

# AMENDMENT B TO BUILDING PERMIT BP-14348

## by Special Exception

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 below, 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* (Chapter 10; ver. December 07, 2015). 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

  
Effective Date

### CONDITIONS OF APPROVAL

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. The authorized single family residential dwelling and covered enclosed porch shall have the lowest floor (including basement) elevated to at least one foot above the base flood elevation of West Grand Lake.
3. Upon completion of the lowest floor, a FEMA Elevation Certificate completed by a professional land surveyor or professional engineer must be submitted to the Commission for review and approval prior to any further construction activities.
4. The authorized single family residential dwelling and covered enclosed porch must both be set back a minimum of 100 feet from the normal high water mark of West Grand Lake, 50 feet from the traveled portion (edge) of Bonney Brook Road and 15 feet from other property boundary lines.
5. The authorized single family residential dwelling and covered enclosed porch must not exceed 30 feet in height as measured as the vertical distance between the mean original (prior to construction) grade at the downhill side of the structure and the highest point of the structure, excluding chimneys, steeples, antennas, and similar appurtenances that have no floor area.
6. Upon completion of the authorized structures within the terms of this permit, the old dwelling must 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. 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.
8. This permit is dependent upon and limited to the proposal as set forth in the application and supporting documents, except as modified by the Commission in granting this permit. Any variation is subject to prior review and approval of the Maine Land Use Planning Commission. Any variation from the application or the conditions of approval undertaken without approval of the Commission constitutes a violation of Land Use Planning Commission law.
9. Structures authorized under this permit, as well as filling/grading/soil disturbance 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 application and approved by this permit.
10. 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.
11. 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.

12. Cleared openings created as part of construction activities authorized under this permit must be effectively stabilized and revegetated.
13. All imported fill material must be free of hazardous or toxic materials and must not contain debris, trash, or rubbish.
14. Soil disturbance must not occur when the ground is frozen or saturated.
15. 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.
16. The permittee shall not advertise Land Use Planning Commission approval without first obtaining approval for such advertising. Any such advertising shall refer to this permit only if it also notes that the permit is subject to conditions of approval.
17. In the event the permittee should sell or lease this property, the buyer or lessee shall be provided a copy of the approved permit and conditions of approval. The new owner or lessee should then contact the Land Use Planning Commission to have the permit transferred into his/her name. If there are no additional changes the transfer can be accomplished on a Minor Change Form.
18. 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.
19. 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.
20. 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; and the Maine Department of Transportation, Driveway Entrance Permit, a physical E-911 address from your County Commissioner's Office.
21. All other required state or federal permits must be submitted to the Commission PRIOR to the start of construction.
22. Structures authorized under this permit must not be sited on a ridge or knoll such that they are visible above the tree line from any water body. All authorized structures must be located, designed and landscaped to reasonably minimize their visual impact on the surrounding area, particularly when viewed from existing roadways or shorelines.
23. Notwithstanding Condition 7, construction activities authorized within P-FP subdistricts, FEMA zones, and other areas prone to flooding must be substantially started within **180 days** 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.
24. The permitted structures must be designed or modified and adequately anchored to prevent flotation (excluding floating piers and docks), collapse or lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
25. The permittee(s) must use construction materials that are resistant to flood damage, use construction methods and practices that will minimize flood damage, and use electrical, heating, ventilation, plumbing, and air conditioning equipment, and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during flooding conditions.
26. The permitted manufactured home must be on a permanent foundation with adequate support so that none of its weight is supported by its wheels and axles and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, or lateral movement.
27. 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.
28. All conditions of previously issued Commission permits shall remain in effect, except as specifically modified by this permit.

DEC 09 2015

MAINE LAND USE PLANNING COMMISSION  
Department of Agriculture, Conservation and Forestry

For office use:

48617 BP 14348-B \$ 400.00  
Tracking No. Permit No. Fee Received

LUPC - DOWNEAST

Building Permit

by Special Exception

For All Residential Development

1. APPLICANT INFORMATION

Applicant Name(s) JAMES E. + M. LOUISE ESHLEMAN	Daytime Phone 207-743-9514	FAX
Mailing Address 58 PIKES HILL	Email LOUISEESHLEMAN@LIVE.COM	
Town NORWAY ME 04268	State	Zip Code

2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation GRAND LAKE STREAM PLANTATION	County WASHINGTON
Tax Information (check tax bill) Map: WAP03 Plan: 07 Lot: 12A+13	Deed or Lease Information (check deed or lease) Book: 4110 Page: 140 Lease #:
Lot size (in acres, or in square feet if less than 1 acre) .94	Lot Coverage (in square feet)
All Zoning on Property (check the LUPC map) D-RSP-FP	Zoning at Development Site SAME
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: BONNEY BROOK ROAD Frontage 132 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: WEST GRAND LAKE Frontage 180 ft. Waterbody #2: Frontage ft.
LUPC Approved Subdivision. List the LUPC approved subdivision number: ..... SP _____ and SP Lot #: _____	
If your property is not part of subdivision previously approved the Commission, please continue to Land Division History below. (check your deed or contact the LUPC office that serves your area)	
Land Division History. Using your deed as a starting point, trace the ownership history and configuration changes of your property back 20 years from today. List any division of those lots from which your property originated (use additional sheet of paper if needed).	(example: Amy Adams to Rob Roberts 1/12/1997 10 acres) P+L LOT #'S 30 + 31 Grand Lake Stream Map 7, Lots 12 A + 13 Maine Revenue Service map WAP03; Plan 7; Lots 12A+13

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

Previously issued Building Permit number (if applicable) BP 14348

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
SEE BP 14348 ✓	2014-2015								
Pre-LUPC camp with post LUPC addition			To be removed			17' 50' 8"			
Shed						120 60 24			

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4. PROPOSED STRUCTURES OR USES (INCLUDING DRIVEWAYS AND PARKING AREAS) (Use additional sheet if needed)

4.1 What is the proposed use of your property? <input checked="" type="checkbox"/> Residential only <input type="checkbox"/> Residential with Home Occupation* <input type="checkbox"/> Personal Campsite**														
Type of structure (dwelling, garage, deck, porch, shed, driveway****, camper, RVs, parking lots, 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
SINGLE RESIDENTIAL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	50-35-30	50 FT	15 FT	100 FT		
FOUR SEASON*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>						
* Proposal Includes: - 28x48 foundation with dwelling unit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		50'	15'	100'		
- 6x44 covered enclosed porch on posts See attached plan.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		50'	15'	100'		

\* 4.2 HOME OCCUPATIONS: If use of your property includes expanding or starting a home occupation, you must complete Supplement S-1: Questions for Home Occupations. Contact the LUPC office serving your area or download at [www.maine.gov/dacf/lupc/](http://www.maine.gov/dacf/lupc/). Please note additional fees apply to home occupations, see instructions for the appropriate fees.

\*\* 4.3 CAMPSITES: If use of your property includes a campsite for your personal use (e.g., will not be rented):

- a. Will the tents, tent trailer(s), pickup camper(s), recreational vehicle(s), trailer(s) or similar devices be located on the lot for less than 120 days in a calendar year? .....  YES  NO
- b. Will the camper(s), trailer(s), and/or recreational vehicle(s) be registered and road ready? .....  YES  NO
- c. Will the campsite have access to an on-site pressurized water supply (and not a self-contained water tank with pump)? .....  YES  NO
- d. Will the campsite have access to permanent structures other than an outhouse, fireplace, picnic table, or lean-tos? .....  YES  NO

\*\*\*\* 4.4 RECONSTRUCTIONS OR NEW ACCESSORY STRUCTURES: If you are constructing a new accessory structure, reconstructing an existing structure, or adding a permanent foundation:

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:  
WILL MEET SET-BACK REGULATIONS

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: \_\_\_\_\_

\*\*\*\* 4.5 DRIVEWAYS: If you are located on a public road:

a. Are you constructing a new driveway or entrance or changing a current driveway in a way that will increase traffic volume, or create a safety or drainage concern regarding a State or State-Aid Highway? .....  YES  NO  
If YES, you must submit Exhibit H: Driveway/Entrance Permit. Note: If your property is located along a County or Town/Plantation Road, you should check with that office before submitting this application to see what is required.

5. SUBSURFACE WASTEWATER DISPOSAL (SEPTIC SYSTEM) (Note: Exhibit may be required. See instructions)

- 5.1 Mark the existing type of system serving the property:  None  Combined Subsurface System (Tank, leach field)  
 Primitive Subsurface Disposal (Privy, graywater - non-pressurized);  Common Sewer (Connected to a sewer district)  
 Holding Tank  Self-Contained Camper or RV  Other \_\_\_\_\_
- 5.2 Will any expanded, reconstructed, or new structures include new bedrooms or bathrooms; add plumbing, water fixtures, pressurized water, or the ability for human habitation; or otherwise generate additional wastewater? .....  YES  NO  
If YES, you may need to submit Exhibit E: Subsurface Wastewater Disposal. (see instructions on page iv)

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6. DEVELOPMENT IN FLOOD PRONE AREAS (Note: Supplement may be required. See instructions.)

- 6.1 Is your proposed activity located within a mapped P-FP (Flood Prone Area Protection) Subdistrict, a mapped FEMA (Federal Emergency Management Agency) flood zone, or an unmapped area prone to flooding?
  - P-FP Subdistrict .....  YES  NO
  - FEMA Flood Zone .....  YES  NO
  - Unmapped Area Prone to Flooding.....  YES  NO

If you answer YES to any of these questions, you must complete Supplement S-4: Development in Flood Prone Areas. Contact the LUPC office serving your area or download at www.maine.gov/dacf/lupc/application\_forms/index.shtml.

7. VEGETATIVE CLEARING (Note: Exhibit may be required. See instructions.)

- 7.1 What is the total amount of proposed vegetative clearing not including the driveway and the footprint of proposed structures? ..... FOR DEVELOPMENT ONLY NA 1750 sq. ft.  
If you answer NA (not applicable) for 7.1 go to Section 8.
- 7.2 Will the total amount of existing and proposed vegetative clearing within 250 feet of any lakes or rivers be less than 10,000 square feet? .....  YES  NO  NA Total: \_\_\_\_\_ sq. ft.
- 7.3 Will the proposed clearing be located at least 50 feet from the right-of-way or similar boundary of all public roadways? .....  YES  NO  NA How Close? \_\_\_\_\_ feet
- 7.4 Will the proposed clearing be located at least 75 feet from the normal high water mark of any body of standing water less than 10 acres in size, any tidal water, or flowing water draining less than 50 square miles? .....  YES  NO  NA How Close? \_\_\_\_\_ feet
- 7.5 Will the proposed clearing be located at least 100 feet from the normal high water mark of the lake or river? .....  YES  NO  NA How Close? \_\_\_\_\_ feet
- 7.6 If you answer NO to any of these questions, please explain why your vegetative clearing proposal is necessary and how it will not create an undue adverse impact on the resources and uses in the area: \_\_\_\_\_

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

Adamstown Twp.      Dallas Plt.      Lincoln Plt.      Magalloway Plt.  
 Rangeley Plt.      Richardsontown Twp.      Sandy River Plt.      Townships C, D, and E.

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 F: Documentation for Exceptions to Buffering Requirements. (See instructions on page iv)

8. SOIL DISTURBANCE, FILLING AND GRADING AND EROSION CONTROL (Note: Exhibit may be required. See instructions.)

- 8.1 Will your project involve disturbing soil or filling and grading? .....  YES  NO  
If YES, please answer the following questions. If NO, continue to Section 9.
- 8.2 What is the total area of proposed soil disturbance or filling and grading? ..... 1750 sq. ft.
- 8.3 Will the area of soil disturbance or filling and grading within 250 of a lake or river be less than 5,000 sq. ft.? .....  NA  YES  NO  
a. If NO, what is the total square feet of soil disturbance or filling and grading within 250 feet? ..... sq. ft.
- 8.4 Will all soil disturbance or filling and grading be done when the ground is NOT frozen or saturated? .....  YES  NO  
If NO, you will need to submit Exhibit G: Erosion and Sedimentation Control Plan
- 8.5 What will be the closest distance from the area to be disturbed to the nearest waterbody or wetland? ..... 100 feet
- 8.6 Will any removed topsoil be stockpiled at least 100 feet from water and wetlands? .....  YES  NO
- 8.7 Will any fill used be free of hazardous or toxic materials, trash and rubbish? .....  YES  NO

Question 8 continues onto the next page...

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8. SOIL DISTURBANCE, FILLING AND GRADING AND EROSION CONTROL (continued from previous page)

- 8.8 Will all disturbed or filled area (other than driveways or walkways) be properly seeded and mulched prior to September 15 OR be heavily mulched with hay that is tacked down and a minimum of 4 inches in depth to prevent sedimentation in the spring?  YES  NO
- 8.9 Will existing waterbodies, wetlands, and culverts in the area be protected by the use of hay bales, silt fence or other measures?  YES  NO
- 8.10 What is the average slope of land between the area to be disturbed and the nearest waterbody or wetland?
  - 10% or Less (Requires minimum setback of 100')  20% (Requires minimum setback of 130')
  - 30% (Requires minimum setback of 170')  40% (Requires minimum setback of 210')
  - 50% (Requires minimum setback of 250')  60% (Requires minimum setback of 290')
  - 70% (Requires minimum setback of 330')

(Note: Between 10% and 20% average slope, an additional 3 foot setback is required for each additional 1% of slope (example: an average slope of 12% requires a minimum setback of 106 feet.))

(Note: Between 21% and 70% average slope, an additional 4 foot setback is required for each additional 1% of slope (example: an average slope of 36% requires a minimum setback of 194 feet.))
- 8.11 If you answer NO to any of these questions, or your project will not meet the minimum setback for your slope in 8.10, please explain how your project will not create an undue adverse impact on the resources and uses in the area. Include information about erosion control devices and other plans to stabilize the site: SOIL IS EXTREMELY SANDY

9. LAND AND WETLAND ALTERATION (Note: Exhibit or Supplement may be required. See instructions.)

- 9.1 Will your proposal alter a total of one acre or more of land area, whether upland or wetland?  YES  NO  
If YES, you must also complete Exhibit G: Erosion and Sedimentation Control Plan and Supplement S-3: Requirements for Wetland Alterations.
- 9.2 Will your proposal alter any amount of land that is mapped P-WL Subdistrict, or any ground below the normal high water mark of any lake, pond, river, stream, or intertidal area?  YES  NO  
If YES, you must also complete Supplement S-3: Requirements for Wetland Alterations.

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

Agent Name	Daytime Phone	FAX
Mailing Address <u>N/A</u>	Email	
Town	State	Zip Code

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" just prior to the application form)

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) Jacob E. Ehlman Date Dec 03, 2015  
M. Louis Ehlman Date Dec 03, 2015

For office use:

46929

Tracking No.

BP

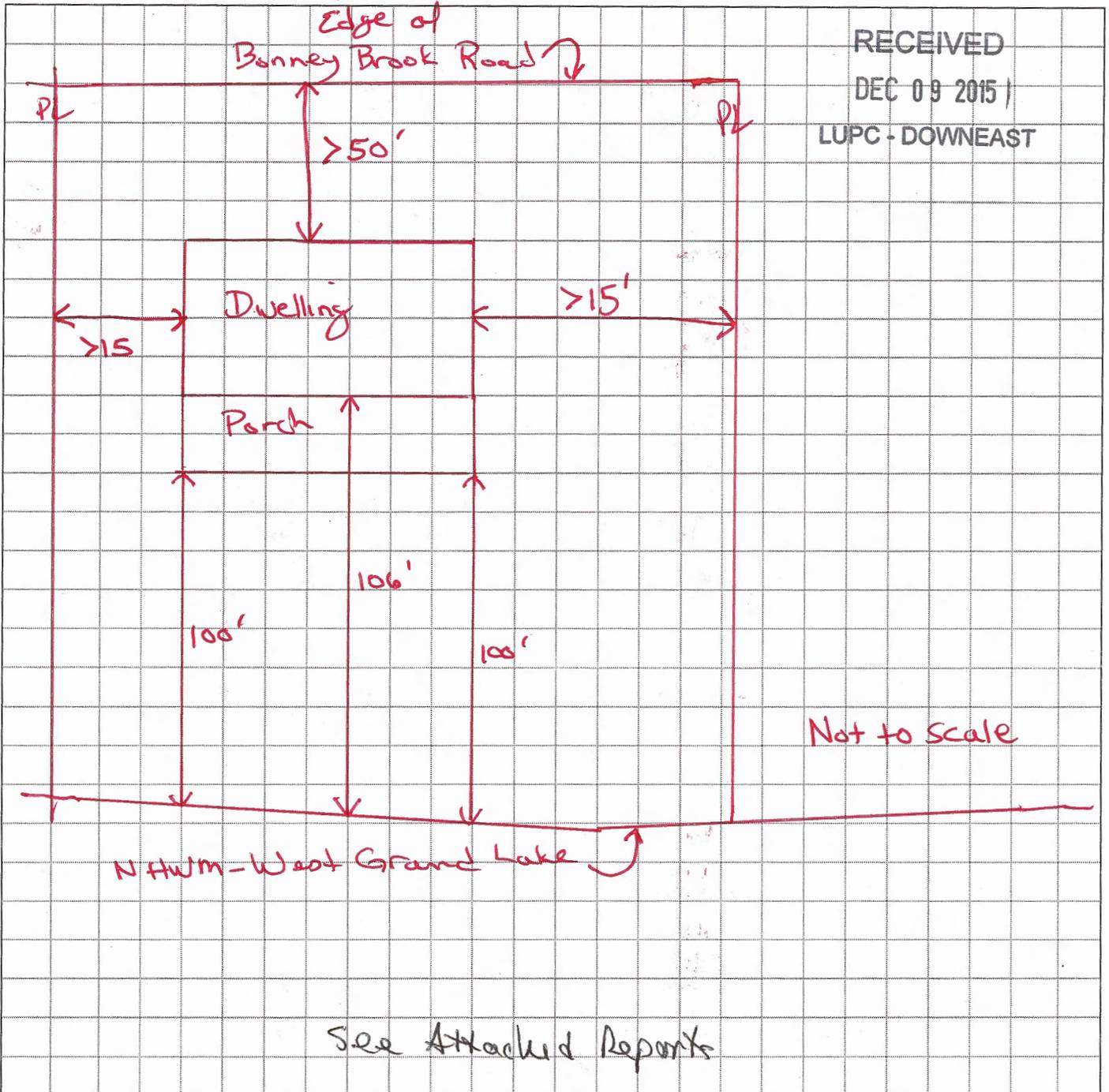
14348-A

Permit No.

# EXHIBIT D-2: AFTER SITE PLAN (OPTIONAL \*)

\*REQUIRED ONLY IF ALL PROPOSED CHANGES CANNOT BE CLEARLY SHOWN ON EXHIBIT D-1.

Prepare a bird's-eye view site plan that shows your entire property and includes all the elements described for Exhibit D in the instructions on page iv. Do not use colors. Refer to the instructions on page v for a sample site plan.



Notes/Legend:

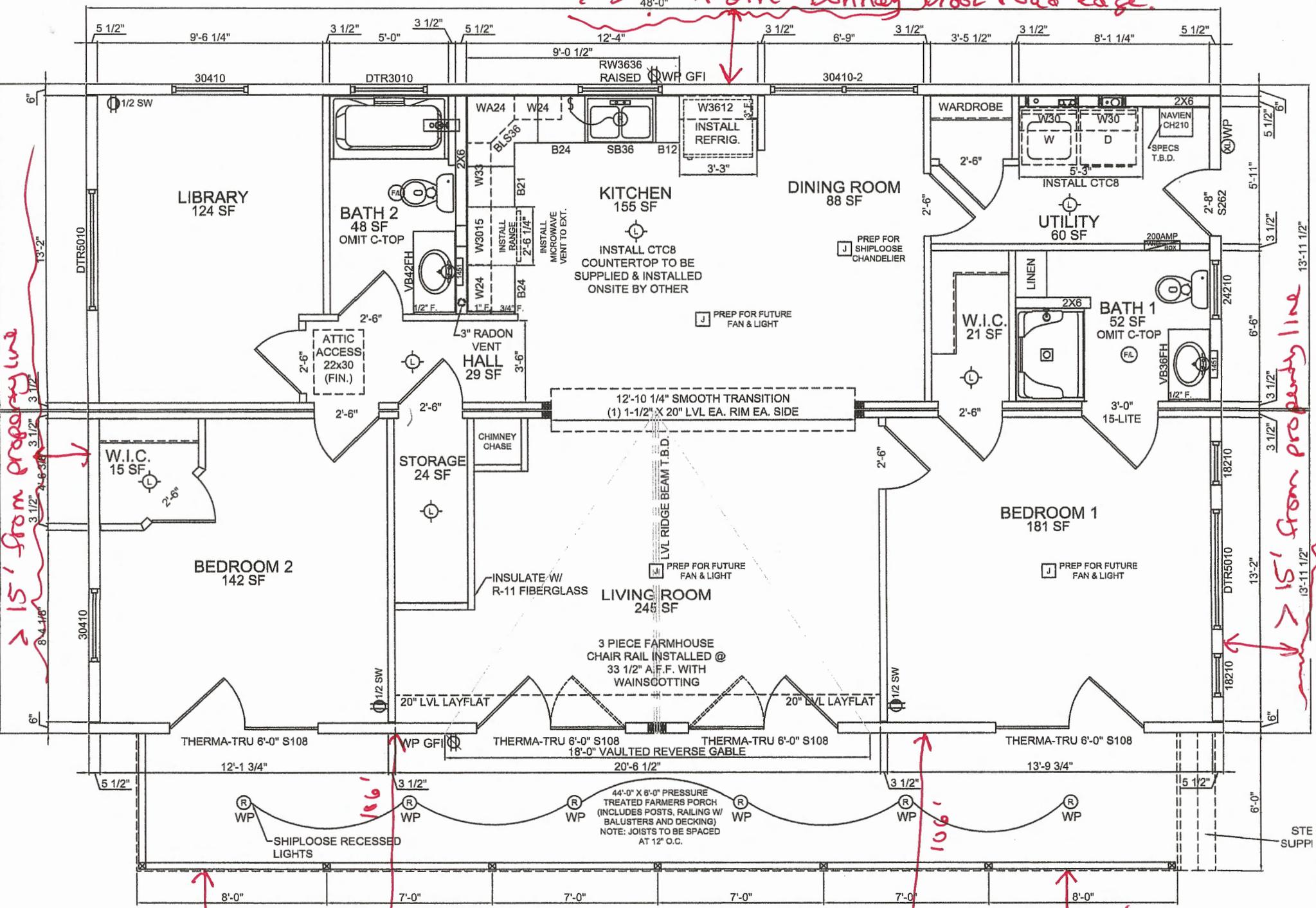
See proposed Building Floor plan, enclosed 3rd pages

Louise & James Estabrook

> 50' from Bonney Brook Road edge.

> 15' from property line

> 15' from property line



100' #1 Floor Plan. 30 x 35 - Louise + James Estleman

Ntown - west Grand Lake