



PAUL R. LePAGE  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY  
LAND USE PLANNING COMMISSION  
22 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0022

WALTER E. WHITCOMB  
COMMISSIONER

NICHOLAS D. LIVESAY  
EXECUTIVE DIRECTOR

## PERMIT

### AMENDMENT B TO BUILDING PERMIT BP 14553

The staff of the Maine Land Use Planning Commission, after reviewing the application and supporting documents submitted by Gail Goss for Amendment B to Building Permit BP 14553, finds the following facts:

1. Applicant: Gail Goss  
1271 Shadowlawn Dr.  
Naples FL 34104
2. Date of Completed Application: June 22, 2015
3. Location of Proposal: Parkertown Twp., Oxford County  
Tax Map 02 Tax Lot 2
4. Zoning: (D-RS) Residential Recreation Development Subdistrict  
(P-GP) Great Pond Protection Subdistrict
5. Lot Size: 11,371 Square Feet (owned)
6. Principal Building: Existing Single Family Residence (16 ft. by 30 ft.)  
w/ Existing Lakeside Deck (8 ft. by 14 ft.)  
w/ Existing Roadside Deck (8 ft. by 29.5 ft.)
7. Accessory Structures: Existing Shed (8 ft. by 10 ft.)  
Existing Deck (6 ft. by 8 ft.)
8. Sewage Disposal: Existing Combined Sewage Disposal System
9. Affected Water body: Aziscohos Lake

The Commission has identified Aziscohos Lake as a resource class 1A management class 3 lake with significant fisheries, wildlife, scenic, shore character, botanical, cultural and physical resources, and

outstanding significant fisheries, wildlife, scenic, shore character, botanical, cultural and physical resources.

### Background

10. The lot is developed with a pre-commission camp located approximately 58 feet from the shoreline of Azischohos Lake and 52 feet from the Alca Flats Road. The dwelling was historically served by a primitive waste water disposal system with pit privy. Also existing on the property is an 8 foot by 10 foot pre-Commission storage shed, located approximately 81 feet from Azischohos Lake and 29 feet from the Alca Flats Road.
11. On March 24, 2011, Commission staff issued Building Permit BP 14553 to Arthur Goss approving a proposed 8 foot by 32 foot enclosed porch on the road side of the camp. On June 11, 2013, Commission staff issued Amendment A to Building Permit BP 14553 to the applicant approving a proposed 8 foot by 14 foot open deck on the lake side of the camp. The existing pre-commission deck (6 ft. by 8 ft.) that was originally attached to the Alca Flats Road (Eastern) side of the camp was removed from the camp and slid sideways to the South in order to cover the septic tank area, this deck was not made more nonconforming.
12. On April 21, 2015, Commission staff inspected the property at the request of the applicant who was seeking a Certificate of Compliance. During that inspection, staff observed the following:
  - A. The applicant had jacked and leveled the dwelling, putting new posts and pads under the camp. The camp also had new siding. Staff determined that notwithstanding indications in previous permits that the camp is located approximately 58 feet from the shoreline of Azischohos Lake and 52 feet from the Alca Flats Road. Staff also observed that in the process of jacking and leveling the camp and installing the approved roadside porch (which was actually constructed as an open deck) the applicant's contractor had excavated and leveled the previously sloped area between the camp and the road, such that there exists an approximately 6 foot tall escarpment at the road side of the excavation. The contractor stabilized the escarpment with a 50 foot long by 6 foot tall rock retaining wall located approximately 90 feet from the shoreline of Azischohos Lake and 26 feet from the Alca Flats Road.
  - B. In addition, the applicant had converted the existing 8 foot by 10 foot storage building into a bathroom facility, with a 10 foot by 4 foot outdoor shower stall installed on the lake side of the building. The applicant had properly installed a combined subsurface sewage disposal system to replace the primitive waste water disposal system and the pit privy had been removed in compliance with the requirements of the Maine State Plumbing Code.
  - C. The applicant had constructed an 8 foot by 29.5 foot open deck on the road side of the camp instead of the 8 foot by 32 foot enclosed porch approved under Building Permit BP 14553. The lakeside deck appeared to have been constructed as approved under Amendment A to BP 14553.

### Proposal

13. The applicant is now seeking after the fact approval for the conversion of the 8 foot by 10 foot shed into a bathhouse with indoor shower. The existing outdoor shower is to be removed completely and rebuilt inside the 8 foot by 10 foot bathhouse.

14. The applicant is also seeking after the fact approval for the 50 foot by 6 foot tall retaining wall as constructed.

### Review Criteria

15. Pursuant to Section 10.11,B,1 of the Commission's Land Use Districts and Standards, permits are required for all expansions, reconstructions, relocations, changes of use, or other development of nonconforming structures, uses and lots, except where specifically provided in Section 10.11. In order to obtain a permit, the applicant must meet the approval criteria in 12 M.R.S.A. §685-B(4) and demonstrate that: a. the project will not adversely affect surrounding uses and resources; and b. there is no increase in the extent of nonconformance, except as provided in section 10.11,B,9 or in instances where a road setback is waived by the Commission in order to increase the extent of conformance with a water body setback.
16. Pursuant to Section 10.11,C,4 of the Commission's Land Use Districts and Standards, the use of a nonconforming structure shall not be changed without permit approval.
17. Pursuant to Section 10.26,D,1 of the Commission's Land Use Districts and Standards, the minimum setback for residential structures is 100 feet from the shoreline of a body of standing water 10 acres or greater in size, and 50 feet from the traveled portion of roadways.
18. Pursuant to Section 10.26,G,5 of the Commission's Land Use Districts and Standards, an exception may be made to the shoreline, road, and/or property line setback requirements for structures where the Commission finds that such structures must be located near to the shoreline, road, or property line due to the nature of their use.
19. The facts are otherwise as represented in Building Permit application BP 14553B and supporting documents.

Based upon the above Findings, the staff concludes that

1. The applicant's request for after the fact permit approval of the conversion of the pre-Commission shed into a bathhouse with indoor shower and toilet, to include removal of the existing outdoor shower, complies with the provisions of Sections 10.11,B,1 and 10.11,C,4 of the Commission's Land Use Districts and Standards. With the proposed removal of the lakeside outdoor shower, the structure will be no more nonconforming than the original pre-Commission structure, and the proper installation of the existing combined subsurface wastewater disposal system ensures that the project should not adversely affect surrounding uses and resources.
2. The applicant's request for after the fact permit approval of the existing retaining wall located 90 feet from the shoreline of Azischohos Lake and 26 feet from Alca Flats Road complies with the provisions of Section 10.26,G,5 of the Commission's Land Use Districts and Standards, in that the retaining wall must be located at the site of the excavated escarpment in order to be functional as a stabilizing structure to prevent erosion and sedimentation to the water body.
3. If carried out in compliance with the Conditions below, the proposal will meet the Criteria for Approval, section 685-B(4) of the Commission's Statutes, 12 M.R.S.A.

**Therefore, the staff approves the application of Gail Goss for Amendment B to BP 14553 with the following conditions:**

1. 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.
2. By October 1, 2015, the existing outdoor shower facility shall be disconnected and removed from the property and all materials disposed of in accordance with the applicable requirements of all state and federal solid waste laws and rules. All exposed mineral soil shall be promptly stabilized with vegetation.
3. All clearing of vegetation on the lot must comply with the Commission's standards for vegetative clearing Sections 10.27, B, a copy of which is attached.
4. All filling and grading activities on the lot must comply with the Commission's standards for Filling and Grading, Section 10.27, F, a copy of which is attached.
5. 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. 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.
6. Once construction is complete, the permittee(s) 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.
7. 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.
8. To protect the scenic quality of Azischohos Lake, all authorized structures must not be sited on a ridge or knoll such that they are visible above the tree line from the lake. 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.
9. 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.
10. The driveway must be located and constructed so that (a) it will not erode or create any undue restriction or disruption of existing surface water drainage ways and (b) it will divert runoff to a vegetated buffer strip so as to prevent it from directly entering a water body, mapped P-WL1 wetland or roadway.

11. Upon completion of the authorized structure(s) within the terms of this permit, the existing structure(s) must be removed from the lot and all solid waste and other debris disposed of in a proper manner, in compliance with applicable state and federal solid waste laws and rules.
12. The lot may not be further divided without the prior review and approval of the Commission. In addition, certain restrictions, including subdivision, setback and minimum lot size requirements, and activities on the original parcel from which the lot was first divided, may limit or prohibit a redivision of the lot in the future. The permittee(s) is(are) hereby advised to consult applicable land use laws and rules and with the Commission prior to any future redivision of the lot.

This permit is approved upon the proposal as set forth in the application and supporting documents, except as modified in the above stated conditions, and remains valid only if the permittee(s) complies(y) with all of these conditions. 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.

DONE AND DATED AT WEST FARMINGTON, MAINE, THIS 1<sup>st</sup>. DAY OF JULY, 2015.

By:



for Nicholas Livesay, Executive Director

For office use:

Tracking No. 48268 BP 14553B \$ 588.00  
Permit No. Fee Received

# Building Permit Amendment

SHORT FORM for Residential Development

## 1. APPLICANT INFORMATION

Applicant Name(s) Gail Goss 403 0391 Daytime Phone  
Me 207 483 FL 239 234 6271  
Mailing Address 1271 Shadowlawn Dr Email (if applicable) googie.baddy@hotmail.com  
Town Naples State FL Zip Code 34104

## 2. PROJECT LOCATION AND PROPERTY DETAILS

Township, Town or Plantation Parker town Township County Oxford  
Tax Information (check Tax Bill) All Zoning at Development Site (check the LUPC map)  
Map: 0x010 Plan: 02 Lot #02 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: ALCA Flats Rd Frontage 100 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: Aziscohos Lake Frontage 100'  
Waterbody #2: \_\_\_\_\_ Frontage \_\_\_\_\_

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

Previously issued Building Permit BP 14553A

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
<u>Camp</u>	<u>1965</u>	<u>16x30</u>	<u>post</u>							
<u>Shed</u>	<u>1968</u>	<u>8x10</u>	<u>post</u>	<u>58</u>	<u>45</u>	<u>58</u>				
<u>deck</u>	<u>2013</u>	<u>6x8</u>	<u>post</u>	<u>29</u>	<u>22</u>	<u>82</u>				
<u>deck</u>	<u>2013</u>	<u>8x14</u>	<u>post</u>	<u>37</u>	<u>22</u>	<u>74</u>				
<u>deck</u>	<u>2013</u>	<u>8x29 1/2</u>	<u>post</u>	<u>68</u>	<u>45</u>	<u>50</u>				
				<u>44</u>	<u>45</u>	<u>74</u>				

## 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*		Road	Property line	Lake or pond	River or stream	Wetland	Ocean/Tidal waters
<u>Drake Bath house</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>8x10</u>	<u>29</u>	<u>22</u>	<u>86</u>							
<u>retaining (rock) wall</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<u>50'x1'x6'</u>	<u>26</u>	<u>20</u>	<u>90</u>			

### \* 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:

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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:

**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	Ocean/Tidal Waters	
Cleared area	750'	26	20	90	—	—	—	
Filled/disturbed area								
What is the average slope of land between the area to be filled/disturbed and the waterbody or wetland? .....							10-1- %	<input 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.      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 E: Documentation for Exceptions to Buffering Requirements. (See instructions on page iii)

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

Agent Name (if applicable)	Daytime Phone	FAX (if applicable)
Mailing Address	Email (if applicable)	
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")

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) Gail Goss Date 6-22-15  
 \_\_\_\_\_ Date \_\_\_\_\_

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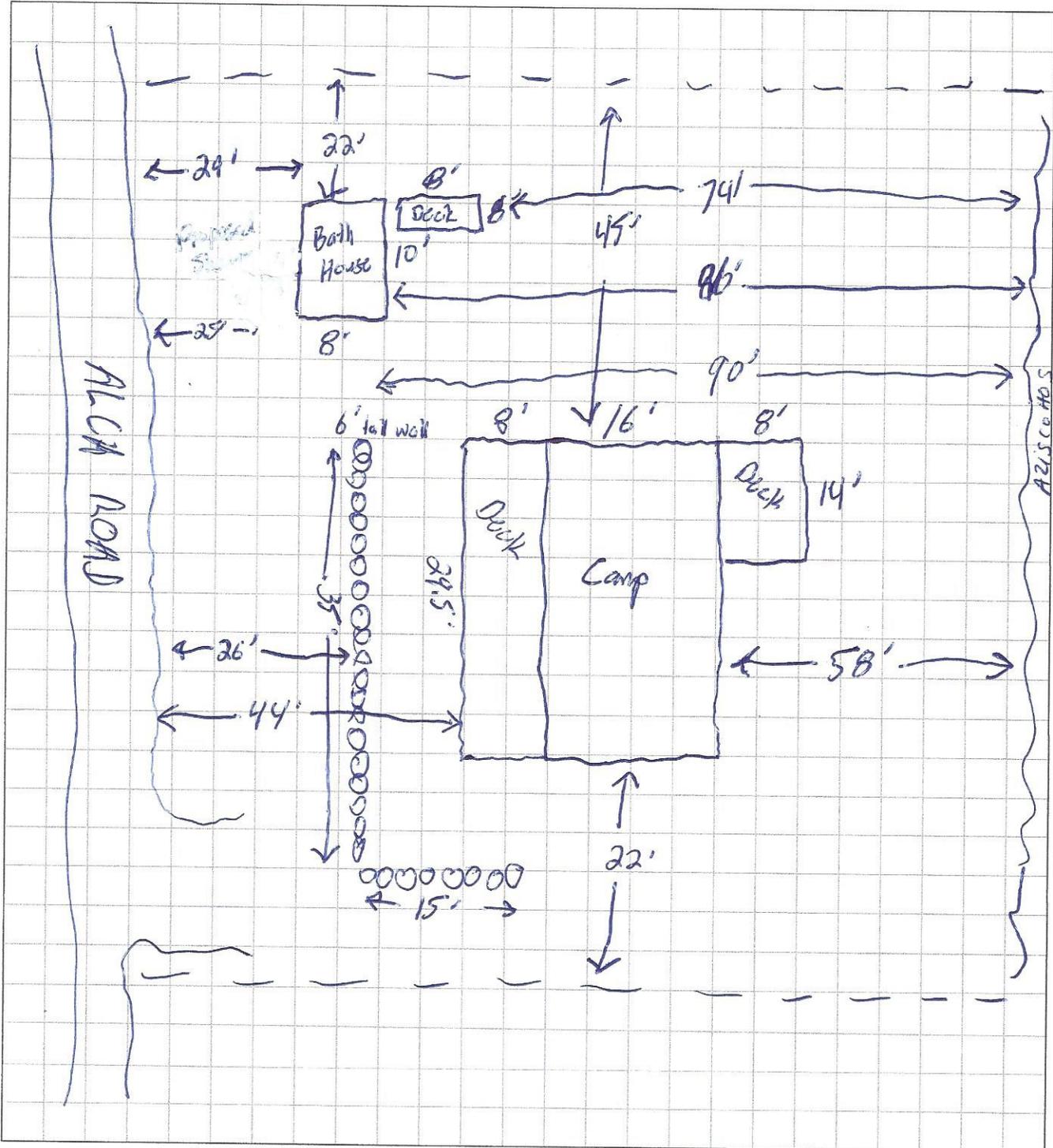
For office use:

48268  
Tracking No.

BP 14553 B  
Permit No.

# EXHIBIT C: SITE PLAN

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



Notes/Legend:

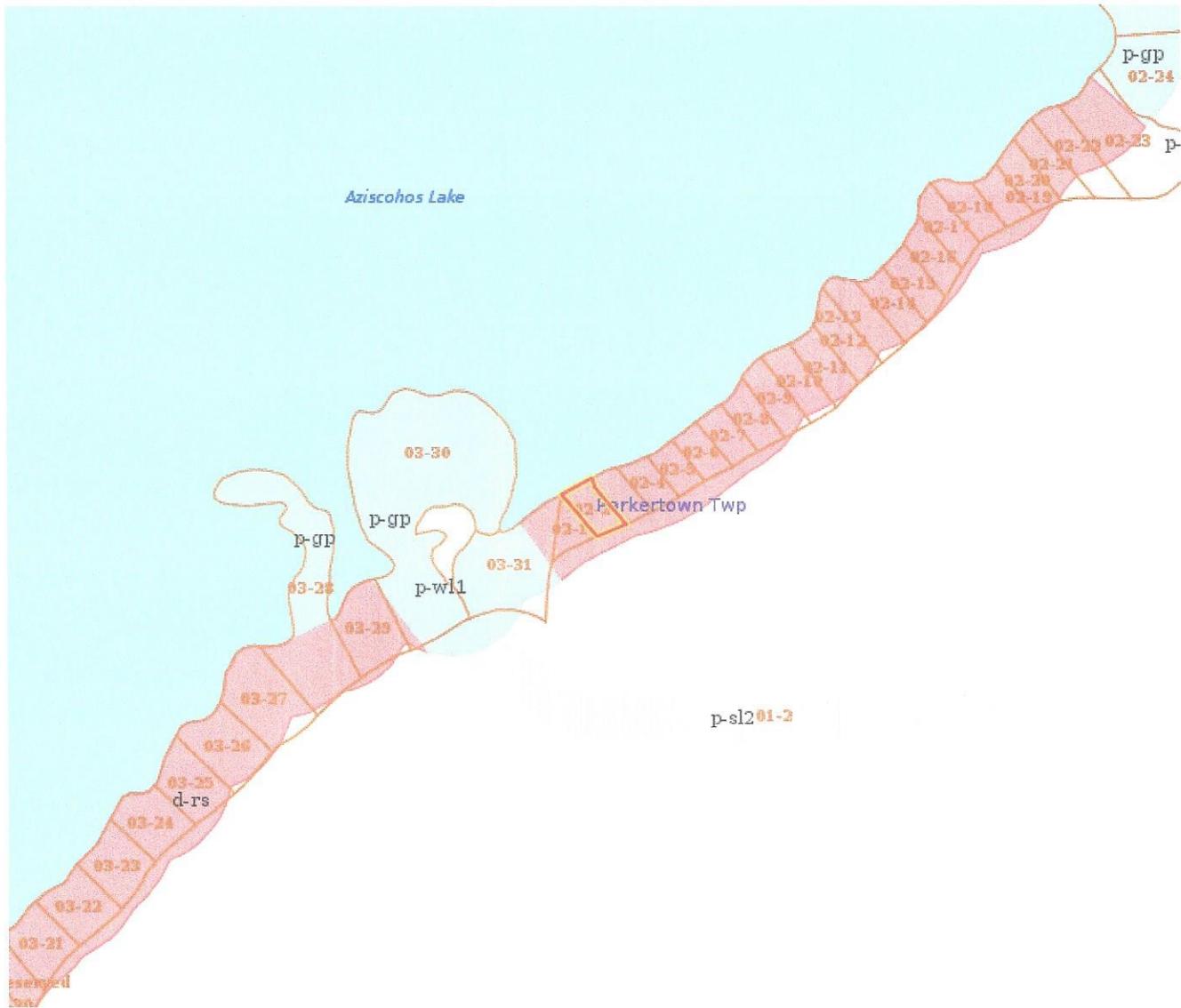
RECEIVED

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**Maine Department of Agriculture, Conservation and Forestry - Land Use Planning Commission**  
**Zoning and Parcel Viewer**

Map generated: Tuesday, June 23, 2015



Parcel number	Town/Geocode	Town Code	Plan	Lot	Zones Intersected	LUPC Region	Contact number
1	Parkertown Twp/17814	OX010	02	2	d-rs	RANGELEY	(207) 670-7492