

CONDITIONS OF APPROVAL FOR AMENDMENT B TO BUILDING PERMIT BP 13330-B

1. ***At least one week prior to commencing the permitted activities, the permittee or the designated agent must contact the Commission staff and notify them of the estimated date construction work will start. Notice may be provided in writing, in person, by email, or by calling. If you leave or send a message, please include your full name, telephone number, permit number, and the date the work will start.***
2. Construction activities authorized in this permit must be substantially started within 2 years of the effective date of this permit and substantially completed within 5 years of the effective date of this permit. If such construction activities are not started and completed within this time limitation, this permit shall lapse and no activities shall then occur unless and until a new permit has been granted by the Commission.
3. Structures authorized under this permit, as well as filled and graded areas and cleared openings created as part of construction activities authorized under this permit, must be located to meet the road, property line, water and wetland setback distances, exterior dimensions and building heights listed in the tables in Sections 4 and 5 and approved by this permit.
4. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
5. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
6. Upon completion of the authorized structures within the terms of this permit, any existing structures to be removed from the lot and other construction debris must be disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules..
7. Soil disturbance must not occur when the ground is frozen or saturated. Topsoil must not be removed from the site except for that necessary for construction activities authorized in this permit. Topsoil must be stockpiled at least 100 feet from any water body.
8. Temporary and permanent sedimentation control measures must be implemented to effectively stabilize all areas of disturbed soil and to catch sediment from runoff water before it leaves the construction site so that sediment does not enter water bodies, drainage systems, water crossings, wetlands or adjacent properties. Clearing and construction activities, except those necessary to establish sedimentation control devices, shall not begin until all erosion and sedimentation control devices (including ditches, culverts, sediment traps, settling basins, hay bales, silt fences, etc.) have been installed and stabilized. Once in place, such devices shall be maintained to ensure proper functioning.
9. Effective, temporary stabilization of all disturbed and stockpiled soil must be completed at the end of each work day. All temporary sedimentation and erosion control devices shall be removed after construction activity has ceased and a cover of healthy vegetation has established itself or other appropriate permanent control measures have been effectively implemented. Permanent soil stabilization shall be completed within one week of inactivity or completion of construction.
10. All exterior lighting must be located and installed so as to illuminate only the target area to the extent possible. Exterior lighting must not produce a strong, dazzling light or reflection beyond lot lines onto neighboring properties, water bodies, or roadway so as to impair driver vision or to create nuisance conditions.
11. The scenic character and healthful condition of the area covered under this permit must be maintained. The area must be kept free of litter, trash, junk cars and other vehicles, and any other materials that may constitute a hazardous or nuisance condition.
12. If the permittee holds interest in this parcel of land via a sales contract or other binding agreement, the permittee shall submit a copy of the deed transferring title of this parcel to the Commission upon final execution of such deed.
13. Once construction is complete, the permittee shall submit a self-certification form, notifying the Commission that all conditions of approval of this permit have been met. The permittee shall submit all information requested by the Commission demonstrating compliance with the terms of this permit.
14. The permittee shall secure and comply with all applicable licenses, permits, authorizations, and requirements of all federal, state, and local agencies including but not limited to: Air and Water Pollution Control Regulations; Subsurface Wastewater Disposal System approval from the Local Plumbing Inspector and/or Maine Department of Health and Human Services, Subsurface Wastewater Program.
15. All conditions of previously issued Commission permits shall remain in effect, except as specifically modified by this permit. In addition, all conditions of any Subdivision Permit authorizing the creation of the permittee's parcel as they pertain to said parcel shall remain in effect.
16. Nothing in this permit shall be construed to release the permittee(s) from any liability or responsibility arising from any violation, including Enforcement Case EC 15-15, or to be considered a waiver of the authority of the Commission or the state to fully pursue or prosecute such violations.

This permit is approved only upon the above stated conditions and remains valid only if the permittee complies with all of these conditions. Any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.

LUPC AUTHORIZATION (for office use)

Based on the information you have submitted in the attached application and supporting documents, the staff of the Land Use Planning Commission concludes that, if carried out in compliance with the conditions of approval above, your proposal will meet the criteria for approval, 12 M.R.S.A. §685-B(4) of the Commission's statutes and the provisions of the Commission's *Land Use Districts and Standards*. Any variation from the application or the conditions of approval is subject to prior Commission review and approval. Any variation undertaken without Commission approval constitutes a violation of Land Use Planning Commission law. In addition, any person aggrieved by this decision of the staff may, within 30 days, request that the Commission review the decision.



LUPC Authorized Signature

8-13-15

Effective Date

Lot # 12

48368



ECO-ANALYSTS, INC.

Environmental Consultants

P.O. Box 224 Bath, Maine 04530

(207) 837-2199 • (207)386-0451 (Fax) • timforrester@comcast.net

August 4, 2015

Ted Wolfertz
Somerset County Regional Representative
Maine Land Use Planning Commission
22 State House Station
Augusta, ME 04333

RE: Amended Building Permit Application for Eric Brown (Plan 2, Lot 12) in Rockwood, Maine.

Dear Mr. Wolfertz,

As requested I have updated the LUPC Application and Site Plan to reflect the applicable setbacks and structure sizes as well as separated the plan into two drawings which reflect the proposed activities on each lot. Within Lot 12, the Owners propose to add a series of steps and walkways totaling 4'x60'). Those structures will provide access to the proposed ramp and float which is located below the NHWL of Moosehead Lake. They also propose to extend the steps and walkway in the opposite direction towards the abutting property. Those structures will connect with similar stairs and walkway and will provide access to the dock for the adjacent lot. The walkways will encroach on the 15' sideline setback, as such; a letter of no objection from the abutter for the encroachment into the sideline setback is included in the application.

Thank you for the opportunity to work with you on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at timforrester@comcast.net.

RECEIVED

AUG 04 2015

LUPC - GREENVILLE

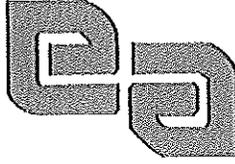
Sincerely,
ECO-ANALYSTS, INC.

Timothy A. Forrester

Lot # 12

44368

RECEIVED
JUL 27 2015
LUPC - AUGUSTA



ECO-ANALYSTS, INC.

Environmental Consultants

P.O. Box 224 Bath, Maine 04530
(207) 837 - 2199 • (207) 386-0451 (Fax) • tforrester@comcast.net

July 20, 2015

Ted Wolfertz
Somerset County Regional Representative
Maine Land Use Planning Commission
22 State House Station
Augusta, ME 04333

RE: Building Permit Amendment Applications Regarding Enforcement Case EC 15-15, Rockwood Strip Twp. T1R1, NBKP, Somerset County, Maine,

Dear Mr. Wolfertz:

On behalf of Michael E. Brown and William Brown (Applicants), ECO-ANALYSTS, Inc. (EA) is pleased to submit two Building Permit Amendment Applications to the Land Use Planning Commission to address the violations located at 58 Lake Street and 64 Lake Street in the Township of Rockwood Strip. The Applicants constructed decks within twenty-five (25) feet from the Mean High Water (MHW) of Moosehead Lake to replace a series of platforms that previously existed in a similar location.

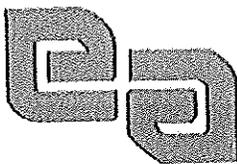
In order to meet the Commission's standards, the Applicants propose to remove the existing decks and construct a series of walkways and steps to provide access to the lake. The proposed structures will consist of a four (4) foot wide by seventy (70) foot long set of walkways and steps. The Applicants own both lots that are identified as Lot #11 and #12 on Plan #2 of the Maine Bureau of Taxation. As such, the walkways do not meet the fifteen (15) foot side setback as the walkways and steps will provide access for both houses. The Applicants also intend to place a seasonal ramp and float as shown on the included plans. Additionally, in order to conform to the existing permit, the decks will be reduced to measure four (4) feet wide by twenty-two (22) feet long on the westerly side of the house that is currently under construction.

Thank you for consideration of this application. If you have any questions, please feel free to contact me at (207) 837 - 2199 or by email at tforrester@comcast.net.

RECEIVED
AUG 08 2015
LUPC - GREENVILLE

Sincerely,
ECO-ANALYSTS, Inc.

Timothy A. Forrester
Biologist



ECO-ANALYSTS, INC.

Environmental Consultants

P.O. Box 224 Bath, Maine 04530
(207) 837-2199 • (207) 386-0451 (Fax) • timforrester@comcast.net

July 14, 2015

To Whom It May Concern:

By this letter, I authorize ECO-ANALYSTS, INC., to act as my Agent for the preparation and submission of all federal, state, and local town or city permit applications and relevant documents and correspondence related to a steps and walkways on my property identified by the Maine Bureau of Taxation as Lot #11 and Lot #12 on Plan #2 in Rockwood Strip Township, Maine; to attend meetings, site visits, and appear before all boards, commissions, and committees; and provide other services as required for completing the aforementioned tasks.

William Eric Brown

Print Name

7/14/2015

Date

[Handwritten Signature]

Signature

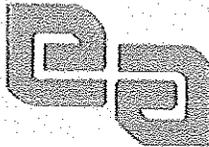
Thank you for the opportunity to work on this project. Should you have any additional questions, please do not hesitate to contact me at 207-837-2199 or via email at timforrester@comcast.net.

Sincerely,

ECO-ANALYSTS, INC

[Handwritten Signature]

Timothy A. Forrester,
Biologist



ECO-ANALYSTS, INC.

Environmental Consultants

P.O. Box 224 Bath, Maine 04530

(207) 837 - 2199 • (207) 386-0451 (Fax) • timforrester@comcast.net

July 20, 2015

To Whom It May Concern:

By this letter, I authorize William E. Brown, joint owner of properties identified by the Maine Bureau of Taxation as Lot #11 and Lot #12 on Plan #2 located in Rockwood Strip Township, Maine to construct a walkway, steps, and decks within 15 feet of the property line.

Michael A. Brown

Print Name

7-20-2015

Date

[Handwritten Signature]

Signature

For office use:

48368 BP 12330-B \$ 50.00
Trading No. Permit No. Fee Received

Building Permit Amendment

SHORT FORM for Residential Development

1. APPLICANT INFORMATION

Applicant Name(s) Michael Brown and William Brown		Daytime Phone (207) 837 - 2199	FAX (if applicable)
Mailing Address 82 Edwards Street		Email (if applicable) eric@ericbrownstudio.com	
Town Portland	State ME	Zip Code 04102	

2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation Rockwood	County Somerset
Tax Information (check Tax Bill) Map: _____ Plan: 2 Lot 12	All Zoning at Development Site (check the LUPG map) BP <i>D-RS</i>
Road Frontage. List the name(s) and frontage(s) (in feet) for any public or private roads, or other rights-of-way adjacent to your lot: Road #1: Lake Street Frontage _____ ft. Road #2: _____ Frontage _____ ft.	Water Frontage. List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot: Waterbody #1: Moosehead Lake Frontage ~100 Waterbody #2: _____ Frontage _____

3. EXISTING STRUCTURES (Fill in a line for each existing structure)

Previously Issued Building Permit BP 12235

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Year built	Exterior dimensions (in feet) (LxWxH)	Type of foundation (full basement, slab, post, etc.)	Horizontal Distance (in feet) of structure from nearest:					
				Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Tidal waters
House	pre-2002	1286 sq. ft.	SLAB	75	21'	4'			
Decks	pre-2002 and 2010/2011	16x26' + 8x28'		93	9'	0'			
Platforms	pre-2010	N/A (removed)	N/A	123	80'	0'			
		3(5x8) 2(4x10) 1(4x4)							

4. PROPOSED ACTIVITIES (Fill in a line for each new or modified structure)

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Proposal (check all that apply)							Exterior Dimensions (in feet) (LxWxH)	Horizontal Distance (in feet) of structure from nearest:					
	New structure	Reconstruct	Expand	Relocate	Remove	deck/porch	Enclose		Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Tidal waters
Walkway and Steps	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4' x 60'	70'	0'	0'			
PLATFORMS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
Ramp + FLOAT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3x16' ramp 10x16' float	135'	25'	0'			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		146'	26'	0'			

* Reconstructions, Relocations, Permanent Foundations and New Accessory Structures:

- a. If the structure or foundation will not meet the LUPC's minimum setback distances from property lines, roads, water bodies or wetlands, explain what physical limitations (lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting setbacks:

The steps and walkway provide access to the dock and therefore as a necessity cannot be located beyond 100' from the minimum of the lake. A letter from the

author is attached which authorizes a 15' within 15' of the property line.

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AUG 04 2015
LUPC - GREENVILLE

For office use:

44368 BP 13530-13 \$50.00
Tracking No. Permit No. Fee Received

Building Permit Amendment

SHORT FORM for Residential Development

1. APPLICANT INFORMATION

Applicant Name(s) Michael Brown and William Brown	Daytime Phone (207) 837 - 2199	FAX (if applicable)
Mailing Address 82 Edwards Street	Email (if applicable) eric@ericbrownstudio.com	
Town Portland	State ME	Zip Code 04102

2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation Rockwood	County Somerset
Tax Information (check Tax Bill) Map: _____ Plan: 2 Lot 12	All Zoning at Development Site (check the LUPC map) BAF D-RS
Road Frontage. List the name(s) and frontage(s) (in feet) for any public or private roads, or other rights-of-way adjacent to your lot: Road #1: Lake Street Frontage _____ ft. Road #2: _____ Frontage _____ ft.	Water Frontage. List the name(s) and frontage(s) (in feet) for any lakes, ponds, rivers, streams, or other waters on or adjacent to your lot: Waterbody #1: Moosehead Lake Frontage ~100 Waterbody #2: _____ Frontage _____

3. EXISTING STRUCTURES (Fill in a line for each existing structure)

Previously issued Building Permit BP 12235

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Year built	Exterior dimensions (in feet) (LxWxH)	Type of foundation (full basement, slab, post, etc.)	Horizontal Distance (in feet) of structure from nearest:						
				Road	Property line	Lake or pond	River or stream	Wetland	waters	Ocean/Tidal
House	pre-2002	1286 sq. ft.				<25'				
Decks	pre-2002 and 2010/2011					<25'				
Platforms	pre-2010	N/A (removed)	N/A			<25'				

4. PROPOSED ACTIVITIES (Fill in a line for each new or modified structure)

Type of structure (dwelling, garage, deck, porch, shed, driveway, parking area, etc.)	Proposal (check all that apply)								Exterior Dimensions (in feet) (LxWxH)	Horizontal Distance (in feet) of structure from nearest:						
	New structure*	Reconstruct*	Expand	Relocate*	Remove	Enclose deck/porch	Permanent foundation*	Change dimensions or setbacks		Road	Property line	Lake or pond	River or stream	Wetland	waters	Ocean/Tidal
Walkway and Steps	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4' x 60'			<25'				
Seasonal Ramp and Float	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Decks (built 2010/2011)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								

* Reconstructions, Relocations, Permanent Foundations and New Accessory Structures:

- a. If the structure or foundation will not meet the LUPC's minimum setback distances from property lines, roads, water bodies or wetlands, explain what physical limitations (lot size, slope, location of septic system, etc.) prevent the structure or foundation from meeting setbacks:
The Applicant had a series of platforms that provide access to Moosehead Lake. Therefore, it is not practicable to locate them outside of the 25 foot setback.

b. For reconstructions, has the existing structure been damaged, destroyed or removed from your property?..... YES NO
 If YES, was the structure in regular active use within a 2-year period preceding the damage, destruction or removal? YES NO
 If YES, provide the date the structure was damaged, destroyed or removed: Removed and Replaced in 2010

5. VEGETATION CLEARING, FILLING AND GRADING, SOIL DISTURBANCE (If applicable, fill in this table)

	Proposed New Area (in sq. ft.) of cleared/filled/disturbed soil:	Distance (in feet) between edge of cleared/filled area and the nearest:				
		Road	Property line	Lake or pond	River or stream	Wetland
Cleared area						
Filled/disturbed area						
What is the average slope of land between the area to be filled/disturbed and the waterbody or wetland?						% <input checked="" type="checkbox"/> NA

6. PROSPECTIVELY ZONED AREAS (RANGELEY AREA ONLY)

Buffering in Prospectively Zoned Areas. Is your property located in one of the following Prospectively Zoned Plantations or Townships? YES NO

Adamstown Twp. Rangeley Plt.	Dallas Plt. Richardsontown Twp.	Lincoln Plt. Sandy River Plt.	Magalloway Plt. Townships C, D, and E.
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If YES, please complete the following table regarding the width of the vegetative buffers at the narrowest point between the existing and proposed structures and the nearest applicable road, property line, and subdistrict setbacks as applicable:

Standard Minimum Required:	Width of Vegetated Buffers			
	Road	Side Property Line	Rear Property Line	Subdistrict Boundary (if D-ES or D-CI)
25 feet in D-GN, D-GN2, D-GN3 50 feet in D-RS, D-RS2, D-RS3 75 feet in D-ES and D-CI	15 feet	15 feet	50 feet Buffer to other Subdistricts	
This property:	_____ feet	_____ feet	_____ feet	_____ feet

Note: You may be required to submit Exhibit E: Documentation for Exceptions to Buffering Requirements. (See instructions on page iii)

7. APPLICANT SIGNATURE (REQUIRED) AND AGENT AUTHORIZATION (OPTIONAL)

Agent Name (if applicable) ECO-ANALYSTS, INC. c/o Tim Forrester	Daytime Phone (207) 837 - 2199	FAX (if applicable) (207) 386 - 0451
Mailing Address P.O. Box 224	Email (if applicable) timforrester@comcast.net	
Town Bath	State ME	Zip Code 04530

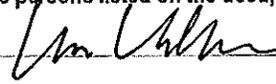
I have personally examined and am familiar with the information submitted in this application, including the accompanying exhibits and supplements, and to the best of my knowledge and belief, this application is complete with all necessary exhibits. I understand that if the application is incomplete or without any required exhibits that it will result in delays in processing my permit decision. The information in this application is a true and adequate narrative and depiction of what currently exists on and what is proposed at the property. I certify that I will give a copy of this permit and associated conditions to any contractors working on my project. I understand that I am ultimately responsible for complying with all applicable regulations and with all conditions and limitations of any permits issued to me by the LUPC. If there is an Agent listed above, I hereby authorize that individual or business to act as my legal agent in all matters relating to this permit application. I understand that while there is a required Statewide Maine Uniform Building and Energy Code (MUBEC) administered by the Maine Department of Public Safety, Bureau of Building Codes & Standards, The Commission's review is limited only to land use issues and the Commission does not make any findings related to the MUBEC nor do the LUPC staff inspect buildings or enforce any provisions of that Code.

Please check **one** of the boxes below: (see "Accessing the Project Site for Site Evaluation and Inspection")

I authorize staff of the Land Use Planning Commission to access the project site as necessary at any reasonable hour for the purpose of evaluating the site to verify the application materials I have submitted, and for the purpose of inspecting for compliance with statutory and regulatory requirements, and the terms and conditions of my permit.

I request that staff of the Land Use Planning Commission make reasonable efforts to contact me in advance to obtain my permission to fully access the project site for purposes of any necessary site evaluation and compliance inspection.

All appropriate persons listed on the deed, lease or sales contract must sign below.

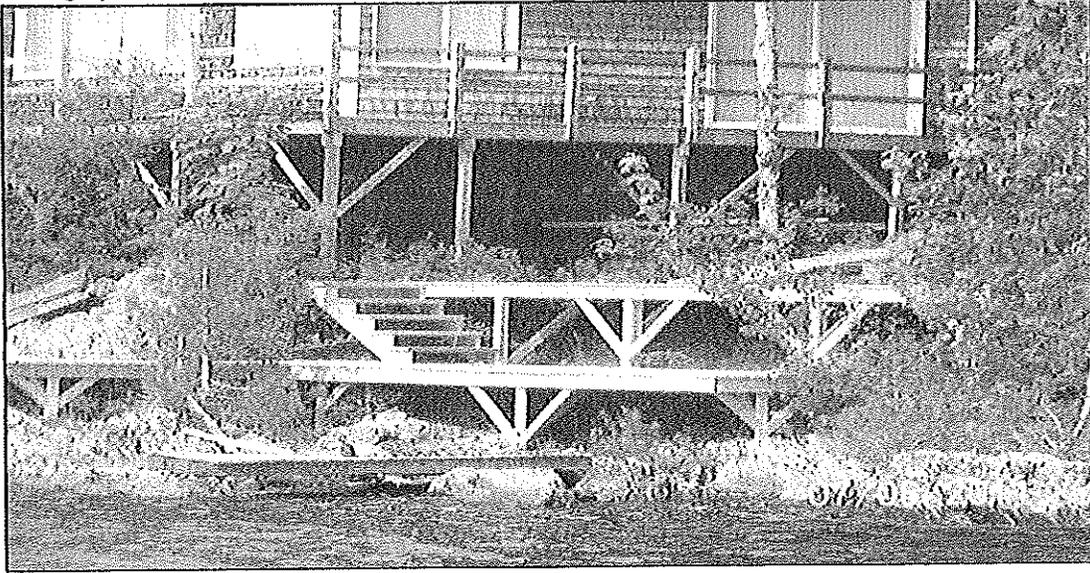
Signature(s)  see letter of authorization Date 7/23/2015

Date _____

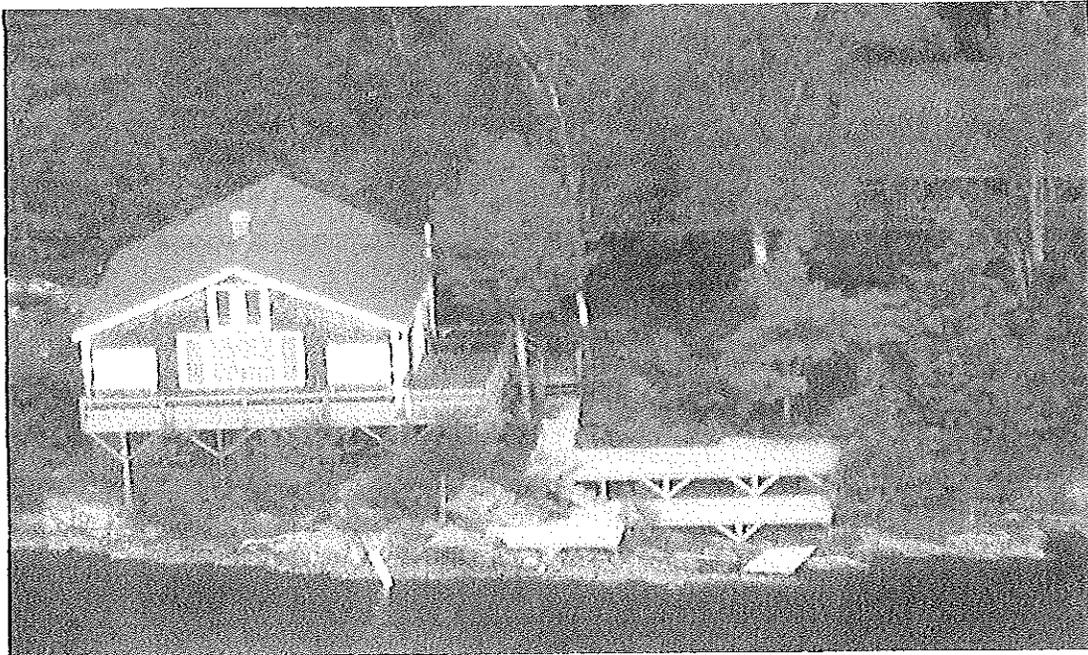
PHOTOGRAPHS

The following photographs represent the previous conditions of the site that include platforms that were removed in 2010 and the existing decks that were constructed in 2010/2011.

Photographer: Eric Brown, Applicant



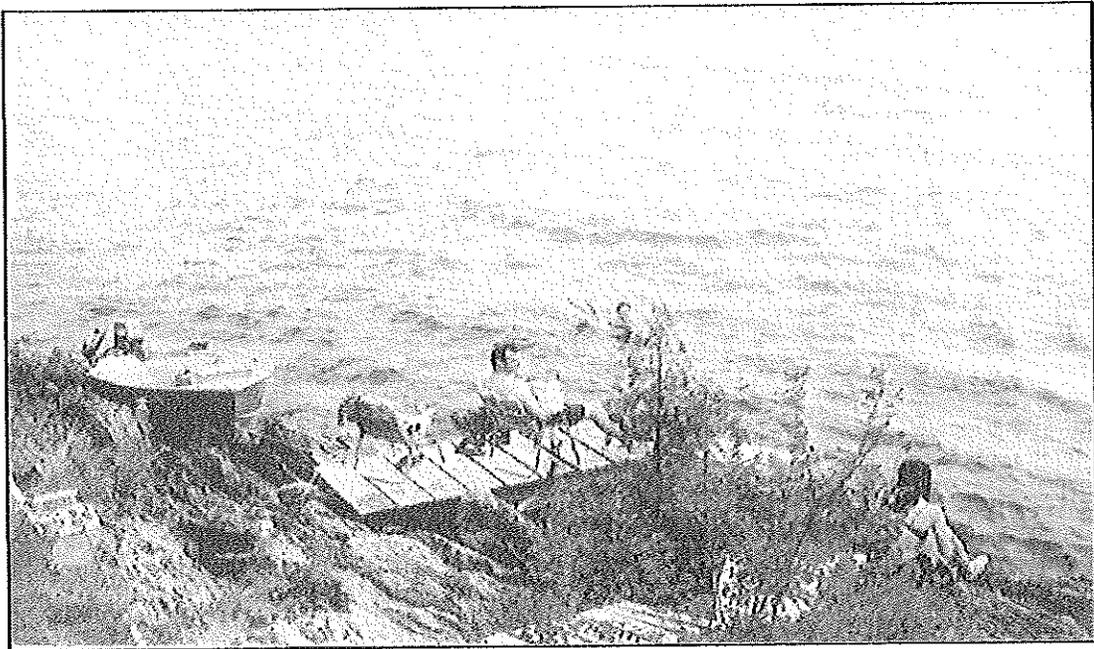
Photograph One. View of existing decks and stairs.



Photograph Two. Overhead view of existing decks and stairs.

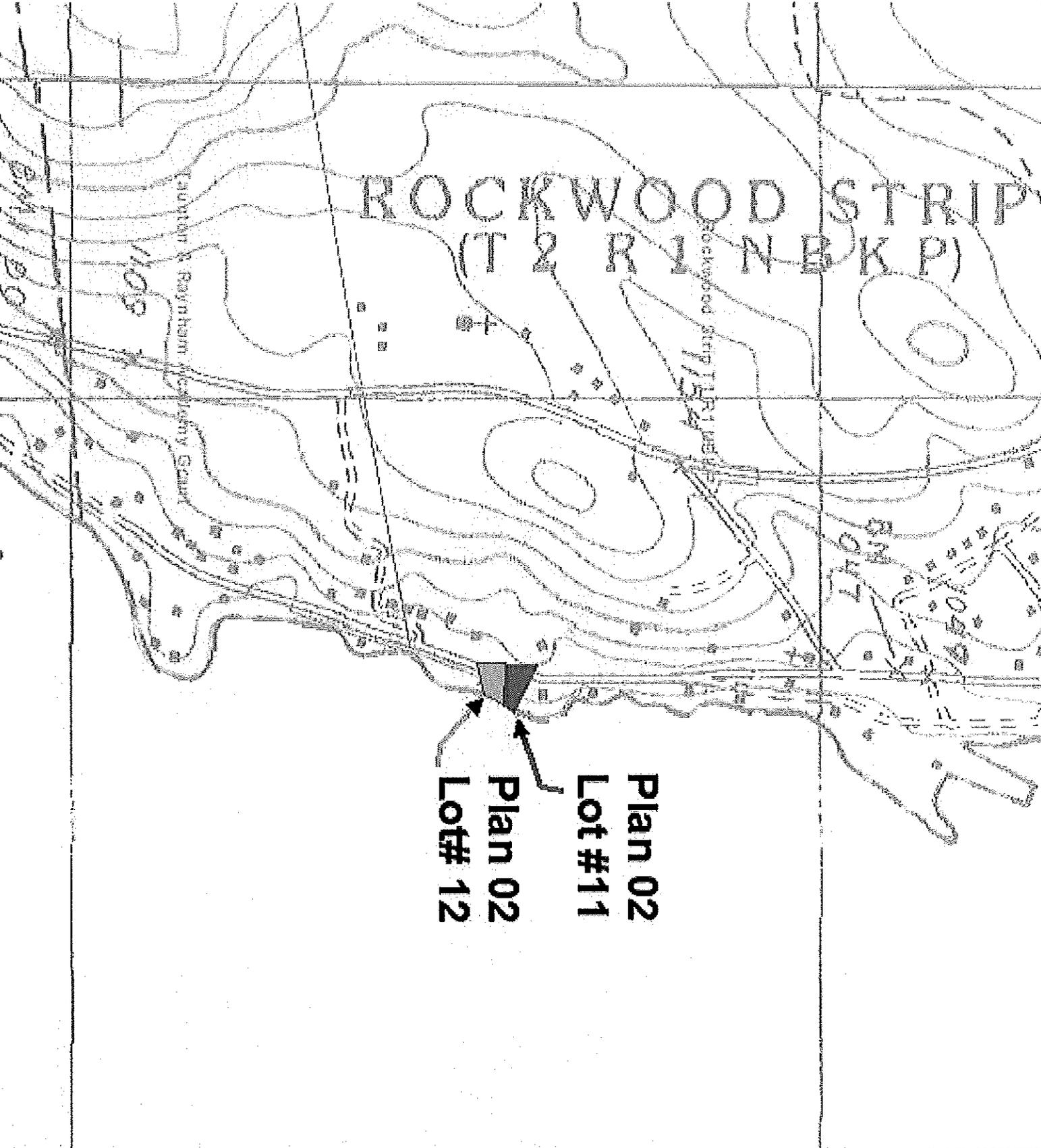


Photograph Three. View of platforms as they existed prior to 2011.



Photograph Four. Partial view of platforms that existed prior to 2011.

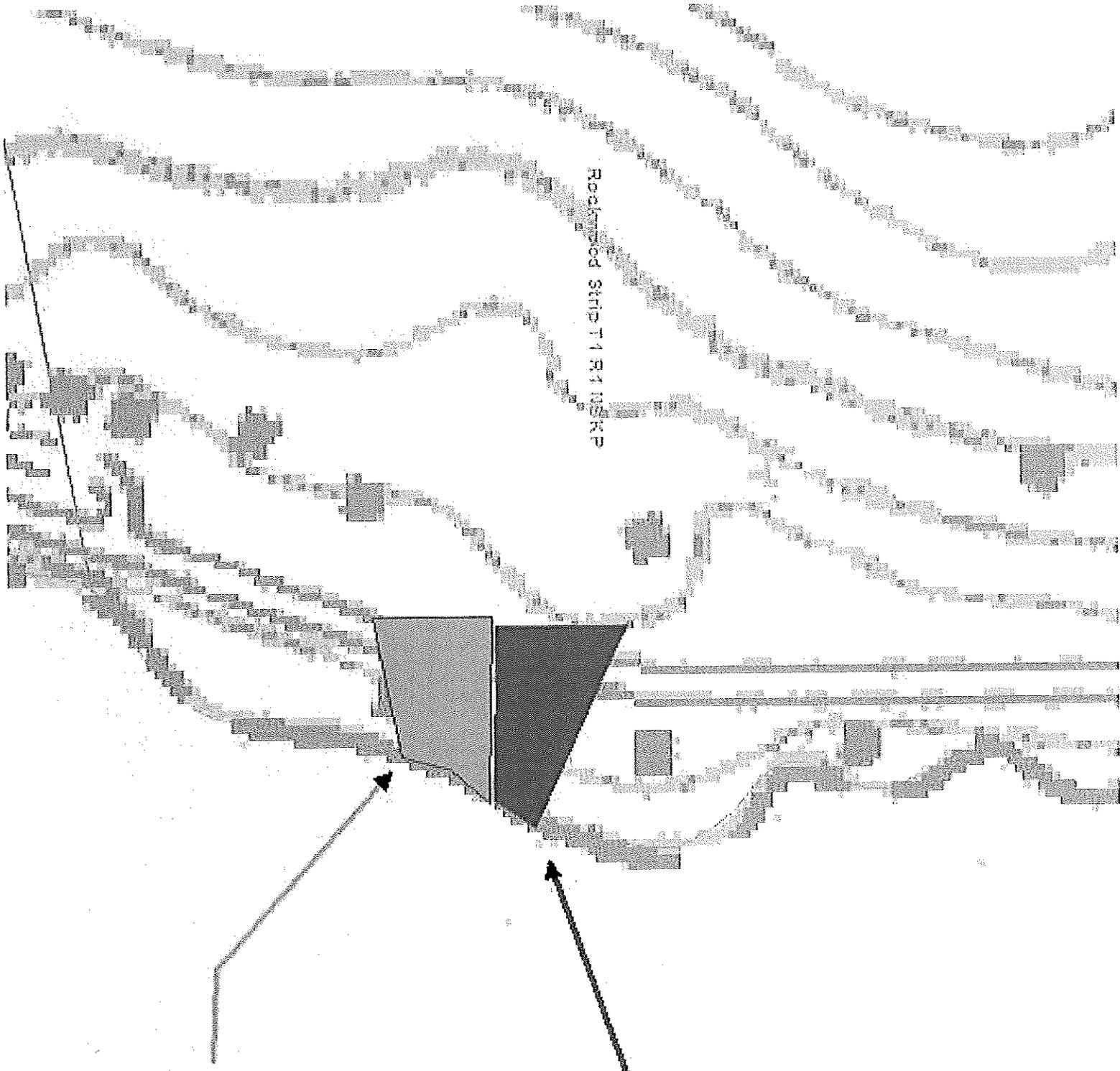
ROCKWOOD STRIP (T2 R1 N6K P)



**Plan 02
Lot #11**

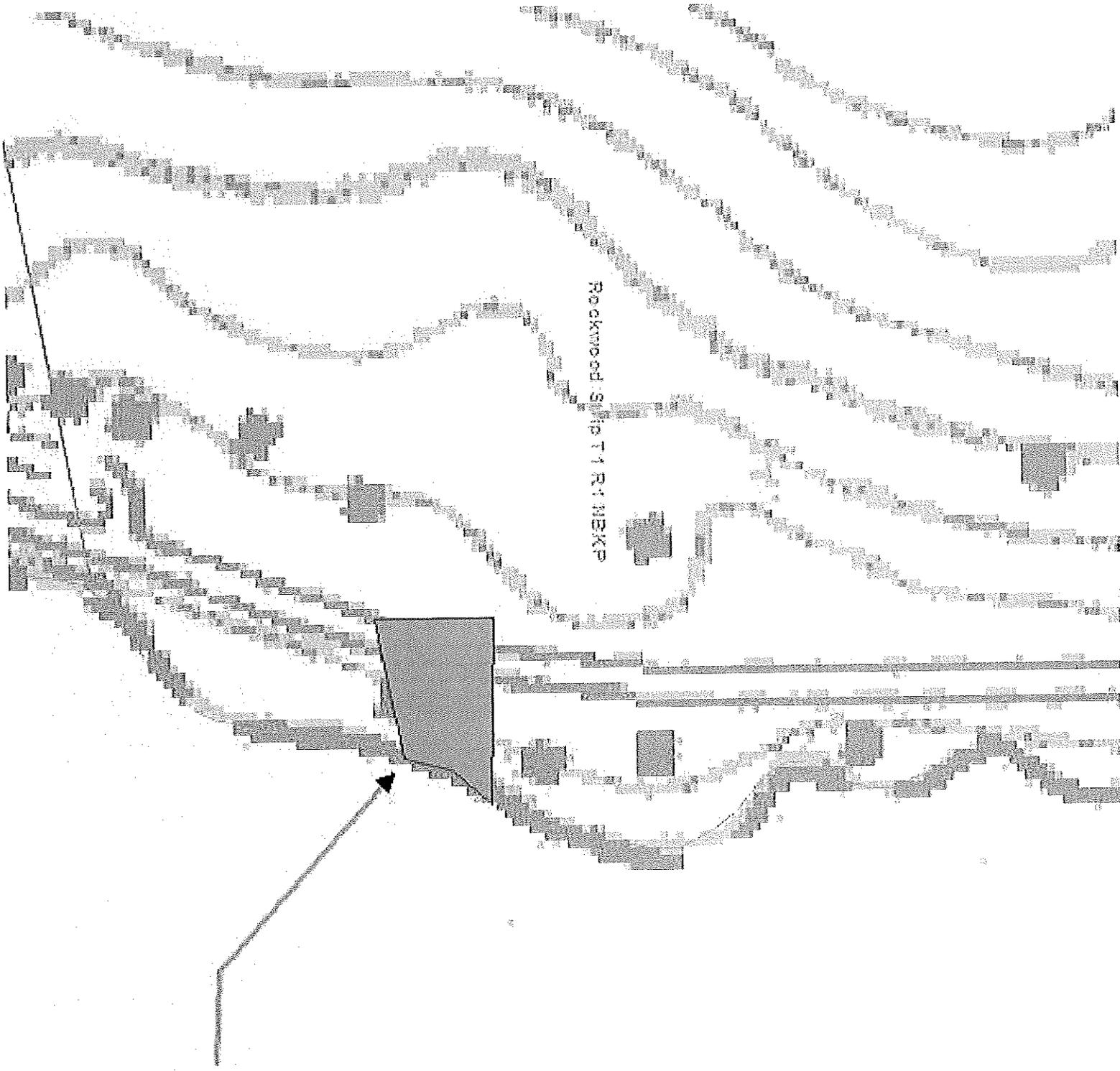
**Plan 02
Lot #12**

ROCKY MOUNTAIN STATE



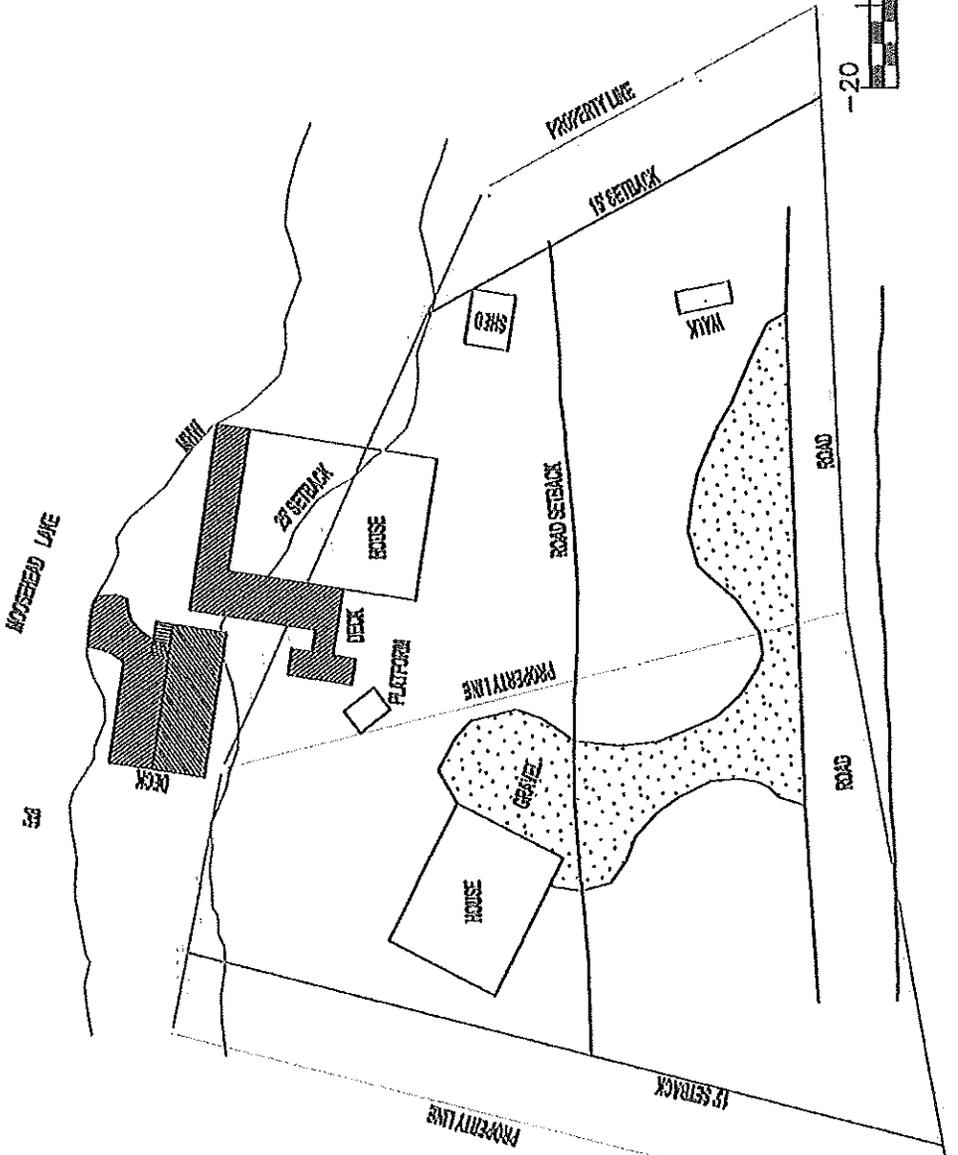
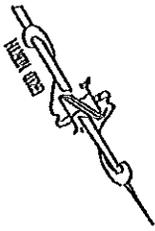
**Plan 02
Lot #11**

**Plan 02
Lot #12**



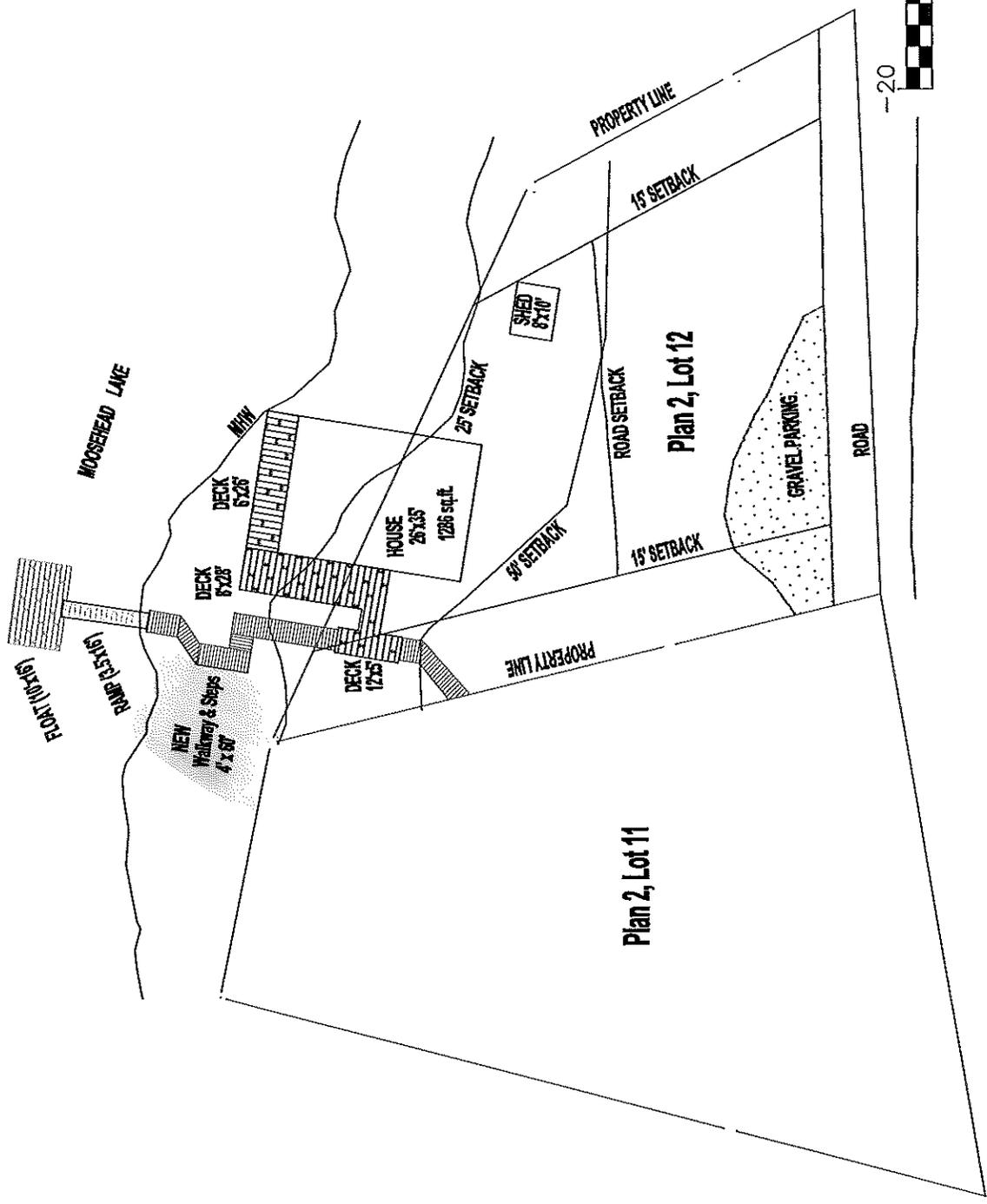
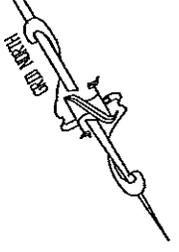
Rockport State Park

Plan 02
Lot# 12



GRAPHIC SCALE
 (IN FEET)
 1 inch = 30ft.

 <p>ECO-ANALYSIS, INC. Environmental Consultants P.O. Box 224 Bath, Maine 04530 (207) 386-0450 Fax (207) 386-0451 timforrester@comcast.net</p>	<p>Date: 7/1/2015 Project: Eric Brown Drafted By: IAF</p>	<p>Plan View of the Existing Conditions for Eric Brown off Lake View Road in Rockwood Strip, Maine, Moosehead Lake.</p> <p>Sheet One of Three</p>
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GRAPHIC SCALE



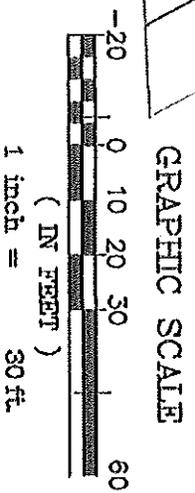
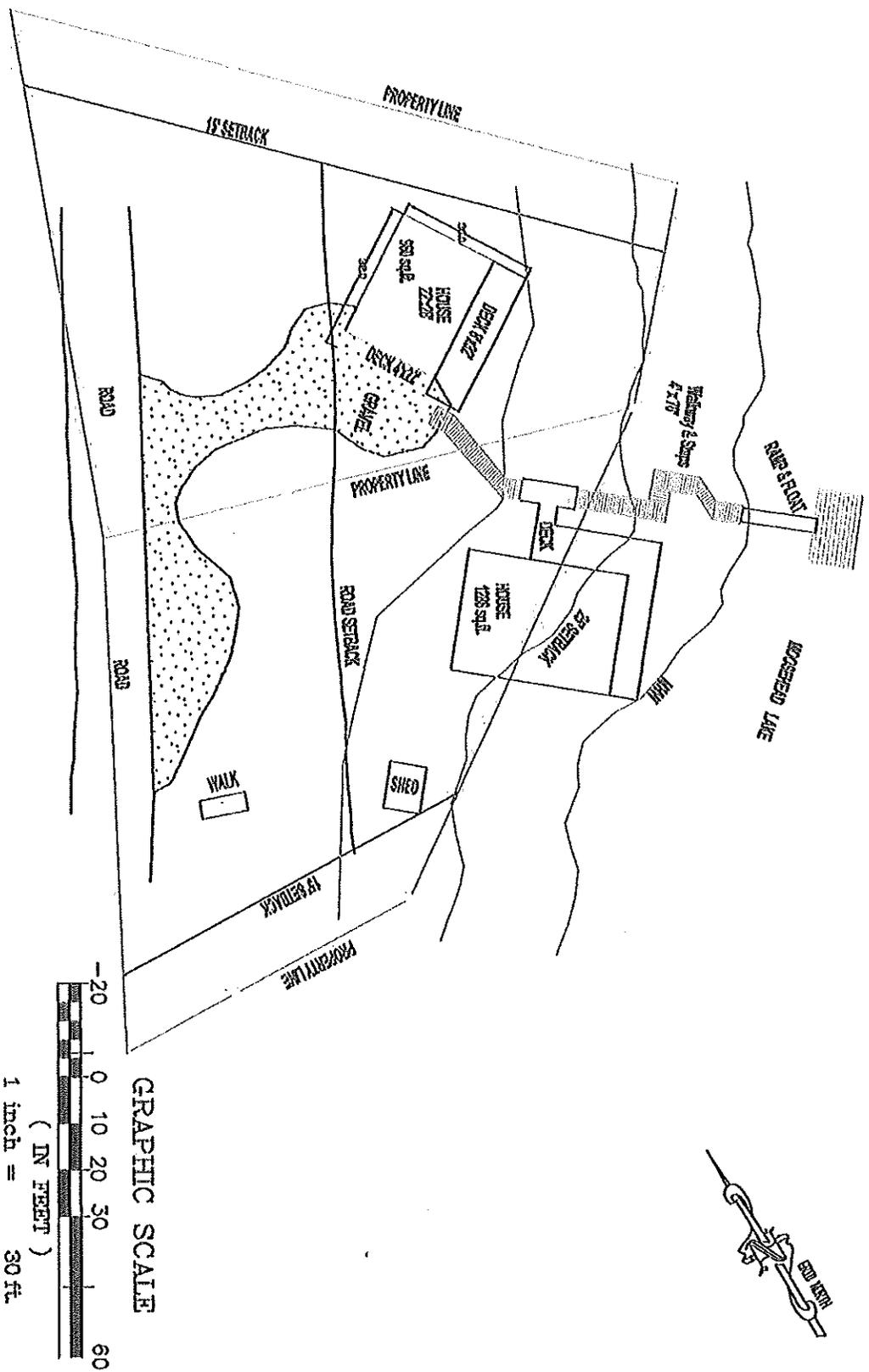
EA
ECO-ANALYSTS, INC.
 Environmental Consultants
 P.O. Box 224 Bath, Maine 04530
 (207) 386-0450
 Fax (207) 386-0451
 fimforrester@comcast.net

Date: 7/1/2015
 Revised: 8/4/2015
 Project: Eric Brown
 Drafted By: TAF

Plan View of the Existing Building and proposed stairs and walkway for Eric Brown (Plan 2, Lot 12) off Lake View Road in Rockwood Strip, Maine.

Sheet Three of Three

RECEIVED
 AUG 04 2015
 LUPC-GREENVILLE



ECO-ANALYSTS, INC.
Environmental Consultants
P.O. Box 224 Bath, Maine 04530
(207) 386-0450
Fax (207) 386-9451
tim@rochester@comcast.net

Date: 7/1/2015
Project: Eric Brown
Drafted By: TAF

Plan View of the Proposed Conditions for Eric Brown off Lake View Road in Rockwood Strip, Maine, Moosehead Lake.

Sheet Three of Three