

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

401 ACTIVITIES DESCRIBED

A matrix listing the uses permitted in the various Zones, under this Ordinance begins on page 4-2.

The various land uses contained in the matrix are organized according to the following eight (8) activity classifications:

- Non-Commercial Recreational Activities
- Resource Management Activities
- Resource Extraction Activities
- Residential Activities
- Institutional Activities
- Commercial Activities
- Industrial Activities
- Transportation and Utilities

402 SYMBOLS USED IN SCHEDULE OF USES

The following symbols contained in the Schedule of Uses have the following meanings:

402.1 ZONE SYMBOLS

<i>SYMBOL</i>	<i>DESCRIPTION</i>
R1	High Density Residential Zone
R1G	High Density Residential Growth Zone
R2	Low Density Residential Zone
R3	Rural Resource/Residential Zone
R4	Shoreland Residential Zone
GC	General Commercial Zone
LC	Limited Commercial Zone
CS/I	Community Service/Institutional Zone
RP	Resource Protection Zone
VC	Village Center Zone

402.2 PERMIT REQUIRED SYMBOLS

<i>SYMBOL</i>	<i>DESCRIPTION</i>
Y	Use Allowed Without a Permit.
C	Use Requiring a Building Permit from the Code Enforcement Officer pursuant to Article 7 of this Ordinance.
P	Use Requiring Site Plan Review and Approval of the Planning Board pursuant to Article 8 of this Ordinance.
N	Use Prohibited Within the Zone.
SP	Special Exception Permit

403 USES SUBSTANTIALLY SIMILAR TO PERMITTED USES MAY BE PERMITTED

403.1 USES ALLOWED WITHOUT A PERMIT

Uses substantially similar to those allowed without a permit, but are not listed in the Schedule of Uses, may be permitted upon a ruling by the Code Enforcement Officer that such use is substantially similar to such uses.

403.2 USES REQUIRING A BUILDING PERMIT FROM THE CODE ENFORCEMENT OFFICER

Uses substantially similar to those requiring the review and approval of the Code Enforcement Officer under this Ordinance, but which are not listed in the Schedule of Uses, may be permitted by the Code Enforcement Officer.

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403.3 USES REQUIRING SITE PLAN REVIEW AND APPROVAL OF THE PLANNING BOARD

Uses substantially similar to those requiring site plan review and approval of the Planning Board under this Ordinance, but which are not listed in the Schedule of Uses, may be permitted by the Planning Board.

404 USES SUBSTANTIALLY SIMILAR TO PROHIBITED USES ARE PROHIBITED

Uses substantially similar to any uses listed as a Prohibited Use in the Schedule of Uses, as determined by the Code Enforcement Officer, shall be prohibited.

405 COMPLIANCE WITH LAND USE STANDARDS REQUIRED

All uses permitted must occur and be maintained in compliance with the applicable requirements and land use standards contained in Articles 5 and 6.

406 SCHEDULE OF USES

ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.1 NON-COMMERCIAL RECREATIONAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Individual private campsites ¹	N	N	C ²	C	N	N	N	N	N
c) Motorized vehicular traffic on existing roads and trails, and snowmobiling	Y	Y	Y	Y	Y	Y	Y	Y	Y
d) Non-permanent docking and mooring structures	C	C	C	C	C	C	C	C	C
e) Permanent docking or mooring structures	P	P	P	P	P	P	P	P	P
f) Primitive recreational uses, including fishing, hiking, hunting, wildlife study and photography, wild crop harvesting, trapping, horseback riding, tent camping, canoe portaging, cross country skiing, and snowshoeing	Y	Y	Y	Y	Y	Y	Y	Y	Y
g) Trails, provided they are constructed and maintained so as to avoid sedimentation of water bodies	Y	Y	Y	C	Y	Y	Y	C	Y

FOOTNOTES:

¹ Provided that such sites are not used by more than 10 persons at one time and are not used for more than 60 days in any one calendar year.

² Private individual campsites, located on lots containing another permitted residential use, shall be considered accessory uses in this Zone under Section 406.1.g.

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ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.2 RESOURCE MANAGEMENT ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Commercial agricultural management activities, including fertilizer application	Y	Y	Y	P	Y	Y	Y	P	N
c) Commercial forest management activities, not including timber harvesting and land management roads	Y	Y	Y	Y	Y	Y	Y	Y	Y
d) Emergency operations conducted for the public health, safety, or general welfare, such as resource protection, law enforcement, and search and rescue operations	Y	Y	Y	Y	Y	Y	Y	Y	Y
e) Fire prevention activities	C	C	C	Y	C	C	C	Y	C
f) <i>Land management roads</i>	C	C	C	Y	C	C	C	P	C
g) Mineral exploration to discover or verify the existence of mineral deposits, including the removal of specimens or trace quantities, provided such exploration is accomplished by methods of hand sampling, including panning, hand test boring, diggings, and other non-mechanized methods which create minimal disturbance and take reasonable measures to restore the disturbed area to its original condition	Y	Y	Y	Y ¹	Y	Y	Y ¹	Y	Y
h) Non-commercial structures for scientific, educational, or nature observation purposes, which are not of a size or nature which would adversely affect the resources protected by the district in which it is located	C	C	C	C	C	C	C	P	C
i) Soil and water conservation practices	C	C	C	Y	C	C	C	Y	C
j) Surveying and other resource analysis	Y	Y	Y	Y	Y	Y	Y	Y	Y
k) Wildlife and fishery management practices	Y	Y	Y	Y	Y	Y	Y	Y	Y

FOOTNOTES:

¹ Requires permit from Code Enforcement Officer if more than 100 square feet of surface area, in total, is disturbed.

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ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.3 RESOURCE EXTRACTION ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Clearing or removal of vegetation for activities other than timber harvesting ²	Y	Y	Y	Y	Y	Y	Y	C ¹	Y
c) Commercial timber harvesting and production of commercial forest products, in compliance with the applicable Land Use Standards regarding Timber Harvesting in Article 6 and under the supervision of a registered professional forester	Y	Y	Y	P	Y	Y	Y	P	P
d) Filling, grading, draining, dredging, or alteration of water table or water level, not including individual wells	C	C	C	C	C	C	C	N	C
e) Mineral extraction affecting an area of less than 1 acre in size	N	N	C	N	C	C	C	N	N
f) Mineral extraction affecting an area 1 acre or greater in size	N	N	P	N	P	P	P	N	N
g) Production of commercial agriculture products, in compliance with the applicable Land Use Standards regarding Agriculture in Article 6	Y	Y	Y	P	Y	Y	Y	P	P
h) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	N
406.4 RESIDENTIAL ACTIVITIES									
a) Accessory apartments	C	C	C	N	C	C	C	N	C
b) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
c) Home Occupations	C	C	C	N	P	P	P	N	C
d) Low Impact Use as Defined	N	N	N	N	P	P	P	N	P
e) Mobile Home, including driveways	N	N	C	N	N	N	N	N	N
f) Mobile Home Park	P	N	N	N	P	N	N	N	N
g) Multi-Family Dwelling: 2 family Duplexes, including driveways	C	C	N	N	N	N	N	N	C

FOOTNOTES:

- ¹ In RP not allowed within 75 feet, horizontal distance, of the normal high water mark of great ponds, except to remove safety hazards.
- ² Provided such clearing in shoreland areas meets the requirements of Section 604.

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ACTIVITIES/ZONES	R1 R1 G	R 2	R 3	R 4	G C	L C	C SI	R P	V C
406.4 RESIDENTIAL ACTIVITIES (continued)									
h) Multi-Family Dwelling: 3 or more families, including apartments, grouped houses, and row houses, including driveways	P	P	N	N	N	N	N	N	P
i) Nursing/Convalescent Home, Congregate Housing, and Boarding Care Facilities	P	P	P	N	P	P	P	N	P
j) Residential back lot development ¹	P	P	P	N	N	N	N	N	N
k) Seasonal Single-Family Detached Dwelling, including driveways	C	C	C	C	C	C	C	S P	C
l) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	N
m) Year-Round Single-Family Detached Dwelling, including driveways	C	C	C	N	C	C	C	N	C
406.5 INSTITUTIONAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Cemetery	P	P	P	P	N	P	P	N	N
c) Churches	P	P	N	N	P	P	P	N	P
d) Conference Centers	N	N	N	N	P	P	P	N	P
e) Day Care Centers	P	P	P	N	P	P	P	N	P
f) Fraternal Orders and Service Clubs	P	N	N	N	P	P	P	N	P
g) Government Facilities and Grounds	P	P	P	N	P	P	P	N	P
h) Hospital	N	N	N	N	P	P	P	N	N
i) Medical Center	N	N	N	N	P	P	P	N	P
j) Museum	N	N	N	N	P	P	P	N	P
k) Private Schools	P	P	N	N	P	P	P	N	P
l) Public Schools	P	P	N	N	N	P	P	N	P
m) Research and Development Facility	N	N	N	N	P	P	P	N	P
n) Summer Youth Camp	N	N	P	P	N	P	P	N	N

Footnote:

¹ Provided such residential back lot meets the requirement of Section 529

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ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.6 COMMERCIAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Automobile and Engine Repair	N	N	N	N	P	P	N	N	N
c) Automobile Convenience Market and Service Station	N	N	N	N	P	P	N	N	N
d) Automobile Sales Lot	N	N	N	N	P	N	N	N	N
e) Banks, Credit Unions, and similar Financial Institutions	N	N	N	N	P	P	P	N	P
f) Cocktail Lounge	N	N	N	N	P	P	N	N	N
g) Commercial Complex (e.g. shopping malls)	N	N	N	N	P	P	N	N	P
h) Commercial Greenhouse and Nurseries	N	N	P	N	P	P	N	N	P
i) Commercial indoor recreation activities and uses, not elsewhere listed, and as defined herein	N	N	N	N	P	P	P	N	P
j) Commercial kennels	N	N	N	N	P	P	N	N	N
k) Commercial outdoor recreation activities and uses, not elsewhere listed, and as defined herein	N	N	N	N	P	P	P	N	N
l) Commercial Parking Garage/Parking Lot	N	N	N	N	P	P	P	N	P
m) Conversion of Residential Use to Business	N	N	N	N	P	P	P	N	P
n) Funeral Parlors	N	N	N	N	P	N	N	N	N
o) General Contractors, Construction, Plumbing, and Heating Contractors	N	N	N	N	P	N	N	N	N
p) Hardware Stores	N	N	N	N	P	P	P	N	P
q) Health Spas, Fitness Clubs, Gymnasiums, etc.	N	N	N	N	P	P	P	N	P
r) Large Outdoor Displays as defined herein	N	N	N	N	P	N	N	N	N
s) Laundry/Drycleaning Establishment	N	N	N	N	P	P	P	N	P
t) Liquor Store	N	N	N	N	P	P	N	N	P
u) Non-Industrial Lumber Yard	N	N	N	N	P	P	N	N	N
v) Professional Offices and Office Building	N	N	N	N	P	P	P	N	P

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ACTIVITIES/ZONES	R1 R1G	R 2	R 3	R 4	G C	L C	C SI	R P	V C
406.6 COMMERCIAL ACTIVITIES (Continued)									
w) Radio and TV Studios and Offices	N	N	N	N	P	N	N	N	N
x) Recreational vehicles, boats, mobile homes, farm machinery, and equipment sales	N	N	N	N	P	N	N	N	N
y) Repair Service (other than auto and engine)	N	N	N	N	P	P	P	N	P
z) Retail Establishments	N	N	N	N	P	P	P	N	P
aa) Restaurant	N	N	N	N	P	P	P	N	P
bb) Roadside Stands ¹	C	C	C	N	C	C	C	N	C
cc) Services Businesses	N	N	N	N	P	P	P	N	P
dd) Stables	N	N	P	N	P	P	N	N	N
ee) Take Out Food Services	N	N	N	N	P	P	N	N	P
ff) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	P
gg) Theater	N	N	N	N	P	P	N	N	P
hh) Transient Accommodations I: Bed and Breakfast	C	C	C	N	P	P	P	N	P
ii) Transient Accommodations II: Motels, Hotels, and Inns - maximum of 25 Rooms	P	N	N	N	P	P	N	N	P
jj) Transient Accommodations III: Motels, Hotels, and Inns - more than 25 rooms	P	N	N	N	P	P	N	N	N
kk) Transient Accommodations IV: Campgrounds	N	N	P	N	P	P	P	N	N
ll) Upholstery Shop	N	N	N	N	P	P	P	N	P
mm) Veterinary Clinic	N	N	N	N	P	P	P	N	P

Footnote:

¹ Provided that they meet the parking requirements of Section 522

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ACTIVITIES/ZONES	R1 R1G	R2	R3	R4	GC	LC	CSI	RP	VC
406.7 INDUSTRIAL ACTIVITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Automobile Junk Yards	N	N	N	N	P	N	N	N	N
c) Bulk Oil and Fuel Tank Storage, except for on-site heating purpose	N	N	N	N	P	N	N	N	N
d) Food Processing and Freezing	N	N	N	N	P	N	N	N	N
e) Light Manufacturing Assembly Plant	N	N	N	N	P	N	N	N	N
f) Lumber Yard and Building Materials	N	N	N	N	P	N	N	N	N
g) Newspaper and Printing Facility	N	N	N	N	P	N	N	N	N
h) Other Processing and Manufacturing Facilities	N	N	N	N	P	N	N	N	N
i) Sewage Collection and Treatment Facilities	P	P	P	P	P	P	P	N	P
j) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	N
k) Transportation Facility and Terminal Yard	N	N	N	N	P	N	N	N	N
l) Warehousing and Storage Facility	N	N	N	N	P	N	N	N	N

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ACTIVITIES/ZONES	R1 R1G	R 2	R 3	R 4	G C	L C	C SI	R P	V C
406.8 TRANSPORTATION AND UTILITIES									
a) Accessory structures and uses that are essential for the exercise of a use listed above	C	C	C	C	C	C	C	C	C
b) Airports	N	N	N	N	N	N	N	N	N
c) Auxiliary Public Utility Structures	P	P	P	P	P	P	P	P	P
d) Essential Services									
Roadside distribution lines (34.5kV and lower)	C	C	C	C	C	C	C	C ²	C
Non-roadside or cross-country distribution lines involving ten poles or less	C	C	C	C	C	C	C	P ²	C
Non-roadside or cross-country distribution lines involving eleven or more poles	P	P	P	P	P	P	P	P ²	P
Other essential services as defined	P	P	P	P	P	P	P	P ²	P
e) Major utility facilities, such as transmission lines, but not including service drops;	P	P	P	P	P	P	P	P	P
f) Public and Private road construction projects, other than land management roads, which are part of projects requiring Planning Board Review	P	P	P	P	P	P	P	P	P
g) Service drops, as defined, to allowed uses	Y	Y	Y	Y	Y	Y	Y	Y	Y
h) Temporary Storage Enclosures	N	N	N	N	P	P	P	N	P
i) Transmitter, Communication, Radio, and TV Towers	N	N	P ¹	N	P	N	N	N	N

FOOTNOTES:

- ¹ Only in the Telecommunications Overlay Zone
² See further restrictions in Section 608

ARTICLE 4: SCHEDULE OF USES AND ZONE OVERLAY REQUIREMENTS

407 AQUIFER PROTECTION OVERLAY ZONE

407.1 INTENT

To protect the groundwater resources of the Town from adverse development or land use practices (such as but not limited to the disposal or storage of solid wastes, sludge, subsurface waste disposal, road salting materials, gas or other petroleum products) that might reduce the quality and quantity of water that is now, and in the future will be, available for use by the Town, its citizens and businesses.

407.2 LOCATION

407.2.1 OVERLAY ZONE. Aquifer Protection Overlay Zone shall apply to the land within the Town's sand and gravel aquifers plus the land within 500 feet of these aquifers. The Aquifer Protection Overlay Zone embraces and overlays other provisions and zones set forth in this Ordinance and as such its requirements are in addition to the requirements of the underlying zone. Where the provisions of the Aquifer Protection Zone conflict with or impose a higher standard than the provisions of any underlying zones, the provisions of the Aquifer Protection Overlay Zone shall prevail.

407.2.2 IDENTIFICATION OF AQUIFER BOUNDARIES. The boundaries of the Aquifer Protection Overlay Zone shall be as delineated on the Zoning Map of Holden, Maine.

407.2.3 BOUNDARY DISPUTES. When the official boundaries of the Aquifer Protection Overlay Zone as delineated on the Zoning Map are disputed due to lack of sufficient detail on the available map, the landowner or agent may submit hydrogeologic evidence to support the claim. The evidence shall be prepared by a Geologist, Certified in the State of Maine.

407.3 PROHIBITED USES

In addition to those uses prohibited in the underlying Zone, the following uses are prohibited.

- asphalt/tar processing
- automobile graveyards
- below ground storage of petroleum products or chemicals for new uses
- biological laboratories and chemical laboratories
- car or truck washes
- chemical manufacture
- chemical warehousing
- chemical reclamation
- coal storage
- dry cleaners
- electrical equipment or electronic circuit manufacture
- fuel oil distribution
- furniture stripping/painting/finishing
- industrial waste storage, impoundment or disposal
- injection wells
- junk and salvage yards
- laundromats
- meat packers
- metal plating, finishing or polishing
- mobile home parks
- oil pipelines
- paper mills
- paint shops

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- pesticides/herbicides and fertilizer manufacture and warehousing
- pharmaceutical manufacture
- photo processing
- plastic and fiberglass manufacture and fabrication
- printing
- rubber manufacture and fabrication
- septage and recreational vehicle waste receiving stations for commercial use
- slaughter houses
- sludge and septage storage, disposal or processing
- sludge and septage spreading
- snow dumps
- solid and hazardous waste storage, disposal or processing
- solid or hazardous waste transfer sites
- tanneries
- textile mills
- truck terminals
- uncovered salt piles
- uncovered sand/salt piles
- wood treatment processors

407.4 GROUNDWATER IMPACT ANALYSIS

For projects requiring Site Plan Review, the Planning Board shall require submittal by the applicant of a Groundwater Impact Analysis. The Analysis shall be prepared by a State of Maine Certified Geologist with experience in hydrogeology. The Analysis shall contain the following components unless waived by a specific vote of the Board. (The Board expects the detail of this Analysis to vary with the intensity of the development.)

- 407.4.1 A map showing: (1) soil types and (2) surficial geology on the property (3) the recommended sites for subsurface waste disposal systems and wells in the development; and (4) direction of ground water flow.
- 407.4.2 The relationship of surface drainage conditions to ground water conditions.
- 407.4.3 Documentation of existing ground water quality for the site.
- 407.4.4 A nitrate analysis or other contaminant analysis as applicable including calculation of levels at the property line(s) and wells on the property.
- 407.4.5 For water intensive uses, analysis of the effects of aquifer drawdown on the quantity and quality of water available for other water supplies or potential water supplies.
- 407.4.6 The Planning Board may require installation and regular sampling of water quality monitoring wells for any use or proposed use deemed to be a significant actual or potential source of pollutants or excessive drawdown. The number, location and depth of monitoring wells shall be determined as part of the Hydrogeologic Study, and wells shall be installed and sampled in accordance with "Guidelines for Monitoring Well Installation and Sampling" (Tolman, Maine Geologic Survey, 1983). Water quality sample results from monitoring wells shall be submitted to the Code Enforcement Officer with evidence showing that contaminant concentrations meet the performance standard for pollution levels.
- 407.4.7 A list of assumptions made to produce the required information.

407.5 CONDITIONS/STANDARDS

In addition to the Site Plan Review Standards, the following standards shall be met:

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407.5.1 Sanitary Waste Water Disposal

407.5.1.1 No use including home occupations shall dispose of other than normal domestic waste water on-site. Disposal of waste water shall be in strict compliance with the State Plumbing Code and other relevant state and local laws, rules and ordinances.

407.5.1.2 No more than 900 gallons per day of sanitary waste shall be discharged to any one subsurface wastewater disposal system.

407.5.2 **PETROLEUM STORAGE:** For above ground or indoor storage, an impermeable diked area shall be provided; the diked areas must be roofed to prevent accumulation of rainwater in the diked area and shall be properly ventilated. There shall be no drains in the facility. All concrete, whether walls or pads, shall be reinforced concrete and shall be designed by a Professional Engineer Registered in the State of Maine. Where required by the Maine Department of Environmental Protection a "Spill Prevention Control & Countermeasure Plan (SPCC)" shall be prepared and submitted to the Code Enforcement Officer.

407.5.3 **EXCAVATION OR MINING FILL, SAND, GRAVEL AND OTHER MINERALS:** Excavation shall not be allowed below five feet above the average seasonal high water. The water table shall not be artificially lowered by ditches, trenches, pumping or other methods.

408 TELECOMMUNICATIONS TOWERS

408.1 LOCATION OF TELECOMMUNICATIONS OVERLAY ZONE

The Telecommunications Overlay Zone shall encompass the land as shown on the Zoning Map of Holden, Maine.

408.2 ADDITIONAL REQUIREMENTS

The following requirements apply to Site Plan Approval of telecommunications towers. These requirements are established in addition to the performance standards of Article 5. Where the performance standards of Article 5 and this section conflict, this section controls.

408.2.1 Towers shall be of galvanized steel finish or be painted a neutral color, so as to minimize their visual presence.

408.2.2 All telecommunications towers, guys and any accessory structures, shall maintain the required setbacks as undisturbed vegetative buffers, except for the access road. The Planning Board may require additional plantings in the buffer area to maximize the effectiveness of the buffer area. The size, spacing, and types of plantings shall be subject to Planning Board approval. Towers must be set back a distance equal to the height of the tower from any off-site residential structure.

408.2.3 All structures at the tower site shall use materials, colors, textures, screening and landscaping that will cause the tower and all related structures to blend into the natural environment to the maximum possible extent.

408.2.4 Towers shall not be lighted unless required by state and federal law. If lighting is required, the Planning Board may select the lighting scheme it deems most appropriate from the alternatives acceptable under the law.

408.2.5 Road access to the tower site shall be a minimum width necessary to allow safe and reasonable access to the site.

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408.2.6 A security fence of not less than eight feet (8') in height above finished grade shall surround the tower. Access to the tower shall be through a locked gate.

408.2.7 Co-location of telecommunications equipment on an existing tower or a single new tower shall be encouraged prior to the approval of a new telecommunications towers.

408.3 VARIANCES FROM HEIGHT REQUIREMENTS FOR TELECOMMUNICATIONS TOWERS

408.3.1. All telecommunications towers located outside of the General Commercial Zone are subject to a height limit of one hundred twenty feet (120'). The Zoning Board of Appeals may grant a variance to that height limit subject to the procedures and criteria for variances and Article 12 of this ordinance, except that the term "undue hardship" shall mean that denying the variance shall have the effect of prohibiting all personal wireless services within the Town of Holden, and no alternate sites, towers or structures are available to provide such services. See Article 13 for the definition of "personal wireless services."

408.3.2 Telecommunication Towers and antennas within the General Commercial Zone shall be exempt from lot area, coverage, height and frontage requirements of the General Commercial Zone, and shall be located no closer than 2,500 feet from any other telecommunication towers. Additional Screening from abutting property owners may be required. Where visible to abutting properties or public right of ways, such buildings and structures must be architecturally similar to the surrounding buildings or structures.

408.4 REMOVAL OF ABANDONED ANTENNAS AND TOWERS.

Any antenna or tower that is not operated during continuous period of twelve (12) months shall be considered abandoned regardless of the intent of the owner or operator, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the Code Enforcement Officer notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the Code Enforcement Officer may initiate action to remove such antenna or tower at the owner's expense.