Fire Protection Safety Plan performance standards for required street connections and building layout.
- Base street connection decisions on established review criteria, including:
 - Development size and layout.
 - Road length, dead-end conditions, and turnaround capability.
 - Availability of public water or fire suppression systems.
 - Fire apparatus access, turning radii, and hose reach limitations.
 - Evacuation needs and redundancy during emergencies or natural disasters.
- Retain the Fire Chief’s authority to require additional connections when necessary to protect life, safety, and property.

Policy Outcome

This policy:

- Aligns street connection requirements with emergency response needs.
- Improves clarity and consistency in review by basing decisions on professional standards and experience.
- Enhances public safety by ensuring developments can be effectively served during emergencies.
- Reduces applicant confusion associated with ambiguous or conflicting numerical thresholds.